

1899.

NEW ZEALAND.

MARINE COMMISSION:

COMMISSION TO INQUIRE INTO CERTAIN MATTERS RELATING TO THE MARINE DEPARTMENT.

Presented to both Houses of the General Assembly by Command of His Excellency.

REPORT.

To His Excellency the Right Honourable Uchter John Mark, Earl of Ranfurly, the Governor of the Colony of New Zealand.

MAY IT PLEASE YOUR EXCELLENCY,—

In compliance with your Excellency's Commission of the 22nd day of June, 1899, directing us to inquire into certain matters connected with the Marine Department of the colony, we have investigated the matters therein referred to, and now have the honour to report as follows:—

Under the headings in our Commission numbered 1, 2, and 3 several cases have been named in evidence in which it has been either asserted or suggested that something improper or irregular had happened. We now proceed to take seriatim those cases which seem to call for some opinion from us, premising that any which we do not mention are either insignificant in their character or entirely without such *prima facie* evidence as would have justified us in undertaking an uncertain and perhaps long and costly inquiry for the purpose of finding out the facts.

The first case we shall mention is that of Captains Bendall and McLellan, who passed at Wellington their examinations in the syllabus of compass deviation, the one in December, 1896, and the other in January, 1897. Upon these cases we have heard the evidence of Captain Marciel; and they, together with many others, were reported upon by him as an expert, at the request of the Government in January of this year. Captain Marciel has pointed out blunders in the answers of these candidates which he thinks should not have been passed over by the Examiner, and in his evidence he has adverted to a coincidence of error in the answer given by each candidate to the same question which may suggest a suspicion, although not more than a suspicion, of some common source of information having been made use of in the examination-room by each of them. The point is that, while the data of the computation were correctly given by each, and would therefore have led to a correct result, yet these candidates do not seem, in this instance, to have used their own data, but, in some unknown way, to have arrived at an incorrect result. The suspicion suggested by the evidence of other witnesses is that the candidates were assisted by reference to written computations which were in the possession of Captain Allman, the Examiner; and, certainly, if those computations, which have been put in evidence, had shown the same error, the suspicion would have amounted to a moral probability. But the answer is correct in Captain Allman's paper, which negatives any presumption that it was copied from in this particular instance. It must here be mentioned