

112. Was it not the decision of that Board the regularity of whose appointment is not questioned that was placed before the Governor to enable him to decide upon the difference of opinion between the Controller and Auditor-General and the Premier?—No. The Audit Office did not see the opinion of the Solicitor-General until some time after the Governor's order came to the Audit Office, and then the Governor's order—I had better read it. That was the objection—at least, that was the fault which the Audit Office found. The order reads, "Now, therefore, I, Uchter John Mark, Earl of Ranfurly, the Governor of the Colony of New Zealand, in exercise of the herein-before-recited powers, and having before me the opinion of the Solicitor-General, do hereby determine the said question by deciding that the period of six months referred to is to be computed from the date upon which the Medical Board under the said Act first certifies the officer to be ill; and that, inasmuch as he died within six months of that date, the pension may be granted to Mrs. Francis." Well, he did not die within six months of that date, because the only certificate by a Board under the Act was that given by the Board on the 16th September, 1901.

113. That was the Board that was properly appointed?—Yes; and it was the absurdity of the reason stated in the Governor's Warrant (see page 6, No. 15) that led the office to point out what had been done, with a view to having some revision made.

The following papers were handed in to the Committee by Mr. Warburton :—

"THE MILITARY PENSIONS ACT, 1866."

Section 4. It shall be lawful for the Governor from time to time to constitute and appoint a Board or Boards of medical officers, and to cancel or vary any appointment at pleasure, for the purpose of examining every officer and man who is an applicant for a pension or gratuity under this Act, and to report upon his case, which report, with a certificate of examination, must be signed by each member of the Board in every instance before any pension or gratuity is granted. Such Board or Boards shall in each case consist of not less than three duly qualified medical practitioners.

*Pensions to Widows.*

Section 7. Subject to the limitations and restrictions hereinafter provided, pensions in accordance with the annexed scale may be given to the widows of officers, Native chiefs, non-commissioned officers, and privates of the colonial Forces, in the following cases :—

- (a.) If the deceased was killed in action, or died of his wounds within six months after being wounded, in either of which cases, and in those only, the special pension fixed in the annexed scale may be allowed.
- (b.) If the officer, Native chief, non-commissioned officer, or private died from illness brought on by the fatigue, privation, and exposure incident to active operations in the field before an enemy within six months after his being first certified to be ill, the special pension fixed in the annexed scale may be allowed.

EXTRACTS from ADDENDA TO THE WAR OFFICE REGULATIONS, being Addenda to the Royal Warrant, &c., of the 1st July, 1848 (published by the authority of the Secretary at War).

War Office, 1st August, 1855.

(From the Royal Warrant of the 15th June, 1855.)

WIDOWS ELIGIBLE FOR THE PENSION-LIST.

*Special Pension (see page 227).*

1. If the officer was killed in action, or died of his wounds within six months after being wounded, in either of which cases, and in those only, the special pension fixed in the annexed scale may be allowed.

2. If the officer died from illness brought on by the fatigue, privation, and exposure incident to active operations in the field before an enemy within six months after his being first certified to be ill, the special pension fixed in the annexed scale may be allowed.

WIDOWS NOT ELIGIBLE FOR THE PENSION-LIST.

(See page 232.)

Exceptions may, however, be allowed . . . in case the officer died a violent death in the execution of some act of military duty, or from illness brought on by the fatigue, privation, and exposure incident to active operations in the field before an enemy within six months, such six months being duly certified by the medical officer who attended him.

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