

SESSION II.
1912.
NEW ZEALAND.

PRIVILEGE COMMITTEE

(REPORT OF THE) APPOINTED TO INQUIRE INTO AND REPORT ON THE PUBLICATION OF A LETTER WRITTEN BY WILLIAM SINCLAIR TO WILLIAM CARR ON THE 25TH MARCH, 1912, REFLECTING ON THE CHARACTER OF RICHARD MCCALLUM, MEMBER FOR WAIRAU; TOGETHER WITH MINUTES OF PROCEEDINGS, EVIDENCE, AND APPENDIX.

(MR. HANAN, CHAIRMAN.)

Report brought up on Friday, the 2nd August, 1912, and ordered to the printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

THURSDAY, THE 4TH DAY OF JULY, 1912.

Ordered, "That a Committee of Privilege be appointed to inquire into and report on the publication of a letter written by William Sinclair to William Carr on the 25th March last reflecting on the character of Richard McCallum, a member of this House; the Committee to have power to call for persons, papers, and records, and to report within three days; the Committee to consist of Mr. Fraser, Hon. Mr. Hanan, Mr. Seddon, Hon. Mr. R. McKenzie, Mr. Atmore, Mr. G. M. Thomson, Mr. Lee, Mr. Lang, and the mover: five to form a quorum."—(Hon. Mr. T. MACKENZIE.)

TUESDAY, THE 9TH DAY OF JULY, 1912.

Ordered, "That an extension of time for three days be granted to the Privilege Committee within which to bring up a report."—(Hon. Mr. T. MACKENZIE.)

WEDNESDAY, THE 10TH DAY OF JULY, 1912.

Ordered, "That an extension of time up to the 7th day of August, 1912, be granted to the Privilege Committee within which to bring up its report."—(Hon. Mr. T. MACKENZIE.)

REPORT.

THE Committee of Privilege appointed to inquire into and report on the publication of a letter written by William Sinclair to William Carr on the 25th March last, reflecting on the character of Richard McCallum, a member of this House, has the honour to report that, after taking evidence herein, it finds—

- (1.) That the said letter was written by William Sinclair and sent by him to and received by William Carr.
- (2.) That a copy of this letter was signed by William Sinclair and sent by him to and received by William Andrew Veitch, a member of Parliament, under cover of a letter addressed to the said William Andrew Veitch marked "Private and confidential."
- (3.) That William Andrew Veitch gave the copy of the letter referred to in paragraph (2) and received by him to Richard McCallum on or about the 3rd July, 1912.

The Committee is of opinion that the said letter was published by the said William Sinclair, and is not a privileged communication.

The Committee further reports that a desire was expressed by William Sinclair to be heard at the bar of the House before the breach of privilege is finally dealt with

2nd August, 1912.

J. A. HANAN, Chairman.

MINUTES OF PROCEEDINGS.

WEDNESDAY, 10TH JULY, 1912.

THE Committee met at 10.30 a.m. in room A.

Present: Mr. Atmore, Hon. Mr. Hanan, Mr. Lang, Mr. Lee, Hon. Mr. T. Mackenzie, Mr. Seddon, and Mr. G. M. Thomson.

Mr. McCallum, M.P., attended the meeting.

The order of reference setting up the Committee was read, also an extract from the Journals of the House granting an extension of three days in which to report.

Proposed by Mr. G. M. Thomson, and seconded by Mr. Lee, That the Hon. Mr. T. Mackenzie be appointed Chairman.

On the question being put, it was carried unanimously.

The Clerk produced a letter, marked "A," written by William Sinclair (see Appendix).

Resolved, on the motion of Mr. G. M. Thomson, That the Chairman do ask the House to grant a further extension until one week after the House meets in which to report.

Resolved, That counsel and the Press be admitted to the proceedings of the Committee.

The Committee then adjourned.

THURSDAY, 1ST AUGUST, 1912.

The Committee met at 10.30 a.m., pursuant to notice.

Present: Mr. Atmore, Hon. Mr. Fraser, Mr. Hanan, Mr. Lang, Mr. Lee, Mr. Seddon, and Mr. G. M. Thomson.

The Clerk stated that the Hon. Mr. T. Mackenzie had asked him to inform the Committee that, as he would be away from Wellington, it would be necessary to elect another Chairman.

Proposed by Mr. Lang, and seconded by Mr. Atmore, That Mr. Hanan be appointed Chairman.

On the question being put, it was carried unanimously.

Minutes of previous meeting read and confirmed.

Correspondence was read by the Clerk.

Sir Arthur Guinness, Speaker, attended and gave an opinion as to the scope of the order of reference.

Resolved to take evidence *re* the publication of the letter.

The Press reporters were admitted.

Mr. Skerrett, K.C., with him Mr. S. A. Atkinson, appeared on behalf of Mr. McCallum.

The evidence was taken down in shorthand.

(1.) William Sinclair, barrister and solicitor, Blenheim, was sworn, and gave evidence on his own behalf, and was examined by Mr. Skerrett, K.C., and the members of the Committee. (See Appendix).

(2.) William Andrew Veitch, auctioneer, Wanganui, and a member of Parliament, was sworn and examined by Mr. Sinclair and Mr. Skerrett, K.C.

(3.) Richard McCallum, M.P., Wairau, was sworn and examined by Mr. Skerrett, K.C., and members of the Committee.

Mr. Sinclair then addressed the Committee, and was examined by Mr. Skerrett, K.C., and members of the Committee.

Strangers then retired, and the Committee deliberated.

Resolved to report as follows:—

The Committee of Privilege appointed to inquire into and report on the publication of a letter written by William Sinclair to William Carr on the 25th March last reflecting on the character of Richard McCallum, a member of this House, has the honour to report that, after taking evidence herein, it finds:—

(1.) That the said letter was written by William Sinclair and sent by him to and received by William Carr.

(2.) That a copy of this letter was signed by William Sinclair and sent by him to and received by William Andrew Veitch, a member of Parliament, under cover of a letter addressed to the said William Andrew Veitch marked "Private and confidential."

(3.) That William Andrew Veitch gave the copy of the letter referred to in paragraph 2 and received by him to Richard McCallum on or about the 3rd July, 1912.

(4.) The Committee is of opinion that the said letter was published by the said William Sinclair, and is not a privileged communication.

The Committee further reports that a desire was expressed by William Sinclair to be heard at the bar of the House before the breach of privilege is finally dealt with.

