

1899.

NEW ZEALAND.

MARINE COMMISSION :

COMMISSION TO INQUIRE INTO CERTAIN MATTERS RELATING TO THE MARINE DEPARTMENT

Laid on the Table of the House of Representatives, by Leave.

RANFURLY, Governor.

To all to whom these presents shall come, and to CHARLES DUDLEY ROBERT WARD, Esquire, a Judge of the District Court, and JOSEPH GILES, Esquire, greeting :

WHEREAS it has been alleged that grave irregularities, misrepresentations, and other improper practices have at various times occurred in connection with the issue of certificates of service and of competency as masters and mates, and licenses as adjusters of compasses under "The Shipping and Seamen's Act, 1877," and that, by reason thereof, in some cases persons not properly entitled to certificates or licenses have obtained them, whilst in other cases persons have not been afforded a fair opportunity of obtaining them; and whereas in the public interest as regards the safety of life and property, as well as in the interest of the holders of certificates and licenses, and of all persons in any way concerned or aggrieved in the premises, it is expedient that full and exhaustive inquiry should be made; and whereas it is also expedient that similar inquiry should be made into all matters connected with and leading up to the introduction into Parliament of such of the provisions of the Shipping and Seamen's Acts as relate to the adjustment of compasses and the employment of apprentices or boys, now know ye that I, Uchter John Mark, Earl of Ranfurly, the Governor of the Colony of New Zealand, in exercise of every power and authority enabling me in this behalf, and with the advice and consent of the Executive Council of the said colony, do hereby appoint you, Charles Dudley Robert Ward, Esq., and Joseph Giles, Esq., to be Commissioners for the purpose of making full and exhaustive inquiry into the matters aforesaid, with special reference to the following points:—

1. Whether any, and, if so, what irregularities, misrepresentations, or improper practices have occurred in connection with applications for certificates of service or competency as masters or mates, or for licenses as adjusters of compasses, or in connection with the examinations for certificates or licenses, or the issue thereof.

2. Whether in any, and, if so, in what, cases any applicant for a certificate or license has been improperly favoured or obstructed in his efforts to obtain the same.

3. Whether in any, and, if so, in what, cases any person having any duty in connection with the applications for certificates or licenses, or the examinations therefor, or the issue thereof, has been guilty of any breach or neglect of duty by the suppression or non-disclosure of facts, or by any other act or default whatsoever.

4. At whose instance or suggestion, and under what circumstances, the provisions of the Shipping and Seamen's Acts relating to the adjustment of compasses and the employment of apprentices or boys came to be initiated.

5. And generally to inquire into any such other matters in the premises or arising therefrom as in your opinion ought to be inquired into in the public interest, or the interest of any person in any way concerned, affected, or aggrieved, including therein the acts and conduct of all persons in any way concerned, or having any duty in connection with the application of one James Jones for a certificate of service as Home Trade-master, or his examination for the certificate of competency which he obtained, and which was subsequently cancelled by the Supreme Court in the action *Solicitor-General versus James Jones*.

And for the purposes of such inquiry you are hereby empowered to summon and examine on oath or otherwise, as may be allowed by law, all persons whom you think capable of affording you any information in the premisses. And also to have before you and examine any books, records, documents, and papers whatsoever which you may deem necessary for your information in the premises provided that, before inquiring into any allegation which affects the personal conduct of any person, you shall cause him to be served with at least twenty-four hours' notice in writing of the allegation, with such particulars of time, place, and circumstances as you think sufficient, and also that such person shall have the right to appear either personally or by counsel, and to cross-examine witnesses against him, call evidence in reply, and address you on the evidence. And I

further direct and declare that these presents are subject to "The Commissioners' Powers Act, 1867," and its amendments, and that, in the exercise of your powers and functions as Commissioners, you may conduct the said inquiry in such manner, at such times, in such places, and with such adjournments as you think fit; and I further direct that, using all diligence, you report to me under your hands and seals your proceedings herein and your opinions on the several matters inquired into by you hereunder, such report to be made to me on or before the thirty-first day of July, one thousand eight hundred and ninety-nine, or such later day as may hereinafter be named by me in that behalf.

Given under the hand of His Excellency the Right Hon. Uchter John Mark, Earl of Ranfurly, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Governor and Commander-in-Chief in and over Her Majesty's Colony of New Zealand and its Dependencies, and issued under the seal of the said colony, at Wellington, this twenty-second day of June, in the year of our Lord one thousand eight hundred and ninety-nine.

Issued in the Executive Council—

J. F. ANDREWS,
Acting-Clerk of the Executive Council

R. J. SEDDON.

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