

opinion of the persons most competent to judge, were likely to create feelings of hostility and ill will, and were of a mischievous tendency. Mr. Salmond explained the genesis of the censorship of box 912. I may remind your Worship that the distribution of this pamphlet was brought under the notice of the Government by some gentleman not a Roman Catholic. The matter was referred by the Attorney-General to the Solicitor-General without any instructions whatever. It was left entirely to the Solicitor-General to advise. He came to the conclusion that this class of literature had a mischievous tendency, and he addressed a communication to the Chief Censor which resulted in a ban being put upon this particular box; and I may say that the charge that the censorship was established in the interests of the Roman Catholic Church has been absolutely swept away by the evidence of Mr. Salmond. As to what followed after the establishment of the censorship, I desire to say very little, except this: The Post Office is subject in time of war, as is every individual in the land, to the will of the Military Censor, and when the order came from the Censor that the correspondence should be delivered to him or to his deputy the Post Office was bound to act upon it. I suppose there is no case where letters have been necessarily detained for the purpose of being examined in which the Post Office has ventured to open such letters without express authority. In this case the detention of correspondence and the opening of correspondence is not a Post Office act: that is done by the Censor or the Censor's representative. When an order is received all correspondence is submitted as a matter of course to the Censor, who exercises his discretion as to what he does with it. Into the discretionary powers given to the Censor we have no right to inquire. We assume, however, that he acts with discretion. It is ridiculous to assume that because Mr. Elliott and his associates have been outspoken and have created a great deal of resentment the censorship was exercised in anything but the performance of a public duty. In this particular case I may say at once that the gentleman who acts as Censor in Auckland is not a Roman Catholic. So far as we have proceeded we have the fact established that neither Mr. Salmond nor the Chief Censor is a Roman Catholic.

*Mr. Ostler:* You have not proved that the Chief Censor is not a Roman Catholic.

*Mr. Gray:* Mr. Salmond said he had no reason to suppose that Colonel Gibbon was a Roman Catholic, and I have no doubt that if he were we should have had evidence to that effect from Mr. Elliott long ago. I shall prove that of the circulars that were posted by the Protestant Political Association in the early part of July, giving notice of the holding of the meeting on the 11th July and enclosing tickets inviting applications for seats, not one was submitted to the Censor, and not one was held up. No delay of any circulars occurred through the action of the Censor. The responsibility, therefore, for the delay in the delivery of the circulars—and when I say “circulars” I am distinguishing from the notices sent to the clergymen—if any delay occurred—must be due to acts of the Post Office; and we are prepared to submit every official to prove that there was no delay in the delivery of any matter through any fault of the Post Office officials. It may be asked, how was it that these were not submitted to the Censor? The answer is this: there was a very small staff on duty during the two nights when these circulars were posted, and the man whose duty it was to send them up to the Censor apparently forgot the order that had been issued, and consequently they were not passed on to the Censor. And it is quite easy to understand how one might forget on occasions such as that mentioned. No harm was done, however, by this gentleman's forgetfulness. In fact, it was beneficial to the other side, because, if the officer had not forgotten, the Censor might have held the circulars up, and thus interfered, perhaps, with the arrangements made for the meeting. So much for the circulars. With reference to the letters posted to the clergymen, I shall show that on the morning of Saturday, the 7th July, 200 sealed packets were delivered to the Censor in pursuance of instructions, and on the following Monday morning 260 more were delivered to the Censor. Of that number a large proportion included the notices to the clergymen posted on Friday night, and not received at the Post-office till Saturday morning. They were released in the course of the following Monday morning, so that, with the exception of the notices posted to the clergymen inviting them to make a statement from the pulpit on the 8th July, no delay or inconvenience was caused to the organizers of the meeting, inasmuch as those letters which were posted late on Friday night—11.20 p.m., to be exact—and which in the ordinary course of post could not have been delivered till Saturday, were delivered on Monday, the meeting being held on the following Wednesday. There was therefore only a short delay, and for that the Post Office was not responsible in the slightest degree—it was due to the act of the Censor, and nothing else. Every one is liable to have his correspondence censored in these times, and we must be prepared to submit to some little inconvenience. As to the alleged delay and non-delivery of circulars, and delivery of envelopes without contents, Mr. Williamson, the Chief Postmaster, and his officers will speak and give proofs. I would strongly impress this fact upon your Worship in the interests of the Post Office: Mr. Elliott, when he made his complaint as to the non-delivery of letters, should have given to the Postmaster such particulars as would have enabled the latter to investigate the complaints. Without these particulars what could the Postmaster do? Mr. Elliott seemed to recognize the force of this, and promised to submit a list, but until it was submitted to your Worship here in Court we had no list. The Postmaster was hampered, therefore, to that extent. Mr. Elliott's particulars are six weeks late, whereas complaints should be accompanied immediately by sufficient particulars to enable inquiries to be made at once. Matters in the Post Office are too urgent, and the volume of work is too great, to permit of things being held up for six weeks before due inquiries are made. I suggest that he was loath to furnish anything which might mean the breaking-down of his charges. The result of those charges is this: Out of 2,500 circulars, or thereabouts, said to have been addressed and posted, only nine envelopes have been said—at least, it is so alleged—to have been delivered to the persons for whom they were intended with the contents missing. That is to say, in nine cases the Post Office officials took the trouble to deliver to the addressees nine envelopes without any contents. It is also claimed that there were five persons who did not receive letters at all.