Resolved, That the Chairman be empowered to sign these minutes, and that a vote of thanks be accorded to him for his services.

MINUTES OF EVIDENCE.

THURSDAY, 1ST AUGUST, 1912.

WILLIAM SINCLAIR SWORN and examined. (No. 1.)

1. *The Chairman.*] What is your name?—William Sinclair.
2. Where do you reside?—Blenheim.
3. What is your occupation?—Barrister and solicitor of the Supreme Court of New Zealand.
4. Practising in Blenheim?—Yes.
5. Mr. Sinclair, you have a copy of the order of reference to this Committee?—No, sir.
6. Have you read it?—No, I have not.
7. I will read it to you: “Ordered, That a Committee of Privilege be appointed to inquire into and report on the publication of a letter written by William Sinclair to William Carr on the 25th March last reflecting on the character of Richard McCallum, a member of this House; the Committee to have power to call for persons, papers, and records, and to report within three days.” We purpose not going into the merits of the case, but to devote our attention to an inquiry respecting the publication of this letter alleged to have been written by you to Mr. William Carr?—Yes, sir, I desire that that should be done—that as to the manner of the publication I should be allowed to prove how that was done. I am quite willing to be frank—I do not wish to conceal anything. Later I shall ask the Committee to call the member for Wanganui (Mr. Veitch). I sent him a letter, and I believe he handed that letter to Mr. McCallum.
- Mr. Skerrett, K.C.:* May I ask for permission to appear, with my learned friend Mr. Atkinson, for Mr. McCallum?
- The Chairman:* Yes. Have you the letter, Mr. Skerrett?
- Mr. Skerrett:* No, I have not the letter.
- Mr. Sinclair:* I am prepared to hand in a copy of the letter sent to Mr. Carr, which was similar to that sent to Mr. Veitch.
8. *The Chairman.*] Is that a copy, marked “A” [produced], which was read by Mr. McCallum to the House, and which has been referred to this Committee?—Yes, sir.
9. *Mr. Lee.*] Was that particular paper received by Mr. Carr?—I cannot say.
10. *The Chairman.*] You wrote this letter dated the 25th March addressed to whom?—William Carr, who is a client of mine. I wrote that as a solicitor to my client.
11. Do you know what became of the original letter?—The original letter, so far as I know, Mr. Carr would have.
12. Do you know into whose hands a copy went?—I sent a copy to Mr. Veitch, member for Wanganui.
13. Do you know whether this is a copy of the letter you sent?—I believe it to be a true copy, but I do not know whether it is the original one. This is a copy of a letter I sent to Mr. Veitch, member for Wanganui: “Private and confidential.—High Street, Blenheim, 30th March, 1912. —DEAR SIR,—Wairau election petition case, 1912: Thinking you may, as a member of the Reform party, be interested in the trial of the Wairau election petition recently held in Blenheim, I beg to enclose a copy of the report on the case in which I was engaged as counsel for the petitioners. In addition to the report, suggestions are made as to the methods to be adopted to have the judgment of Williams and Chapman, JJ., reviewed by the Privy Council in the interests of the purity of elections. The whole subject will be brought before Parliament next session.—Yours faithfully.” This is not signed, but the original was signed “William Sinclair,” and was addressed to Mr. Veitch, member for Wanganui. When the proper time arrives I mean to contend that both these letters were privileged: The letter to Mr. Carr was privileged because it was written to him by me as solicitor to client. I also mean to contend that the letter I wrote to Mr. Veitch was privileged because I as an elector had a right to write to a member of Parliament. I had an object in view—that is, the purity of elections. I had resolved to present a petition to the House. I wrote that letter with a view to asking that an Act of Parliament should be passed in order to have the judgment of the Election Court reviewed, not with the object of having Mr. McCallum removed from the House, but in order to ascertain whether the judgment laid down by the Judges was in accordance with the laws of England. With all respect to the Judges, I maintain that their judgment was erroneous in law. What I wished to show was that the notes of the Judges and the judgment should be sent to the Privy Council to decide whether the judgment was in accordance with law. That being so, I submit that as a matter of law I had a right to write to any member of Parliament setting forth the facts with a view to that being done. I have a large number of authorities which I wish to bring before the Committee. If I thought we were going to be called before the House I would not inflict these authorities on the Committee at this stage, but if I am not going before the House, then I should lose my opportunity; so that I ask the Committee to be patient while I refer to the authorities.
14. We are merely calling you as a witness at present?—Is that so, sir?
15. We are inquiring now as to the publication of the letter. Have you anything further to say?—I have nothing further at this stage to say than that I hope to have the privilege of calling Mr. Veitch with regard to the privilege of publication. That is all I have to say at present.

16. The letter we have to inquire into with regard to publication is a letter written by William Sinclair and sent to Mr. Carr?—The matter is vague. Was I writing to Mr. Carr, or was I publishing it to another gentleman? I thought it pointed to Mr. Veitch, but I may be wrong. I wish to call Mr. Veitch to see whether he handed the letter over to Mr. McCallum, or only the covering letter.

17. *Mr. Skerrett.*] Mr. Sinclair, I understand that you wrote a letter to your client, Mr. Carr?—Yes.

18. And you made a number of fac-simile copies of that letter?—Yes.

19. Signing each of the copies?—Yes.

20. The original, of course, went to Mr. Carr?—Yes.

21. How many copies did you prepare—have you a general recollection?—Well, I sent out thirty-nine copies.

22. Signed by yourself?—Yes, to members of Parliament.

23. And among them Mr. Veitch—he was one of the thirty-nine?—Yes.

24. In Mr. Veitch's case you enclosed the copy in a covering letter which is produced?—Yes, and in every other case.

25. Was the covering letter in each of the thirty-eight copies in the same form as that of Mr. Veitch's?—Yes, identically.

26. Including the words "Private and confidential"?—Yes.

27. Were you requested by Mr. Carr to make any report to him as to the case?—No, but I believed it to be my duty to him.

28. Are you prepared to pledge your statement that he, at the time you wrote that letter, had not withdrawn his retainer?—Yes.

29. Was there any formal withdrawal of the retainer prior to the writing of that letter?—No.

30. Have you the evidence of any fresh facts which were not put before the Election Court?—What particulars are you referring to?

31. Relating to any of the facts on the petition?—Yes, I have.

32. I do not think I should ask, but any member of the Committee might ask, anything further on the point. I understand from you that your act in forwarding to thirty-nine members of the House a copy of the letter you sent to Mr. Carr was your own act independent of any instruction from or consent on the part of your client?—Yes, quite so.

