

56. There was no doubt he performed the service necessary?—Not the legal service.

57. And that was known to you by a perusal of the papers?—That is so.

58. And these papers were shown to the Premier as well as to yourself, and had been perused by him?—I presume so.

59. When Captain Jones came to see you, after you got that telegram, did you tell him that both you and the Premier recognised his qualifications?—No.

60. You did not use words to that effect?—No.

61. You told him that the Premier had communicated with you?—No, I do not think I did; in fact, I am sure of it.

62. Did he not ask you?—No; I am quite certain of that.

63. Then you sent for Captain Allman?—Yes.

64. After Captain Allman's conversation with you, I understand, from your evidence which is here?—I do not want these interviews to be mixed, please. We were referring to the last interview.

65. When Captain Allman left you, both you and he were under the impression that in order to have an examination for the master's certificate a permission was necessary by you?—Yes.

66. That is to say, whether it could be legally done or not, a permission was necessary by you?—Oh, no; that is not so. Permission was necessary for him because he had not got a mate's certificate; but he (Captain Allman) was under the impression that a clause in the regulations allowed permission to be given.

67. That is to say, permission was necessary in any event?—Not necessarily from me. Some of the permits which I handed copies of in yesterday are issued by every officer of the department.

68. As a matter of fact, then, permission would not necessarily be signed by you?—Quite so.

69. All that was necessary was that you should authorise this being given?—I do not even think that would be necessary, because some of the permits that are granted had been even given by the department.

70. But still, in a matter of this importance, they would not think of issuing it without your sanction?—It all depends on the provision made for issuing permits.

70a. I mean in this individual case?—If the regulations provided for their issuing these permits without reference to me, they could please themselves.

71. But, at all events, whether permission was deemed necessary or not in this case, it would be necessary for you to sanction it in some way?—If it was necessary by the regulations to be sanctioned.

72. You see you go back from the sequence of the question. You stated that, in your opinion, and in the opinion of Captain Allman, a permission would be necessary to be given by you before this examination took place?—Yes.

73. Now, that permission, so far as the officers are concerned, need not be signed by you. You agree to that?—Yes, quite so.

74. So that, on their obtaining satisfactory evidence of the permission, you would issue it?—Yes.

75. Now, I want to know your opinion on this question: Supposing you had been asked to permit the examination, and to do it in writing, what more apposite words could you have used than the ones on that envelope, for the purpose of granting permission for it?—Well, in the first instance I should have addressed it to Mr. Glasgow, and should have put it: "In accordance with clause so-and-so of the regulations, James Jones is authorised to sit for examination for certificate as master of home-trade, notwithstanding the fact that he does not possess a mate's certificate." I should sign it and date it—that is probably the way.

76. That is probably longer, but it is not so absolutely expressive?—It is not so easily misconstrued. I think that you will find that most of my instructions are couched in somewhat similar language.

77. This is "Jones 'Duco' permit examination master"?—It might be "John Smith" instead of "Jones Duco."

78. Do you think it is capable of misconstruction?—Yes, I think it is.

79. Do you think your officers, having a knowledge of Jones, might have misconstrued it?—That is another matter.

80. Do you mean to tell me that your officers could not misconstrue it?—Very likely not. Put it to any man outside the department and they would say not.

81. Supposing you had put, "Permit examination." Do you think it capable of misconstruction except in one way? Can you put any construction upon it except the one they put on it?—Well, what does it mean?

82. Supposing it had been addressed to the Secretary and signed by you?—I have told you what it means. I know the construction that some people are trying to put upon it. It means that inquiry might be made as to the issue of permit in connection with the application of Captain Jones for examination.

83. Then why did you not add the question at the top, "Inquire"?—Why did I not address it? You see it is only a rough note.

84. In what respect is it rough?—Take the writing and the abbreviated words.

85. Well, that arises from your being so busy, does it not?—No, it does not. If that were given to a dozen men of ordinary intelligence there is not one of them who would understand it. I meant it as a reminder to myself.

86. If it was a reminder, is there not a better way of putting it?—It is concise.

87. As a matter of fact, was it not referred to the Law Officers of the Crown?—It was not done so.

88. You never consulted any Law Officer of the Crown?—I never spoke to any Law Officer of the Crown about it.