

48. Then it would not be correct to say that this censorship was imposed because of any speech Mr. Elliott made at Hamilton?—It was long before then.

49. Is it not a fact that the Censor is under the control of the New Zealand Government?—I do not know what you mean by “under the control of the New Zealand Government.”

50. For instance, what I mean is this: Could not the New Zealand Government say to the man who is Censor, we will appoint some one else instead of you?—Oh, yes.

51. Could not the New Zealand Government direct that Censor how he was to act in censoring any particular matter? Could not the New Zealand Government say, “You are not to censor box 912 any longer”?—Oh, yes.

52. That is sufficient for my purpose. Is it not an omission that there is no statutory power for the appointment of a Censor in New Zealand?—There is no express power for the appointment of Censors. The matter has been dealt with under section 27 of the Post Office Act by Governor’s Warrants.

53. Then the Censor is appointed under section 27 of the Post Office Act?—Yes.

54. You have told us that the reason for your advice in this case was that that sort of pamphlet was not likely to produce harmony in a dangerous time for the nation. If that is so, may I ask why you have allowed the Catholic Press of this country, week by week, to publish sedition?—I allow it?

55. Well, you allow the persons who direct the public prosecutions of this country?—I have no initiative; I never take any action unless I am asked about it.

56. Well, but you took the initiative in this?—No; I said it was referred to me by the Hon. the Attorney-General.

57. Can we take it the matter has not been referred to you—the matter of the utterances of the *Tablet*?—I cannot answer.

58. I can understand your difficulty about it. It is a fact that there has not been a prosecution of any Catholic organ in New Zealand?—That is so, I believe.

59. Have you yourself, apart from the matters that have been referred to you, observed any paragraphs in the Catholic Press which are grossly seditious and disloyal?—I cannot answer the question; I do not personally read the Roman Catholic Press.

60. Have you directed the censorship or advised censorship of any literature issued by any Catholic association?—I do not know what you mean exactly. I have advised the Censor about countless matters—some Catholic, some others, some no religion at all.

61. Can you tell me whether a censorship has been established over any correspondence addressed to the Catholic Federation, for instance, or sent out by the Catholic Federation?—I cannot tell you. I have no recollection of all the advice given the Censor, and even if I had I do not know that I should answer the question.

62. You do not mean to suggest that you may have advised them to censor the correspondence of the Catholic Federation and forgotten it?—I have no recollection of any matter connected with the Catholic Federation being submitted to me; but I suggest you do not pursue that line of investigation—I am not going to disclose the advice I have given in connection with other matters.

63. We can draw our conclusions from that—that while our correspondence is censored that of the Catholic Federation is allowed to go free of any restriction. Now, can you tell us whether the Government or the Censor, or whoever it is, proposes to continue the censorship over the correspondence of this association?—I do not know.

64. I understand that you have drafted the whole of the War Regulations?—Yes.

65. And, in fact, the draftsmanship is entirely your work?—Yes.

66. Is it not a fact that an association like the Employers’ Federation would be calculated to stir up enmity and strife just in the same way as this association?—If they did it they would be dealt with in the same way.

67. But do they not?—Not that I know of.

68. But your office, under your instructions, prosecuted the coal-miners recently for the “go slow” strike, did it not?—Yes.

69. I suggest this to you: Why did you not, when you saw the mischievous tendency of this pamphlet, adopt your favourite way of dealing—issue a war regulation making it illegal?—Make a particular pamphlet illegal?

70. No; you could have published a war regulation preventing the Protestant Political Association from holding meetings if you liked?—There is power now to prohibit the holding of any meeting relating to the war.

71. You have said you thought the activities of this association were harmful, and the activities of Mr. Elliott. Why, instead of holding their letters back, did you not pass a regulation and say this is an unlawful society?—I am inclined to think we should have done that; we were too lenient.

72. *Mr. Gray.*] As I understand it, Mr. Salmond, the matter of prosecuting does not rest with you: you merely advise?—I do not take action; I advise; either the police or somebody else prosecutes.

73. *Mr. Ostler.*] Could I ask one more question? Mr. Salmond, were you not asked to advise whether a prosecution would lie for that pamphlet?—Yes.

74. Did you advise that no prosecution would lie?—I did not advise that no prosecution would lie; I advised against the prosecution.

75. I suppose, on the ground that no prosecution would lie?—No.

76. Did you think that no prosecution would lie?—No; I advised against it. I have already explained that that pamphlet was printed and published before the War Regulations were in force, and I thought, in the circumstances, it would be inexpedient.