33. Did you have any instruction from your client to present a petition to the House dealing with the result of the judgment or for the purpose of procuring statutory authority to do so?—Up to this time I have not received such instructions.

34. *Mr. Seddon.*] With regard to Mr. Carr, had you represented him in any way in the previous case?—The three petitioners were Mr. Carr, Mr. Lankow, and Mr. O'Sullivan, and I had appeared for the petitioners.

35. And Mr. Carr was still your client?—Yes.

36. *The Chairman.*] You ask that Mr. Veitch be called?—Yes, unless Mr. McCallum will admit that Mr. Veitch received that covering letter, because in that case I have authorities that the letter is privileged. I only propose to ask Mr. McCallum a question on that point. If he did not get the covering letter it will be necessary to call Mr. Veitch.

Mr. Skerrett: We never had the covering letter.

Mr. Sinclair: Then I ask the Committee to summon Mr. Veitch to attend.

37. *The Chairman.*] Of course, this letter is written to Mr. Carr?—Yes, but as far as the publication to Mr. Carr is concerned my learned friend will admit that it is privileged. The publication sought is that to Mr. Veitch, and I have authorities to show that was privileged.

38. *Mr. Lee.*] Why do you suggest that it was the copy you sent to Mr. Veitch that was sent to Mr. McCallum?—Because it is stated so in *Hansard*, I believe. There is a paragraph in the report where he says he (Mr. McCallum) did not receive it from a member of the Opposition. I took the lists of the division which took place in March when the Opposition were thirty-nine, and I sent a copy of this letter to Mr. Veitch, who was then a member of the Opposition. I believe it was practically admitted in the House that the copy came from Mr. Veitch.

39. *The Chairman.*] You have no other witness to call than Mr. Veitch?—That is all. This is the paragraph I was referring to, on page 249 of *Hansard* No. 3, 4th July: "I do not blame the members of this House, and I am not going to refer to any side of the House in this matter, because I have to admit at once that the gentleman who got this letter does not belong to the Opposition side of the House at all. The gentleman was kind enough to give it to me."

W. A. VEITCH sworn and examined. (No. 2.)

1. *The Chairman.*] What is your name?—William Andrew Veitch.

2. What is your occupation?—Auctioneer.

3. You reside where?—Wanganui.

4. And at the present time you are a member of the House of Representatives?—Yes.

5. We have asked you to come and give evidence with regard to this letter alleged to have been sent to you?—Yes.

6. *Mr. Sinclair.*] Did you receive a letter from me in March last *re* the Wairau election petition?—I do not know who you are.

7. I have not had the pleasure of meeting you before. My name is Sinclair?—Yes.

8. What did you do with it?—I kept that letter. I did not give it to any one.

9. Was there not a letter addressed to you and an enclosure addressed to Mr. Carr?—There was an enclosure.

10. What did you do with the letter addressed to yourself?—I destroyed it—the letter addressed to myself.

11. Will you please read the first page of that [document produced and handed to witness]. That is what I call the covering letter?—As near as I can remember that was the letter sent to me.

12. Do you notice that was marked "Private and confidential"?—Yes.

13. If you receive a letter marked "Private and confidential," and are not prepared to treat it as private and confidential, do you not consider it to be your duty to send it back to the writer?—No.

14. Those are your ethics?—I do not say that.

15. You did not keep that letter, but destroyed it?—As far as I can recollect I destroyed it.

16. What did you do with the enclosure addressed to Mr. Carr?—I do not know that I am prepared to admit your right to ask me. I accepted it as an enclosure to the private and confidential letter.

Mr. Skerrett: Is it relative that we should ascertain the nature of the contents of the letter to Mr. Carr, seeing that it had been sent to thirty-nine members of the party, or how it came to Mr. McCallum's notice? I apprehend that all the facts are now available to allow of the Committee to come to a decision on the matter. We have the fact admitted that the letter was sent to thirty-nine members of the House.

17. *Mr. Sinclair.*] I submit that it might affect the quantum of punishment, and that I am entitled to rely on the *Hansard* report. Mr. McCallum is reported to have said, "I do not blame the members of this House, and I am not going to refer to any side of the House in this matter, because I have to admit at once that the gentleman who got this letter does not belong to the Opposition side of the House at all." Now, Mr. Veitch, did you not hand the enclosure to Mr. McCallum?—I think that is my business.

Mr. Sinclair: I must ask you to rule, Mr. Chairman.

18. *The Chairman.*] I think you ought to answer the question, Mr. Veitch?—Well, I did hand it to Mr. McCallum.

19. *Mr. Sinclair.*] Now I want the date?—I cannot give you the date. I considered the letter contained statements of a discreditable nature.

20. You got the letter some time in March?—I cannot remember the date.

21. You heard the speech of Mr. McCallum in the House in which he said he had received the letter the day before?—I think that was correct.

22. It was treated as a matter of urgency because he said he had not had the letter more than twenty-four hours?—I was present when the speech was delivered.

23. Did you not hear the Speaker rule that if Mr. McCallum brought the matter up before the House the moment he received the letter he was entitled to have it treated as a matter of urgency?—I cannot tell you the time, but it was one or two days previous to that.

24. As a matter of fact, was it not a week before?—I cannot say that it was. I do not remember the date exactly. I do not want to shuffle out of the matter at all, but you are trying to tie me down to details which it is impossible for me at this time to remember.

25. *Mr. Lee.*] Did you send the letter by post?—No; I delivered it to him personally—either up here or down below.

26. *Mr. Skerrett.*] I understand you regarded the letter as an attack upon a member of the House?—Yes, I did.

27. And you thought it proper that such an attack should be brought under the notice of the member concerned?—I thought it only fair that he should know what had been said of him.

28. Do you think a letter of this kind should be protected when circulated by a covering letter marked "Private and confidential"?—No. If I had thought that I should not have disclosed it to Mr. McCallum.

29. Will you look at page 2 of the letter—"You cannot expect and you do not expect them to tackle perjurers in high place and embark on a sea of crime for repression and punishment of perjury, as part and parcel of their day's work, for which they get the wages of a common labourer." Then look at paragraph 1 lower down: I ask you whether that letter did not contain gross charges against Mr. McCallum?—Surely.

30. Now, as to the time when you handed the letter to Mr. McCallum: Mr. McCallum said in the House that you handed it to him within twenty-four hours before his motion was treated as a breach of privilege. Are you prepared to say that is not correct?—I believe it is correct.

