

Chief Postmaster, and promised to do so; but later, as he states, on legal advice refrained from doing so. The Chief Postmaster was therefore unable to make such inquiries as were right and proper to be made in the interests of his officers and in the interests of the public.

(b.) *On what grounds military censorship has been established over the correspondence of the persons using the said post-office box.*

I will here quote in full the evidence given by the Solicitor-General, Mr. J. W. Salmond, K.C. :—

I have been responsible for the drafting of war legislation since the war, and also the War Regulations. I have had under my guidance and care much of the proceedings that have been instituted in New Zealand under the War Regulations. I have been called upon to advise as to the censorship in New Zealand of correspondence and mail-matter; and I have constantly acted as the legal adviser to the censorship. I am familiar with the matters which led up to the censorship of matter from or to post-office box 912 at Auckland. At the end of 1916 and the beginning of 1917 the attention of the authorities was, upon more than one occasion, called to the activities of a body calling itself the Vigilance Committee, and also to the activities of the Rev. Howard Elliott, who was in some way connected with that body. The first occasion on which that matter came to my knowledge was at the beginning of December, 1916. A communication was received by the Hon. the Attorney-General—a private letter—enclosing a copy of a circular or pamphlet published by this committee and called “Rome’s Hideous Guilt in the European Carnage.” I do not propose to mention the name of the informant of the Attorney-General; but in view of the nature of the suggestions made in this case I desire to say that he was not a Roman Catholic and had no connection with the Roman Catholic Church. [He was a member of Parliament.] When the matter was referred to me by the Attorney-General I received no particular instructions, but it was referred to me for my consideration and action. I considered the matter, and I came to the conclusion that the pamphlet was a mischievous publication, and that the body responsible for it should not be allowed to have the use of a post-office box for the distribution of matter of that class. I accordingly, on the 13th December, 1916, sent a memorandum to the Chief of the General Staff, Colonel Gibbon, who has apparently the chief control of the censorship and with whom I always communicate in these matters. The communication which I sent to him was as follows :—

“Solicitor-General’s Office, Wellington, 13th December, 1916.

“THE CHIEF OF THE GENERAL STAFF,—

“I send you herewith a circular issued through the post by a body calling itself ‘The Committee of Vigilance,’ and having the use of a post-office box at Auckland. The circulation of literature of this kind at the present time is likely to be mischievous, and I do not think it should be allowed to be transmitted through the post. Perhaps steps could be taken by the Auckland censorship to see that all circulars issued by this committee are examined, and if necessary suppressed. They are identifiable by the request to return them, if unclaimed, to the post-office box.

“JOHN W. SALMOND, Solicitor-General.”

I know that in consequence of that memorandum censorship was directed by Colonel Gibbon. The suggestion of censorship originated with myself. I had no instruction by any Minister of the Crown or any one else to take this particular action, but I acted on my own discretion, and for the reasons mentioned in the memorandum to Colonel Gibbon. I desire to give an emphatic denial to the suggestion that the censorship was established in the interests of the Roman Catholic Church. There was no thought in my mind, and I am sure there was no thought in the mind of the Chief of the General Staff, as to taking sides in any way in any religious controversy. It was not in the interests of the Roman Catholic Church that action was taken—it was in the interests of the public; and exactly the same action, as far as I am concerned, would have been taken if the Committee of Vigilance had themselves, or had Roman Catholics, made a similar attack upon the Protestant religion. The reason why I recommended that action should be taken was that literature of that class seemed to be an attempt to stir up religious strife and bigotry in the time of a war. It could serve no useful purpose, and was bound, I thought, to excite public discord, and want of harmony, and religious antagonism at a time when harmony and efficiency were absolutely necessary to the conduct of this war. I came to the conclusion, rightly or wrongly, and I adhere to it, that the circulation of that sort of thing was a public mischief and a public evil, and that the Post Office should not be used as the instrumentality of it. I thought it would have a very appreciable effect upon the recruiting of Roman Catholics and in the want of hearty co-operation and assistance of the Roman Catholics in the conduct of the war. This pamphlet is not really an attack on the Roman Catholic religion, but is an attack upon the Roman Catholics in specific relation to the war. In my opinion it would interfere with the full assistance desired by the Government being obtained from the Roman Catholic community in connection with the war. I have seen no reason since last December to alter or modify my views. I am inclined to regret that I did not take stronger action at the time than merely impose censorship. I am not a Roman Catholic. It is I, and I alone, who am responsible for the advice that the correspondence from this body should be censored; and it was pursuant to my advice that the censorship was established.

Mr. Salmond states clearly and distinctly that the reason which actuated him in recommending that censorship should be established over box 912 was his belief that matter connected with this box was distinctly mischievous in