

26th day of February was so framed as to suppress the fact of such telegram of the 17th April having been received.

One of the accusations so made charges the Premier with having made a certain assertion in his place in the House of Representatives. This we caused to be struck out. It appears to us that, acting under a Royal Commission, it would be a grave infraction of constitutional law, and a gross breach of the privileges of the House, were we to include within the scope of our inquiry any allegation respecting words alleged to have been spoken by a member of the House of Representatives in his place in Parliament. Of any words so spoken it seems to us that the House is the sole judge. As it seemed probable that, in the course of the evidence to be adduced, allegations would be made affecting certain of the witnesses, Dr. Findlay was permitted to appear for Captain Allman, Mr. Gray for Captain Jones, Mr. Atkinson for Captain Von Schoen, and Mr. Travers for Captain Edwin and Mr. Allport, and to cross-examine the various witnesses on any testimony given affecting their respective clients, without any written charges being then made.

Mr. Hanlon proceeded to call the various witnesses, whose evidence is forwarded herewith, and they were examined by the counsel above mentioned. At the close of their evidence certain allegations or charges were handed by us to the counsel for Captain Allman, Captain Jones, Captain Von Schoen, Captain Edwin, and Mr. Allport, and to Mr. Glasgow personally, specifying the accusations against them which seemed to have arisen in the course of the evidence, on which we desired to hear them. The following were the allegations :—

*Captain Allman.*—That, in contravention of law, and with the intent to enable James Jones fraudulently to pass an examination for master, he received from the said James Jones certain papers prepared before his presenting himself for such examination, and did fraudulently certify that such examination was duly passed.

*Captain Jones.*—That, in order fraudulently to pass an examination for master, he did procure for the sum of £17 from Von Schoen certain papers containing answers to questions purporting to be put in the course of such examination, and did induce the Examiner, Captain Allman, to receive such answers as if they had been duly written by him in the examination-room, whereby he fraudulently obtained a certificate of competency as master.

*Captain Von Schoen.*—That he provided James Jones with answers to certain questions to be put to him at his examination for master with the intent to enable him to pass such examination fraudulently and in contravention of law, receiving as consideration therefor certain moneys from the said James Jones.

*Captain Edwin.*—That, without having been present at the examination of James Jones for master, he signed a certificate that such examination had been duly passed. That he knew at the time of such examination that the examination in question was held in contravention of law, inasmuch as James Jones did not hold a mate's certificate.

*Mr. Glasgow and Mr. Allport.*—That they allowed James Jones to go up for examination as master without holding a mate's certificate. That they accepted as authority for thus contravening the law a memorandum from the Minister, unsigned, undated, and unaddressed.

There was no need to formulate charges against the Premier and the Minister of Marine, as that had already been done by Mr. Pirani.

We requested that each counsel would confine himself to the facts affecting his client, as he would have done had the allegation against him been made in manner specified by our Commission. We then proposed to adjourn for twenty-four hours, but, as there were no further witnesses to call, counsel preferred to go on at once. Dr. Findlay, for Captain Allman, stated that his client admitted the facts charged, but desired to address on his motives. This we deemed unnecessary. On his urging the matter further, we pointed out that Captain Allman's motives were fully disclosed in his evidence and his reports, and that we were prepared to give them ample consideration. Mr. Gray, for Captain Jones, and Mr. Atkinson, for Captain Von Schoen, addressed us chiefly in extenuation. Mr. Martin Chapman addressed us on behalf of Mr. Glasgow, and Mr. Travers for Captain Edwin and Mr. Allport.

Mr. Hanlon stated that he had no instructions to appear for the Premier or for Mr. Hall-Jones, and that he did not propose to address us on the case. We could not, therefore, hear Mr. Hislop on behalf of Mr. Pirani. In fact, it appears somewhat doubtful whether we were right in allowing him to appear at all. The Commission specially directs that an accused person shall be entitled to appear either personally or by counsel, but no such direction is given with