31. But you cannot speak with any positiveness on the point?—Perhaps if I went into the matter minutely I could say perhaps positively; but I cannot remember very well after the time that has elapsed.

32. You believe Mr. McCallum's statement to be correct?—I have no reason to believe it to be incorrect.

33. *Mr. Sinclair.*] Why did you keep this letter concealed among your papers from the end of March or the beginning of April, when you received it, until the 3rd July?—You say I kept it concealed among my papers. I cannot answer the question in that form.

34. In the House Mr. McCallum, on the 4th July, says, "I desire to say I received this letter late last night." Why did you not forward the letter to Mr. McCallum immediately after you received it?—I brought it down with me and handed it to him personally.

35. You did not consider it necessary to send it through the post?—No, I did not.

36. *The Chairman.*] We have received a letter from Mr. Carr which I think Mr. Sinclair should hear read. Mr. Carr had been called as a witness, and had written as follows: "Blenheim, 26th July, 1912.—The Hon. Thomas Mackenzie, M.P., Wellington.—Sir,—I have the honour to acknowledge the receipt of your communication of the 18th instant requesting my attendance at

the inquiry of the parliamentary Committee on 1st proximo to give evidence *re* the publication of a letter written by William Sinclair to me on the 25th March last. In reply I beg to say that, while I have every desire to treat the Committee with courtesy and to facilitate its inquiries, I cannot see my way clear to attend personally at my own expense in Wellington on the date named, especially in reference to a matter in which I claim to be in nowise concerned. I desire to say, with the utmost emphasis, that whatever our personal views may be relative to the conduct of the Wairau election, or the decision of the Court in the election petition case, neither I nor the other petitioners have been in any way party or privy to the publication of the letter of the 25th March referred to, and they and I disclaim any responsibility in the matter.—WILLIAM CARR."

Mr. Sinclair: That is quite correct. I may say that I have had no communication with Mr. Carr, but that is correct.

RICHARD MCCALLUM sworn and examined. (No. 3.)

1. *Mr. Skerrett.*] Your name is Richard McCallum?—Yes.
2. And you are a member of Parliament for Wairau?—I am.
3. Do you remember the time and date on which you received a copy of the letter written by Mr. Sinclair to Mr. Carr?—Yes, I got it at the supper adjournment on Wednesday, the 3rd July, at about half past 10.
4. *Mr. Lang.*] Was that the first intimation you got of the letter?—No, it was not. I met Mr. Veitch during the first week we sat in Parliament, and he said, "I have a document at home that you should see"; and I said, "I should be delighted to have the document forthcoming," because I had heard of it. He went back to Wanganui, and returned to Wellington about Tuesday, and he gave it to me on the Wednesday. He mentioned that he had a private and confidential document also, but I said I did not want to look at it. I saw him destroy it. I would not have anything to do with that, and did not read it.
5. *Hon. Mr. Fraser.*] Did you understand that the covering letter alone was confidential and not the document enclosed with it?—Yes; but I do not think we discussed that. I did not know what was in the private and confidential letter.
6. But Mr. Veitch did inform you that it came in a covering letter marked "Private and confidential"?—Yes, the envelope sent to him contained another letter. I had the idea that the covering letter was asking for subscriptions in connection with the lawsuit.
7. You stated just now that Mr. Veitch handed it to you. There was contained in the envelope another letter marked "Private and confidential"?—Yes.
8. Would not that appear to you as covering that document?—Yes, I knew it was a covering letter.
9. Of the letter marked "Private and confidential"?—That is a matter of opinion.
10. No, it is a matter of fact. You said that you understood from Mr. Veitch that in the same envelope was a letter marked "Private and confidential." What I ask is whether you did not consider the enclosure was equally so?—I did not consider the long document private and confidential, and told Mr. Veitch so. That was an enclosure. The libel was not marked "Private and confidential." There was another letter which I thought was a begging letter in connection with the prosecution, and I did not read that.
11. *Mr. Atmore.*] Do you not think that if the heading "Private and confidential" was always to be respected it would be possible to make infamous attacks on any man without the matter being brought to light?—I say there is no privilege attaching to a libellous document. That gives no privilege to the writer of the letter. In law it is of no weight whatever, and Mr. Skerrett will back me up in that opinion. There can be no privilege in connection with a scandalous statement.
12. My reason for asking was to find out whether any code of ethics had been infringed?—None whatever. The document not marked "Private and confidential" was the document I was concerned in, and which I had heard of before Mr. Veitch told me of it. I might say, in justice to Mr. Veitch, that I have had admissions from several members of the House that they had got a similar communication. At the time I was speaking in the House a number of members said they had got similar communications.
13. *The Chairman.*] You are aware that this publication of the letter was declared to be a breach of privilege in the House?—Yes.
14. And what was referred to in this letter had come under the consideration of the Supreme Court?—Yes.
15. They were all points which had been considered by the Judges?—Nearly all.
16. And the result of the case?—Was the dismissal of the petition.

Mr. Sinclair: I submit that the House has not yet declared that the publication was a breach of privilege.

The Chairman: Will you show me on what page that is to be found?

Mr. Sinclair: On page 257 of *Hansard* the Hon. Mr. T. Mackenzie moved, "That a Committee of Privilege be appointed to inquire into and report on the publication of a letter by William Sinclair to William Carr on the 25th March last reflecting on the character of Richard McCallum, a member of this House." Therefore I submit that it is for this Committee to report and for the House to consider afterwards whether a breach of privilege was committed. I desire to be heard in my defence in order that I may prove that a breach of privilege has not been committed. I am the defendant, and I understand it is a fundamental principle of British justice that no man shall be condemned before being heard: I am here to show that no breach of privilege has been committed, and I desire that the Committee shall hear me.

The Chairman: I do not want to shorten your remarks, but I have to say that the Committee—as I intimated at the beginning of the proceedings—was set up merely to inquire and report on the question as to the publication of the letter sent by Mr. Sinclair to Mr. Carr. We are not going into the matter of whether a breach of privilege has been committed or not, because the House has already decided that.

Mr. Sinclair: That is surely hanging a man before his trial.

The Chairman: Before punishment is administered.

Mr. Sinclair: I desire to be heard somewhere before any censure is passed upon me—as a matter of law.

The Chairman: You would have that opportunity. You would have to appear before the House and show why you should not be punished. It was done in the matter of Sir Walter Buller. Our function is solely confined to inquiring into and reporting on the publication of this letter. It is for the House after we have reported to take action in the matter.

