

1915.

VICTORIA.

ROYAL COMMISSION

•

ON THE

VICTORIAN TRAINING SHIP

“JOHN MURRAY.”

R E P O R T.

PRESENTED TO BOTH HOUSES OF PARLIAMENT BY HIS EXCELLENCY'S COMMAND.

By Authority:

ALBERT J. MULLETT, GOVERNMENT PRINTER, MELBOURNE.

No. 17.—[1s.].—7240.

APPROXIMATE COST OF REPORT.

	<i>£ s. d.</i>
Preparation—Not given.	
Printing (1,000 copies)	<u>10 10 0</u>

GEORGE V., *by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the Dominions beyond the Seas, King, Defender of the Faith, Emperor of India.*

To GEORGE COWIE MORRISON, *Esquire, P.M., I.S.O., of the Public Offices, Treasury Gardens, Melbourne, Public Service Commissioner in and for Our State of Victoria.*

GREETING :

KNOW YOU THAT WE DO *by these Our Letters Patent issued in Our name by the Governor of Our State of Victoria with the advice of the Executive Council thereof under all powers him hereunto enabling appoint you to be a Commissioner to enquire into and report as to the truth or otherwise of the complaints involving charges of peculation and dishonest dealings by certain tradesmen employed in supplying victuals to the Victoria Training Ship "John Murray" and imputing misconduct connivance or dereliction of duty or negligence on the part of those concerned with the government management and good order of the said ship and its affairs and of the schooling welfare and treatment of the boys thereon and in connexion with the determination of the services of CHARLES HENRY ROBBINS at one time employed as Engineer on board the said ship and one J. H. SAMPSON at one time employed thereon as Chief Steward respectively contained or referred to in the Schedule hereunto attached : And We do by these presents give and grant unto you full power and authority to call before you such person or persons as you shall judge likely to afford you any information upon the subject of this Our Commission and to enquire of and concerning the premises by all lawful ways and means whatsoever : And We will and command that this Our Commission shall continue in full force and virtue and that you Our said Commissioner shall and may from time to time and at any place or places within Our State of Victoria proceed in the execution thereof and of every matter and thing therein contained although the same be not continued from time to time by adjournment : And lastly We direct that you do with as little delay as possible report to Us under your hand your opinion resulting from the said enquiry.*

IN TESTIMONY WHEREOF *We have caused these Our Letters to be made Patent and the Seal of Our said State to be hereunto affixed.*

WITNESS *Our trusty and well-beloved THE HONORABLE SIR ARTHUR LYULPH STANLEY Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor in and over the State of Victoria at Melbourne this seventeenth day of March One thousand nine hundred and fifteen in the fifth of Our Reign.*

(L.S.)

A. L. STANLEY.

By His Excellency's Command,

J. MURRAY.

Entered on record by me in the Register of Patents Book 24 page 427 this seventeenth day of March One thousand nine hundred and fifteen.

W. A. CALLAWAY,
Under-Secretary.

SCHEDULE ABOVE REFERRED TO.

1. That during the year 1914 the contractors or tradesmen concerned with the supply to the ship of vegetables, meat, bread, or milk fraudulently short supplied those commodities, and, knowing such to be the case, claimed and were paid for the goods, or some of them, purporting to have been but not supplied.

2. That one or more of the persons named below, being in authority or concerned with the management of the affairs of the ship, being aware, or in a position so to be, of the existence of the fraudulent practices in the last preceding paragraph referred to, either connived at or condoned or improperly failed or neglected to bring the persons concerned to account, or to take effective steps to check the irregularities :—

The Honorable James A. Boyd, Chairman of Managing Committee.

W. Groom, Member of Managing Committee.

A. E. Kane, Member of Managing Committee.

S. Gotto, Secretary to Managing Committee.

J. A. Newman, present Master of ship.

G. D. Williams, ex-Master of ship (H.M.A.S. *Australia*).

3. That in respect of the school established on board the ship *John Murray*, one or more of the following defaults or irregularities improperly existed or occurred subsequent to the 1st of April, 1914 :—

(a) No school at all was held about from the 17th of April to about the 4th of May.

