

Allman, and I think Captain Jones can be examined to show his competency." I think he said, "There is no doubt whatever that he is a thoroughly capable seaman, and if he shows that he has a competent knowledge of navigation, he ought to get his certificate." He made some reference to a clause of the regulations to the effect that tug-boat service in rough waters was equivalent to coastal service. In the office I got a copy of the regulations and looked up the clause, and I said I did not think it applied to Captain Jones's case. It is true that service in a tug-boat in rough waters would count, but it was necessary to have a mate's certificate both in the coastal and tug-boat service.

426. What did he say to that?—He said he had discussed the matter thoroughly with Captain Allman. He had made up his mind.

427. Did he say that he had made up his mind?—No, but the matter was not pressed any further by me, and I understood that the Minister had given the authority that Captain Allman said he had.

428. How did you understand that?—Because he did not say he had not.

429. But he did not say that he had?—No, he did not say that he had.

430. Well, you put this envelope before him so that he could read it and see what was there?—Yes.

431. Did he express any surprise?—No. He did not suggest on that occasion at all that the envelope meant permit and not "per-mit," as has been suggested since.

432. Did you ask him to sign it?—No.

432a. First of all, at that time did you intend to file that away as an authority—at the time you were holding the conversation?—Yes.

433. You had made up your mind to file it—to record it?—Yes.

434. Did it not strike you that it was advisable to get it signed?—It did.

435. Did you ask him to sign it?—No.

436. Why not?—I had a certain amount of delicacy that it should be necessary to get the authority absolutely in writing.

437. But is that not customary?—Yes.

438. Surely a Minister can take no offence at your wishing to follow out the ordinary custom?—However, I did not do it.

439. And you did not even ask him to initial it?—No.

440. Did you make any memorandum or make any record then of the fact that you had shown it to the Minister?—No.

441. Very well. Then you took the papers away. What did you do with this particular paper?—I gave it to Mr. Allport, and said I had seen the Minister about it and that he confirmed Captain Allman's statement—the statement that Captain Allman had made to Mr. Allport—and that he had better make a record of that sheet of paper.

442. Were you written to about the matter by the Minister?—Yes, but not at that time. If you turn up the papers, you will see that there is some interchange of memoranda in January.

443. Did this correspondence between you and the Minister arise in consequence of what the Minister had noticed Mr. Allport had said in the Supreme Court?—Yes.

444. Just tell us the purport of that: what did the Minister write to you for?—Mr. Allport's memorandum of the 25th January was written in order that Mr. Hall-Jones might see clearly what took place on the 8th July, when Captain Allman handed that envelope to him with the Minister's verbal statement. I do not call it a message. I had spoken to Mr. Hall-Jones on the Friday. The trial of Captain Allman, Captain Von Schoen and Captain Jones began on Tuesday, the 24th, and I spoke to Mr. Hall-Jones on Friday, the 20th, as to the probability of this authority given by the Minister being made a good deal of in connection with the case, as it had not struck me before, and I said that if Captain Allman and Captain Jones gave evidence, the letter written by Mr. Allport to the Collector would have to be produced in Court, and the envelope also, and that both Mr. Allport and myself would have to say that the Minister had given the authority. The Minister asked me whether there was any written authority, and I mentioned the envelope and went down for it, and when he saw it he doubted first of all whether it was in his handwriting; but a scrutiny of it satisfied him that it was, and he then expressed his surprise that such an informal document should be accepted as an authority, and I said that it was not the envelope only, but Captain Allman's statement to Mr. Allport was deemed to be an authority. Mr. Hall-Jones said he had no recollection of having given the authority, and that it was very unlikely that he could have given the authority. I reminded Mr. Hall-Jones that Captain Allman had made reference to the authority in his report of the 12th December, and Mr. Allport also, in a subsequent memorandum, had made a reference to it, and that I had not heard from him that this statement had no foundation. I told Mr. Hall-Jones also that I had spoken to Mr. Gully about it, and that he said he hoped to exclude all reference to this as irrelevant to the matter. But I said that, if evidence was given that involved the authority, most likely he (Mr. Hall-Jones) would have to give evidence himself. He said he did not think the matter would come up at all, and I left him very doubtful in my mind as to what I should say if I were examined. I did not ask Mr. Hall-Jones point-blank whether he had not given the authority.

445. *Mr. Gray.*] As to whether the Minister had given it?—Yes. But my mind was in this state: that if I were asked or questioned on the matter in Court, I should say that the department believed at the time the authority had been given, but there was a doubt about it.

446. *Mr. Hanlon.*] But when you went to the Minister of Marine and told him that you thought a good deal would be made by the other side about Captain Jones having been examined without a mate's certificate, did he deny that he had given the authority?—No, he did not deny it specifically. The first thing he said was "Oh, this is news to me," and subsequently he asked very soon in the interview whether there was any written authority.