Mr. Sinclair: All I ask is that before the matter is dealt with I shall be heard in my defence. You have given me that assurance—

The Chairman: I cannot give you an assurance. There is the constitutional practice, and I take it that that will be followed.

Mr. Lee: We can report that Mr. Sinclair be heard.

Mr. Sinclair: Yes.

The Chairman: Do you make that request?

Mr. Sinclair: I do, sir.

Mr. Skerrett: I may be pardoned for saying that Mr. Sinclair has not put his case on the best ground, and the Hon. Mr. Fraser has indicated the proper ground, which is quite consistent with the order of reference. The order of reference is merely to report as to publication, and that necessarily involves the question of privilege which Mr. Sinclair desires to raise. It would be very objectionable that Mr. Sinclair should not have an opportunity of saying what appears to him to be pertinent to the inquiry to ascertain under what circumstances the publication took place.

Mr. Sinclair: The position I take up is that as a matter of law there is no publication, but I do not know when I shall have the opportunity to be heard. If the Committee do not wish to be wearied with what I have to say, then I wish to ask the House to hear me. The first point I wish to submit is this: that no portion of that letter is a libel on the honourable member for Wairau; that the statements were made with regard to Mr. McCallum as a candidate and not as a member of Parliament. That is abundantly clear if you consider for one moment what the Election Court was investigating at Blenheim. On the 18th March the Court sat, and it was investigating only Mr. McCallum's conduct as a candidate: it was not investigating his conduct as a member of Parliament.

The Chairman: You are quite aware, Mr. Sinclair, that it is not necessary for a letter to be a libel in order to constitute a breach of privilege under certain conditions?

Mr. Sinclair: Anything disrespectful, I know, is sufficient, but it must touch the person as a member. I will briefly read my authorities.

Mr. Lee: I rise to a point of order. It seems to me that we are now going outside the scope of the order of reference. Mr. Sinclair is endeavouring to justify the allegations. It is not for us to inquire into that. I do not say as a matter of justice that the question should not come before the House, but it is not for this Committee. Mr. Sinclair's remarks should be confined strictly to the issue of publication.

Mr. Sinclair: I do not propose to justify the allegations: I propose merely to state the law to show that on the admitted facts it is not a breach of privilege. That is my main defence, apart from publication altogether.

The Chairman: I think Mr. Lee's objection is sound, and I must uphold it.

Mr. Sinclair: Then, I am denied the opportunity of showing that this is not a breach of privilege?

The Chairman: From the point of view that you were dealing with two or three minutes ago. We are not going into the truth or otherwise of these allegations.

Mr. Sinclair: I do not propose to go into that, but I propose to say, taking the document as it stands, that it does not constitute a breach of privilege, because it does not refer to the conduct of the honourable member for Wairau: it refers to the conduct of Mr. Richard McCallum as a candidate. Surely I have a right to say that in my defence.

Mr. Lee: The House has said that it is a breach of privilege.

Mr. Sinclair: Without hearing me.

The Chairman: I have already indicated that Mr. Sinclair must confine his arguments to the question of publication.

Mr. Sinclair: If that be so, I will confine my argument at this stage to publication, reserving to myself the right—if I have it—of arguing before the House that it is not a breach of privilege. With regard to publication, what I do say is that, so far as the letter written by myself to Mr. Carr is concerned, that, of course, is privileged. I was acting as solicitor to Mr. Carr and two other gentlemen. I had conducted the case for the petitioners at Blenheim, and when the judgment of the Court was given I conceived it to be my duty as counsel to report to my clients the legal aspects of the judgment. I addressed Mr. Carr, because he was the one of the petitioners who was residing in town. Mr. Carr was probably the most active of the three petitioners. But it may be taken that that letter was really directed to the three petitioners, and, therefore, being from myself as solicitor, I submit the legal position is perfectly clear—that it was privileged, and there could be no breach of privilege. With regard to the publication of the letter to Mr. Veitch, what I say is that there was no publication because the letter was marked "Private and con-

fidential," and I submit that it is the bounden duty of any man, whether he is a member of Parliament or whether he is not, if he receives a communication which is marked "Private and confidential" either to treat it as private and confidential or to destroy it, or return it to the person who wrote it—otherwise the business of the world could never be carried on. We all have to write letters which we mark "Private and confidential," and if the contents of those letters were to be disclosed broadcast, no man would be safe in writing any letter at all. I submit as a matter of law that I had a right to write to any member of Parliament on this subject, because I conceived that the judgment of the Election Court was erroneous in point of law. Unfortunately, there is no appeal from the judgment of an Election Court. It is very often—as in this case—a most important judgment, but the judgment of the Election Court is final. I conceived, as an elector and also as one who had been honestly concerned in the matter of the petition, that it was desirable, in the interests of the purity of elections, that the Judges' notes and the judgment should be referred to the Privy Council, and that the Privy Council should be asked whether that judgment was good in law or bad in law. Having that object in mind, without any animus or ill feeling whatever against Mr. McCallum—because there is nothing of that kind so far as I am concerned—I wrote to Mr. Veitch as a member of Parliament. I sent him a copy of my letter to my clients, and I marked my letter "Private and confidential," and I stated in the letter, "In addition to the report, suggestions are made as to the methods to be adopted to have the judgment reviewed by the Privy Council, in the interests of the purity of elections. The whole subject will be brought before Parliament next session." I say that I had a right, as an elector, to write to a member of Parliament to state what I contemplated doing, and I submit there was no publication. I submit that a confidential position was then set up between myself and Mr. Veitch, and I will cite an authority which I think is in point on that subject. I quote from *Odgers on Libel*. This is the fourth edition, published in 1905. At pages 244 and 245 the learned author says, "Merely labelling a letter 'Private and confidential,' or merely stating 'I speak in confidence,' will not make a communication confidential in the legal sense of that term, if there is in fact no relationship between the parties which the law deems confidential." In this case I submit that Mr. Veitch does not represent the district of Wanganui only in Parliament: all honourable members represent the whole Dominion, and any elector has a right to communicate with a member of Parliament in any matter affecting the body politic. I did that, and I say there was a confidential relationship between Mr. Veitch and myself, and therefore the letter was privileged, and it was not published in the ordinary sense of publication.

The Chairman: Was it for the public good?

Mr. Sinclair: I submit it was for the public good.