(b) No school at all was held from about the 5th of June to about the 10th of June.

(c) The maximum time in school on any day did not exceed four hours.

(d) On not more than about five days did the school hours exceed three.

(e) On several days the school hours did not exceed one and a half.

4. That the chief schoolmaster (one G. O. Wilson) of the ship *John Murray* was guilty of misconduct or dereliction of duty constituted by one or more of the acts or omissions following :—

(a) In making or permitting to be made in the school register false entries in relation to school hours on the dates referred to in paragraph 3 hereof or in relation to some one or more of such dates.

(b) In repeatedly making or permitting to be made in the School Register untrue entries as to the hour of commencing school.

(c) In omitting to make or to cause to be made in the School Register or record of punishments, floggings administered to certain boys.

(d) On occasions remaining in bed on school days until after 9 a.m.

(e) On occasions breakfasting on school days as late as 9.30 a.m.

(f) In ordering instructors on the ship to bring boys to him for punishment, and not send any to the Captain.

(g) On the 18th August, in usurpation of the Captain's authority, administering twelve strokes to a boy on sleeping deck at 1.15 p.m.

(h) On 29th July, in usurpation of the Captain's authority, administering a strapping to a runaway boy.

(i) Incompetence or negligence evidenced by his having failed to properly teach or cause to be taught writing to a boy who had been at school on the ship for about seventeen months and in October was about fifteen years of age.

(j) In failing to foster emulation among the boys, evidenced by no boy's name having been entered on the Merit Board, nor any Merit Certificates issued, or alternatively omitting to post on such Merit Board the names, or to issue Merit Certificates to boys deserving of either of those honours.

(k) In breach of his duty, being absent from the ship between the 7th and 11th of August, and on other occasions.

(l) That having charge of money provided by the parents or guardians of the boys for the latter's benefit, he improperly retained portion of the same for his own use.

(m) In placing a boy fourteen years of age to take charge of the sick, and to handle poisons indiscriminately.

(n) In neglecting the case of a boy named Firmin, physically injured by being struck by the second schoolmaster.

(o) In neglecting the case of a boy named Warner, who, though ill, was not attended to for a week or more.

(p) In forcing a boy named (blank) to eat pea soup, a feeding-tube being used to intimidate him.

(q) In otherwise neglecting the sick boys on board.

5. That the second schoolmaster (one Prime), of the ship *John Murray*, was guilty of misconduct or dereliction of duty, constituted by one or more of the acts following :—

(a) In striking the boy Firmin aforesaid, the offence committed not being a school offence, and, further, he having no power to punish at all.

(b) In striking the said boy in the testicles.

(c) In striking a boy named Lever so severely that he was queer for a long time after, and had to go to bed in consequence.

(d) In unnecessarily and with undue severity flogging a boy named Maxwell ; and

(e) In otherwise administering too severe punishment on boys.

6. That the Chief Officer (one J. T. Richardson) was on or about the 23rd July, 1914, guilty of misconduct, constituted by kicking a watch-boy, one (blank), along the deck, and twisting his ear.

7. That one or more of the persons constituting the staff of the ship, or concerned with its good management, or the proper discipline thereon, were guilty of misconduct or dereliction of duty, active or passive, in either doing or suffering to be done, the acts or defaults specified, or in improperly omitting to take steps to safeguard against the recurrence of such or the like acts or defaults (that is to say) :—

- (a) Punishing certain boys for an offence for which they had already been sufficiently punished.
- (b) The kicking, on or about the 22nd of July, of a boy named Warner.
- (c) Employing boys on or about the 17th of May to clean up the Captain's cabin, rendered filthy by the latter's drunken condition.
- (d) Punishing a boy so severely for smoking that he had to be sent to the sick bay to be cured of his injuries.
- (e) In two other cases flogging boys so severely that, as a result, they had to be sent ashore to hospital.

