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## REPORT OF SELECT COMMITTEE

Appointed to enquire into the circumstances connected with the circulation of the Estimates before presentation to the House.

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*To the Honourable the Speaker:—*

Your Committee appointed to enquire into the circumstances attending the circulation of the Estimates before presentation to the House, beg leave to report,—

That on Tuesday evening, the 3rd April, Mr. Higgins, referring to the statement made in the House by Mr. Smithe, that the Estimates would be laid on the table on Wednesday, requested Mr. Smithe to let him have a copy as early as possible on Wednesday. Mr. Smithe promised to do so, meaning that he would give him the copy after the Estimates had been distributed.

Mr. Wolfenden states that on Wednesday, the 4th April, Mr. Higgins stated he had applied to the Finance Minister for a copy of the Estimates, and asked that if the Finance Minister should forget the matter, would he (Mr. Wolfenden) be good enough to send him (Mr. Higgins) a copy of the Estimates. Mr. Higgins was told the Estimates were not printed, but that when a final proof was taken, he (Mr. Wolfenden) would ask the Finance Minister for authority to comply with Mr. Higgins' request. That the final proof was taken on Thursday, shortly before twelve o'clock. Mr. Wolfenden took it to the Finance Minister and told him of Mr. Higgins' application.

Mr. Smithe said it was his intention to lay the Estimates before the House that day, and told Mr. Wolfenden he might send Mr. Higgins a copy under seal. Mr. Wolfenden accordingly did so.

The Committee find that prior to the Estimates being laid before the House, two copies of them were given, in pursuance of the authority of Mr. Smithe, to Mr. Higgins of the *Colonist*, and to no one else.

They further find that after the question of privilege had arisen in the House, Mr. Smithe went to the Printing Office to enquire if a copy had been sent, and they infer from that fact that Mr. Smithe was unaware at the time that his authority had been acted upon.

All of which is respectfully submitted.

W. J. ARMSTRONG, *Chairman.*

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### MINUTES OF EVIDENCE

Taken by the Select Committee appointed to enquire into the circumstances attending the circulation of the Estimates before presentation to the House.

The Committee met at 10 A.M., on Monday, the 9th of April, 1877.

Present: Messrs. Armstrong, Mara, Walkem, Ash, Davie.

Richard Wolfenden, called, declares as follows:—

On Wednesday last, at 4 or 5 P.M. I can't say exactly at which hour, Mr. Higgins, Editor of the *Colonist*, stated he had applied to the Finance Minister for a copy of the Estimates. He said in case the Finance Minister should forget the matter, "Will you be good enough to send a copy of the Estimates next morning." I replied, "the Estimates were not then printed, but when a final proof was taken, I would ask the

“authority of the Finance Minister to comply with his request.” The final proof was taken next day shortly before 12 o'clock. I took it to the Finance Minister and reported to him that Mr. Higgins had applied for a copy. Mr. Smithe said it was his intention to lay the Estimates before the House that day, and that I might send Mr. Higgins a copy under seal. I sent a proof copy in an envelope under seal, and wrote “confidential” on the corner of the envelope. I gave the envelope to Mr. Murray, one of the printers, requesting him to leave it at the *Colonist* office when he went to lunch. Mr. Murray left at 12 o'clock. On Thursday p.m., Mr. Smithe came to the Printing Office and asked me if I had sent a copy to Mr. Higgins. This was about 5 p.m. I replied that I had. He then asked me to go to the *Colonist* office and get it back, as the Estimates had not been laid before the House. I did so. Mr. Williams, one of the printers, reported to me on Thursday p.m., that Mr. Collins, the *Colonist* reporter, had brought a message from Mr. Higgins for another copy of the Estimates for his own private use. He said he gave him a copy. I got this copy back also, when I got the other copy. Mr. Williams reported that he had given a copy to the Clerk of the Executive Council, to send to the Lieutenant-Governor. I presume this was the copy sent in the Message.

By the Chairman—Mr. Williams was aware before he gave the copy to Mr. Collins (the reporter) that Mr. Higgins had obtained a copy. No other copies were given to any one else to my knowledge.

By Mr. Walkem—Mr. Higgins led me to believe in the conversation on Wednesday that Mr. Smithe had consented to give him a copy.

By the Chairman—I don't remember the exact language used by Mr. Higgins, but he asked me to send the copy in case Mr. Smithe should forget.

By Mr. Smithe—Did you give, as nearly as you can recollect, the exact words of our conversation at noon on Thursday?

I did.

By Mr. Smithe—Had I any chance of knowing before I saw you on Thursday P.M., that you had acted on my authority to send a copy to Mr. Higgins?

You couldn't have known unless you had been told by parties other than myself.

By Mr. Ash—The one copy I sent to Mr. Higgins was a proof on long slips of paper tagged together. When I got it back, the slips had been untastened and had the appearance of having been used by printers. As to the other copy the leaves were only cut when returned.