The Chairman: Then, why should there be a confidential relationship between you and Mr. Veitch?

Mr. Sinclair: Because we had a common interest—as I take it all members of Parliament have—in ensuring the purity of elections.

The Chairman: Why put Mr. Veitch in the position of a confidential person?

Mr. Sinclair: Because it was his duty as a member of Parliament to entertain any proposition that an elector put forward which would conduce to the purity of election. That is what Mr. Veitch and all members of Parliament are elected for, and—I say with respect—are paid for.

The Chairman: Why did you not treat all members the same?

Mr. Sinclair: For this reason: Mr. McCallum belonged to what was known as the Liberal party, and I took it that the public good would be more likely to be achieved by obtaining the support of those who were not on the same side in politics as Mr. McCallum.

The Chairman: Doing it in the secret way you did?

Mr. Sinclair: I do not consider that it was secret, because I intended to follow it up—and I intend still to follow it up—by a petition to the House asking the House to pass a special Act referring the Judges' notes and the judgment to the Privy Council. It is the privilege of every British subject to petition Parliament so long as the petition is respectfully worded. I submit that in approaching any member of Parliament and laying the facts before him so that he would be able to consider the petition when it came before the House I was within my rights. This also is what *Odgers* says as to a question of privilege in a case of this kind (page 264): "Where the defendant has an interest in the subject-matter of the communication, and the person to whom the communication is made has a corresponding interest or duty in connection with the matter, every communication made in such circumstances is privileged by reason of the occasion. In the same case the Master of the Rolls said, 'The occasion had arisen if the communication was of such a nature that it could be fairly said that those who made it had an interest in making such a communication, and those to whom it was made had a corresponding interest in having it made to them. When those two things coexist, the occasion is a privileged one, and the question whether it was or was not misused is an entirely different one.' Such common interest is generally a pecuniary one—as that of two customers of the same bank, two directors of the same company, two creditors of the same debtor. But it may also be professional, as in the case of two officers in the same corps or members in the same school, anxious to preserve the dignity and reputation of the body to which they both belong. In short, it may be an interest arising from the joint exercise of any legal right or privilege, or from the joint performance of any duty imposed or recognized by the law."

The Chairman: Are you not confusing what are regarded as privileges of Parliament with what are regarded as pleas of privilege, or defence of privilege, before a legal tribunal?

Mr. Sinclair: I do not think I am confusing them, because if I can show that in a Court of law it would not be held to be a libel, I apprehend that the High Court of Parliament will follow the same ruling.

The Chairman: You know what constitutes a breach of privilege here, as laid down by works on constitutional privilege of Parliament?

Mr. Sinclair: But I have not been allowed to be heard on that point, otherwise I can show that I have not committed a breach of privilege.

The Chairman: What you are asking us to do now is to decide whether the contents of that letter and its publication constitute a libel. You are contending that there is no libel contained in the letter.

Mr. Sinclair: No. What I am arguing is that the publication was privileged, and that there was no publication. I have not been allowed to argue that it is not a libel. What I am arguing is that there has been no publication, because of privilege between myself as an elector and Mr. Veitch as a member of Parliament. This is the nearest illustration I have been able to get to it: "So the ratepayers of a parish have a common interest in the selection of fit and proper officers to serve in the parish, their salary being paid out of the rates." Now, that, I submit, is on all-fours, because the honourable member for Wairau and all members of Parliament do receive a salary, which, instead of being paid out of the rates, is paid—I suppose—out of the Consolidated Fund; and I say the analogy is there. I am an elector and Mr. Veitch is an elector, and members of Parliament are paid £300 per annum out of the Consolidated Fund. So there it is laid down by Odgers that it is privileged. At page 285 he says, "The defendant in a petition to the House of Commons charged the plaintiff with extortion and oppression, in his office of vicar-general to the Bishop of Lincoln. Copies of the petition were printed and delivered to the members of the Committee appointed by the House to hear and examine grievances, in accordance with the usual order of proceeding in the House. No copy was delivered to any one not a member of Parliament. Held that the petition was privileged, although the matter contained in it was false and scandalous; and so were all the printed copies, for though the printing was a publication to the printers and compositors, still it was the usual course of proceeding in Parliament; and it was not so great a publication as to have so many copies transcribed by several clerks. Every communication made *bona fide* with a view to obtain redress for some injury received, or to prevent or punish some public abuse, is privileged, if it be addressed to some person who has a duty or interest in the matter." That is the point I raise: there was no publication, because it was privileged from an elector to a member of Parliament. "Moreover, in seeking redress the defendant must be careful to apply to some person who has jurisdiction to entertain the complaint, or power to redress the grievance, or some duty or interest in connection with it." That is all I have to say on the question of publication.

Mr. Skerrett: I desire to make a few remarks. Even in a Court of law this communication is plainly and clearly without privilege. If you look at the communication you will see that it is, I think I am justified in saying, an abusive and scurrilous attack upon Mr. McCallum. In more than one place it accuses him of committing perjury. The expressions which are used are of an extremely abusive character. "The perjury was so barefaced, brazen, unblushing, and callous as to be incapable of toleration or of being winked at or condoned by honest men."

Mr. Sinclair: I submit that my friend is now proceeding on the lines on which I was stopped.

Mr. Skerrett: I am referring entirely to the question of privilege, and to that only. The communication continues, "The police will do nothing"—

Mr. Lee: It is not speaking of Mr. McCallum there.