8. That the ex-Master, George Davies Williams, was habitually guilty of neglect of duty, in that he was rarely if ever seen out on deck, but kept his cabin day after day.

9. That ex-Instructor Mallison was guilty of misconduct in that he took a boy or boys to his cabin for an immoral purpose, and that the Master, J. A. Newman, was also guilty of misconduct in that knowing the facts he discharged Mallison to the shore (telling him that he would get a good discharge) within a few hours without investigation or prosecution, with the intention of hushing up a grave offence, or alternatively that ex-instructor Mallison was falsely charged with having taken a boy or boys to his cabin for immoral purposes, and the Master, J. A. Newman, was guilty of injustice in discharging the said Mallison for the offence.

10. That those concerned with the discipline of the ship and the proper welfare of the boys, after proof that ex-Instructor Sadler had been guilty of undue familiarity with certain boys, nevertheless allowed him to remain on the ship for fourteen days thereafter, during which time the said ex-Instructor continued those acts in a greater or lesser degree.

11. That J. A. Newman, the Master of the ship, was guilty of conduct subversive of good order and discipline in the following respects :—

- (a) In that he was in the habit of using to the knowledge of the committee of the ship vile language—
 - (1) In front of the boys of the ship ;
 - (2) In public when talking of the committee.
- (b) In telling a man on board the ship that he did not know about his present chief officer until after he engaged him, and, after the latter arrived on board, saying he did not like “ the cut of his jib.”

12. That the First Officer (J. T. Richardson) of the ship was habitually guilty of neglect of duty in that he was hardly ever out of bed before nine o'clock in the morning, and then spent hours of each day asleep in the saloon smoking room.

13. That one or more of the persons constituting the staff of the ship or concerned with its good management or proper discipline were guilty of neglect, or breach of duty, evidenced by the acts and omissions following (that is to say) :—