R. WOLFENDEN.

William Smithe, called, declared as follows:—

I have heard Mr. Wolfenden's evidence, and so far as it refers to myself it is substantially correct. At noon on Thursday I authorized Mr. Wolfenden to send a copy to Mr. Higgins on the understanding that the Estimates were to be laid on the table as soon as the House met. Mr. Wolfenden had informed me that Mr. Higgins had asked him for a copy on Wednesday and I inferred that no one from the *Colonist* office was waiting to receive a copy of the Estimates. I didn't know how or when it was intended to send a copy to the *Colonist*, and when the question arose in the House about the distribution of the Estimates I didn't know that Mr. Higgins had got a copy; but was inclined to think as I had noticed Mr. Wolfenden in the House when the obstacle arose to prevent the Estimates being laid before the House, that he probably had not given a copy. I saw Mr. Wolfenden in the House early after the House met, during the discussion about the Estimates. As soon as the question of privilege arose I went to the printing office to ascertain if a copy had been sent; finding that there had been, I requested Mr. Wolfenden to recall it at once. I returned to the House with the intention of informing the House of the facts, but I found the question of privilege had been disposed of and the House was in Committee. On Tuesday night previous Mr. Higgins, referring to the statement I had made in the House that the Estimates would be laid on the table on Wednesday, requested me to let him have a copy as early as possible on Wednesday. I promised to do so, meaning that I would give him the copy after the Estimates had been distributed. On Wednesday I was unable to lay the Estimates before the House and I had no conversation then with Mr. Higgins with reference to the subject. I didn't speak to him on Thursday until after the recall of the Estimates.

By Mr. Ash—On Thursday last, after you had learned from Mr. Wolfenden that he had issued a copy of the Estimates in accordance with your permission, did you remain in the House until the adjournment?

I did not; I was not present when the House rose. I was naturally annoyed at what had transpired, and finding the House in Committee I went over to the *Colonist* to make myself certain about the recall of the Estimates. This was about 5.30 p.m.

By Mr. Walkem—I heard you, Mr. Walkem, state on the discussion of the question of privilege on Thursday that it was reported that the *Colonist* office had received a copy.

By Mr. Walkem—Why did you not state to the House on Thursday all that had occurred between you, Mr. Wolfenden, and Mr. Higgins with respect to the Estimates?

I was not sure that Mr. Wolfenden had sent a copy to the *Colonist*. The statement had been made in the House that the *Colonist* had got a copy at 10 a.m. I knew that no authority had been given at that time and felt certain that that part of the statement was incorrect and that possibly the whole of it might be.

By Mr. Walkem—Did you not state in the House on Thursday that you couldn't account for any copies of the Estimates being given to the *Colonist* or to any one else, as you had all the copies in your desk under lock and key, and that any copies in circulation must have been abstracted from the desk without your knowledge?

I did not say so. I stated that I had not given any copies of the Estimates to any one out of or in the House; that the Estimates had been placed in my hands after I had taken my seat in the House. I had placed them in my desk and if any of these had got out they must have been abstracted from the desk.

By Mr. Walkem—Did you not know that the question could not refer to any of the copies in your desk?

It didn't occur to me to think whether the question referred to the copies in my desk or not. The copies had been in my desk about two hours before the question of privilege arose. I did not see Mr. Wolfenden in the House when the question of privilege arose on Thursday

WM. SMITHE.

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# REPORT OF THE SELECT COMMITTEE

APPOINTED TO VISIT

## THE PUBLIC SCHOOLS.

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*To the Honourable the Speaker and Members of the Legislative Assembly:—*

Your Committee on visiting the High School at Victoria, found an attendance of sixty-six pupils of both sexes, the most of whom are far advanced in composition, reading, recitation, arithmetic, and other branches of education. Some arrangements should be made, at as early a day as possible, in this important institution to separate the boys from the girls.

Your Committee would recommend, that, in order to improve ventilation and prevent accidents, the windows in the Public School building should be constructed so as to draw down in place of being pushed up.

Your Committee on visiting the boys' department of the Public School, found an attendance of two hundred and two pupils; they were very orderly and apparently attentive to lessons, discipline, organization, the efficiency in teaching being all that can possibly be desired. Another assistant teacher is much required in order to relieve the over-crowded divisions in gallery rooms.

Your Committee on visiting the girls' department of the Public School, found one hundred and ninety-four pupils in attendance, and Your Committee have much pleasure in expressing an unqualified approbation of all they have seen and heard in the girls' department; vocal music, reading, and writing were alike creditable to pupils and teachers, but the Committee think that instruction in music would be facilitated could an harmonium be procured.

All of which is respectfully submitted.

ROBERT SMITH,  
*Chairman.*

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