Mr. Skerrett: That is so. I will pass on to the second paragraph: "You cannot expect—and you do not expect—them to tackle perjurers in high places, and embark on a sea of crime for repression and punishment of perjury as part and parcel of their day's work, for which they get the wages of a common labourer. If such perjury is not to go unpunished, then it remains the solemn and bounden duty of good citizens to take appropriate steps to purge the fountain of justice from the foul and deadly streams of sworn lies and falsehoods poured into it in huge volumes by the witnesses at the trial just terminated. The witnesses who committed wilful and corrupt perjury, and whose prosecution I advise, are—(1) Richard McCallum, who swore he did not know who the directors of the McKenzie Company were—a fact known to every schoolboy in Blenheim," and so on. Then again: "It is to be noted that Kerr is an employee of Edward Parker, who is the arch-conspirator in the case with McCallum. If the letter has been destroyed, then I do not hesitate to say it has been destroyed by Parker, who is, in my opinion, capable of any crime from pitch-and-toss to manslaughter. In all probability McCallum press-copied the letter in his letter-book, as a lawyer would invariably copy every letter he writes. But if it were not so, and the letter had been made away with, and McCallum again commits perjury by swearing he has not got a copy of it," &c. It is, of course, familiar to every one, whether lawyer or layman, that privilege could never be used as a cloak for imputing crime or personal misconduct to any person. Mr. Sinclair is undoubtedly right when he says he has a right to address a temperate and proper letter to a member of Parliament with a view to the redress of a private grievance or a public grievance, or with respect to a reform of some public nature. But there is a wide difference between a communication of that kind and a communication which goes out of its way to charge a man with the actual commission of a gross crime—the crime of perjury. It is quite clear that privilege can only be used for the purpose for which it was intended—namely, to promote, temperately and properly, some private interest, or to promote, temperately and properly, some public interest. It can never be used as a cloak or cover for making charges of crime or of personal misconduct against anybody. I would point out to the Committee that it is perfectly plain that these charges against Mr. McCallum had nothing whatever to do with the main application which Mr. Sinclair now says he was making to the House. He says that the object of his letter was to obtain a statute which would enable the judgment and the notes of evidence to be transmitted to the Privy Council for reconsideration by it. What had the charges of perjury

to do with that? Absolutely nothing. They were absolutely and entirely irrelevant to what he says was the main object of his communication. It is perfectly clear that the charges of perjury were made quite irrelevantly, and I must say that, for myself, I do not accept Mr. Sinclair's assurance that he was not actuated by any animus or malice against Mr. McCallum. One has only to look at the language in which these charges are couched against Mr. McCallum to see that they are grave charges expressed in almost venomous language. We submit that it is clear that this Committee, exercising the ordinary prerogative of common-sense, cannot suggest that there was any justification or privilege for such communications. With regard to the question of "Private and confidential" being indorsed on the covering letter, I desire to point out that it would be a monstrous proposition that a person could circulate libels—gross charges affecting the honour and the private and personal character of another—by prefixing the two words "Private and confidential." If he does it in thirty-nine cases, why is he not able to do it in the case of the eighty members of the House? If he is able to do it to the eighty members of the House, why not to all the citizens of a city? It is submitted that the expression "Private and confidential" has no magic at all. You have got to regard the circumstances under which the letter was written, the relationship of the parties, and the purpose and object of the letter before these words have any effect.

APPENDIX.

B.

(Private and Confidential.)

High Street, Blenheim, 30th March, 1912.

DEAR SIR,—

Wairau Election Petition Case, 1912.

Thinking you may, as a member of the Reform party, be interested in the trial of the Wairau election petition recently held in Blenheim, I beg to enclose a copy of the report on the case, in which I was engaged as counsel for the petitioners.

In addition to the report, suggestions are made as to the methods to be adopted to have the judgment of Williams and Chapman, JJ., reviewed by the Privy Council in the interests of the purity of elections.

The whole subject will be brought before Parliament next session.

Yours faithfully,

A.

High Street, Blenheim, 25th March, 1912.

DEAR SIR,—

Wairau Election Petition.

The judgment of the Election Court given on Saturday, the 23rd instant, in favour of the respondent was an improper judgment on the following heads. In respect of these heads the petitioners were (according to the evidence disclosed on the Judges' notes) clearly entitled to succeed:—

- (1.) Grovetown—Treating within twelve hours of the opening of the poll.
- (2.) Grove Road—Treating on the polling-day, 7th December, 1911.
- (3.) Engagement for payment of the McKenzie Company's vehicles.
- (4.) Engagement for payment of Parker's motor-cars.
- (5.) Treating at Seddon on the 7th, admitted by Humphreys (McCallum's supporter).
- (6.) Supply of beer at Mirza, as proved by Dodson and Co., on order given by Frank Bull (respondent's secretary) purporting to come from one "Jenkins," a navvy at Mirza, who was in town at the hearing of the case—unknown to the petitioners, but known to the respondent—and whom the respondent did not dare to put in the witness-box.
- (7.) Treating at Okaramio.
- (8.) Engagement for payment of Humphreys as canvasser, admitted by Humphreys to Patrick Meehan.
- (9.) Engagement of Morrison for payment, as admitted by Morrison to several persons.
- (10.) Receipt of money in respect of (9), as admitted by Morrison to Holdaway.
- (11.) Incorrect return of election expenses to the extent of £10 by McCallum, as proved by Best's day-book—tampered with.

Most gross and corrupt perjury was committed by many witnesses, and this was only too sadly and plainly manifest. The perjury was so barefaced, brazen, unblushing, and callous as to be incapable of toleration, or of being winked at or condoned by honest men.

The police will do nothing, being the humble wages-men of the Government of the day. I say nothing against the police: they do their duty according to their lights, but their usual functions begin and end with the control of inebriates, the prosecution of persons for driving without lights or trotting round corners of streets. You cannot expect and you do not expect them to tackle perjurers in high places, and embark on a sea of crime for repression and punishment of perjury as part and parcel of their day's work, for which they get the wages of a common labourer.

If such perjury is not to go unpunished, then it remains the solemn and bounden duty of good citizens to take appropriate steps to purge the fountain of justice from the foul and deadly streams of sworn lies and falsehoods poured into it in huge volumes by the witnesses at the trial just terminated.

The witnesses who committed wilful and corrupt perjury and whose prosecution I advise are—

- (1.) Richard McCallum, who swore he did not know who the directors of the McKenzie Company were, a fact known to every schoolboy in Blenheim—an obvious and glaring act of perjury; who swore his election expenses for the first ballot were only £116—disproved by Best, and by Parker's admission that he made £1 10s. by the use of McCallum's motor-car.
- (2.) Archibald McCallum, who swore that he went to the meeting of the No-license League in consequence of reading an advertisement in the newspaper, whereas he went in consequence of directions from his brother, as appears from the next paragraph; also in swearing he did not give money for the supply of beer at Mirza: this is proved by Dodson and Bull, and by Dodson's books, and can no doubt be strengthened by Jenkins's evidence. The latter can be put in the box and be asked to explain why, if the money for the beer was genuinely and *bona fide* provided by his mates, the navvies at Mirza, the order was wired through McCallum's secretary, Bull, who is not a brewery agent, nor a salesman for beer.
- (3.) George Sydney Kerr, secretary of the No-license League, who swore with reference to writing a letter to R. McCallum asking him to speak at the meeting of the No-license League on the night of Monday, the 11th December, "I do not remember getting an answer."