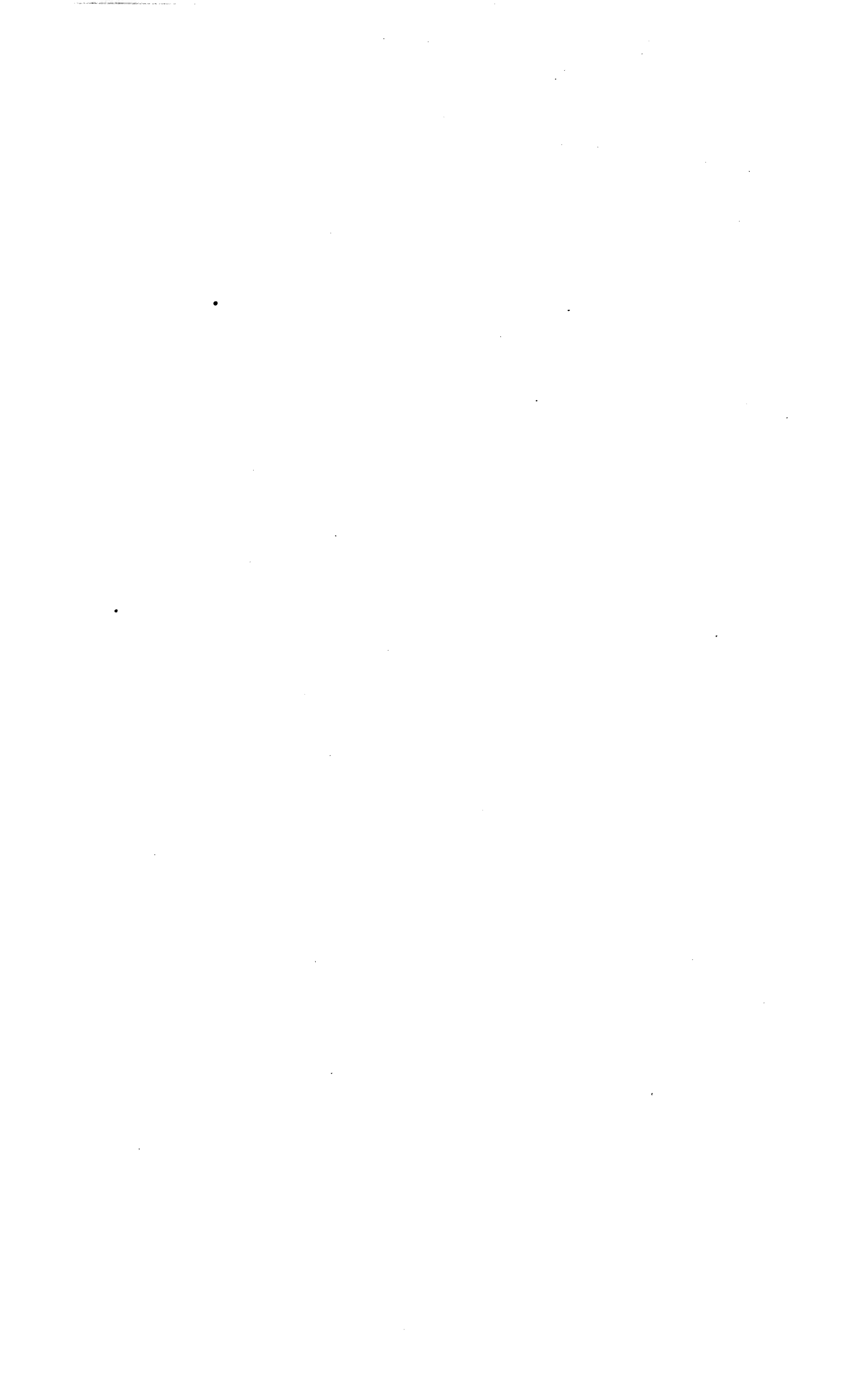
- (a) In failing to adopt or observe on board the said ship a proper system of paying duty boys, in consequence of which many boys who had worked in the steward's department did not receive payment.
- (b) In that the ship was continually left without an officer in charge.
- (c) On or about the 22nd of July improperly permitting two barmaids to be on board the ship.
- (d) In that prior to the 8th of July, the life boats had not been in the water for about two years.
- (e) In that prior to the 8th of July, no fire drill had been held on board for about two years.

14. That on or about the (blank) day of (blank), while ex-Chief Steward J. H. Sampson was absent from the ship, some persons or persons unknown, but concerned in the particulars of certain entries in a diary kept by him relative to matters, the subject of inquiry under this Commission, burst open a brief-bag in the cabin of the chief steward and stole or abstracted therefrom the pages of the said diary therein deposited, covering entries between the 12th of August and the 10th December, or was or were a party or parties to such breaking, stealing, or abstraction.

15. That the Master of the ship, J. A. Newman, unjustly and wrongfully dismissed ex-Chief Steward J. H. Sampson from his position on board of the ship at a few minutes notice because he refused to go ashore with the said master and square up a claim known to the said J. H. Sampson to be fraudulent.

16. That the Master of the ship, J. A. Newman, unjustly and wrongfully, at 24 hours' notice; dismissed ex-Engineer C. H. Robbins from his position on board the said ship, on the ground that he had been abusive to the Chief Officer of the said ship, and that the said C. H. Robbins was a dangerous man whereas in truth and in fact the said C. H. Robbins had not been so abusive, and was not a dangerous man.

Note.—The dates mentioned in this Schedule, where not otherwise expressed, refer to the year 1914.



ROYAL COMMISSION ON THE VICTORIAN TRAINING SHIP "JOHN MURRAY."

R E P O R T .