I have learned since the trial that not only did Kerr get a letter from McCallum, but that the said letter was written in such an undecipherable hand that after the Rev. Mr. Richards tried to read it to the meeting, and failed to interpret the Chinese hieroglyphics in which it was couched, Archibald McCallum (the witness who went to the meeting in consequence of reading an advertisement in a newspaper) read the remainder of the letter to the meeting. Considering that A. McCallum and R. McCallum are both on the telephone, no jury in the world—not even a jury of niggers—would believe that R. McCallum did not instruct A. McCallum with his own lips, either face to face or by telephone, to attend the meeting as his representative. The Rev. Mr. Richards is thoroughly disgusted with Kerr's perjury, and is to try to get McCallum's letter and hand it to me.

It is to be noted that Kerr is an employee of Edward Parker, who is the arch-conspirator in the case with McCallum. If the letter has been destroyed, then I do not hesitate to say it has been destroyed by Parker, who is, in my opinion, capable of any crime from pitch-and-toss to manslaughter. In all probability McCallum press-copied the letter in his letter-book, as a lawyer would invariably copy every letter he writes. But if it were not so and the letter had been made away with, and McCallum again commits perjury by swearing he has not got a copy of it, then the proof that there was such a letter can be clearly and conclusively demonstrated by the Rev. Mr. Richards and others who were present at the meeting of the No-license League when the letter was read on the 11th December.

- (4.) Edward Stone Parker, who swore he gave his motor-cars free to McCallum. At Hamilton, Parker said he hoped he would not be called as a witness—that if he were he would either have to commit perjury by swearing he gave his cars for nothing, or, if he swore McCallum owed him nothing, then he would lose the money McCallum owed him. Who committed perjury by swearing he did not make £4 out of the use of McCallum's car in one day, but only £1 10s. A jury will convict Parker on this, and I have no doubt his books will prove it. Who committed perjury by swearing Healy did not hire a car from him.
- (5.) William Henry Macey, who committed perjury by swearing he did not engage Morrison for payment. This offence will be proved by the conviction of Morrison as detailed in the next paragraph.
- (6.) Frank Morrison, who swore he was not engaged by Macey at £1 a day, and that he did not admit to Holdaway he had received payment for his services from Macey. This can be proved with the utmost ease by Morrison's own admissions to many persons—that is to say, his engagement for promise of payment—by Messrs. Wiffen, Healy, Loudon, O'Neill, McConway, Patchett, and Marfell. Morrison being convicted, his companion in crime, Macey, will go up at the same time. A witness is available who piloted Macey to Morrison's house at 9.30 on Sunday night. Does a man go on such a mission on such a night to engage a man for gratuitous service? The suggestion is ridiculous.
- (7.) E. H. Best, for swearing the entries of £5 on the 7th and 14th December were not genuine entries of a debit of £5 in each instance, and that the erasures and substitutions of "No" for "£5" were made months ago.

With regard to the judgment itself, I have to say it is not, in my opinion, as a counsel of thirty-four years' experience, justified by the evidence, but, on the contrary, is directly opposed to the evidence. It is a judgment which no special jury ever impanelled would have given a verdict in accordance with. That it is absolutely wrong may be proved in many ways. Probably the most significant way of showing that it is not what it should have been is to consider for a moment the way in which Mr. Skerrett, counsel for the respondent, addressed the Court. Mr. Skerrett spoke for an hour. Half of that time was taken up in putting forth visionary law-

points and mythical readings of the Legislature Act which were utterly irrelevant, and had no bearing on the case. In fact, Mr. Skerrett was "playing to the gallery"—that is to say, his speech for half an hour was entirely for the benefit and edification of Mr. C. H. Mills and Mr. R. McCallum as lawyers.

It takes an expert to catch an expert. When Mr. Skerrett resorted to those tactics I, as a veteran, knew that in his own mind he recognized the tide was running at flood speed against the respondent; and, notwithstanding the brave face Mr. Skerrett presented to me and to others up to the hour he left for Wellington, I felt sure in my own mind that he, as a lawyer, was assured the "game was up."

The decision of the Court that A. McCallum did not stand in the shoes of R. McCallum on the night of the 11th December at the meeting of the No-license League was utterly wrong in law, but I had as an officer of the Court to be loyal to the cloth and bow to the ruling of the Court, no matter what opinion I as a lawyer held firmly in my own mind. It is not the first occasion in which I have been right in my law and a Judge of the Supreme Court has been wrong in his law, and I hope it will not be the last.

The Judges applied the common law of agency to the position between R. and A. McCallum, and in doing so they erred palpably and grievously. The law of agency in election matters is totally different to the common law of agency, and is more flexible and far-reaching.

Coupled with the criminally suppressed letter from R. McCallum and the correct application of the law of agency in election matters, the Court could not have escaped the fact that A. McCallum was R. McCallum's agent for all purposes on the 11th December, and from the position that as such agent A. McCallum admitted in the presence of fifty persons that drink was on the 7th December consumed by electors of the Wairau Electoral District in his office at Grove Road, that being the gravamen of the charge brought against R. McCallum at the meeting when he was so ably and appropriately represented by his brother, who was, naturally, his strongest supporter.

The case is one which ought to be reviewed by the Privy Council. There is no appeal from the Election Court, but I venture to think the object can be attained in another way, and that is as follows: Let a petition be presented to Parliament signed by the petitioners, attaching to the petition a copy of the notes of evidence as taken by the Judges' Associates, praying for the removal from office of the Judges on the ground that the judgment is not justified by the evidence, and on the ground that the petitioners have had to pay costs which they would not have had to pay if the judgment had been in accordance with the evidence. This can be done in a respectful manner, and the petition can embody a prayer that Parliament will be pleased to refer the decision of the matter to His Majesty's Privy Council.

The matters at issue are too grave to be allowed to rest as they are. The conduct of all future elections in the Dominion depend upon the correct laying-down of the law. If the Grovetown affair is to be applauded as the correct thing and the last word in the purity of elections in this country, then men like Carnegie and Rockefeller can dominate the elections of New Zealand, if they wish to do so, in the interests of the Standard Oil Company or the International Harvester Company, and the elections in New Zealand can be manipulated by Tammany Hall from New York, and the electors of New Zealand can be bought and sold like bullocks at Smithfield. That is what the judgment of the Election Court amounts to. The principle is vicious, and should be fought at once to the bitter end.

W. Carr, Esq., Blenheim.

Yours faithfully,
W. SINCLAIR.

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