*To His Excellency the Honorable SIR ARTHUR LYULPH STANLEY, Knight
Commander of the Most Distinguished Order of Saint Michael and Saint
George, Governor in and over the State of Victoria.*

MAY IT PLEASE YOUR EXCELLENCY :

I, George Cowie Morrison, appointed by your Excellency to inquire into and report as to the truth or otherwise of the complaints involving charges of peculation and dishonest dealings by certain tradesmen employed in supplying victuals to the Victorian Training Ship *John Murray*, and imputing misconduct, connivance or dereliction of duty or negligence on the part of those concerned with the government, management and good order of the said ship and its affairs, and of the schooling, welfare and treatment of the boys thereon, and in connexion with the determination of the services of Charles Henry Robbins, at one time employed as engineer on board the said ship, and John Hill Sampson, at one time employed thereon as chief steward respectively, contained or referred to in the Schedule to the Royal Commission, have the honour to present to Your Excellency my Report.

SCOPE OF THE INQUIRY.

The scope of the inquiry is defined in the Schedule to the Royal Commission printed with this Report.

It will be observed that there are sixteen distinct charges forming the subject of the inquiry, and these have been subdivided into sub-charges, making a total of 55 issues. These have been fully investigated, except where they concern members of His Majesty's forces now on active service and unable to attend the inquiry.

PRELIMINARY.

I decided that the inquiry should be open to the public.

By the courtesy of His Honour the Chief Justice, the Second Civil Court, Law Courts, was placed at my disposal, and it was in this court that the majority of sittings was held. After the Melbourne evidence had closed I visited Geelong, held five sittings and heard evidence at the Supreme Court.

The first sitting of the Commission was held on the 29th March, 1915, the inquiry concluding on the 19th May following.

There were 24 sittings, during which 76 witnesses were examined, and a number of these witnesses were recalled several times. There were 154 Exhibits, including the ship's books and other documents.

The Minutes of Evidence are forwarded herewith, and embrace 1,461 pages of typewritten foolscap.

Mr. A. F. Maldon Robb, B.A., LL.B., was appointed by the Government to assist me in eliciting evidence. Mr. W. Paul, M.A., LL.M., who was instructed by Mr. Brent Robinson, appeared on behalf of the committee of the ship.

Mr. D. Barry, Public Service Inspector, was instructed to assist in the conduct of the Inquiry.

CAUSES OF INQUIRY.

The causes which led up to this Inquiry may be here shortly stated.

During the course of the debate in Parliament on the 16th December, 1914, when the Estimates of the Chief Secretary's Department were under consideration, serious allegations were made by Mr. R. H. Solly, M.L.A., in reference to the Victorian Training Ship *John Murray*, on the authority of certain persons formerly engaged on the ship.

Mr. Solly did not vouch for the truth of the allegations made, but in his opinion they were of such a character as warranted an impartial inquiry.

Charges of immoral practices on the ship; of short supplies by contractors; and of ill treatment of the boys were included.

In view of the serious nature of these allegations the Government decided to recommend to His Excellency the Governor in Council that I be appointed a Royal Commission to inquire into and report as to the truth or otherwise of the charges set forth in the Schedule to the Royal Commission.

In response to a letter from the Chief Secretary's Department, Mr. Solly submitted a list of charges which he thought should be investigated. These charges were signed by one J. H. Sampson.

He also forwarded a sworn declaration by one C. H. Robbins, covering certain charges made by Robbins.

These statements were submitted to the Crown Solicitor, with a direction to embody them in a Schedule to the Royal Commission.

The charges were then duly formulated from this material and were dealt with as far as possible in consecutive order.

VICTORIAN TRAINING SHIPS.

There are two training ships, the *John Murray* and the *Dart*. The *John Murray* is the principal sailing ship and the *Dart* is an auxiliary, which also employs steam power.

When not cruising they are anchored off Williamstown.

A school for the boys is established on the *John Murray*, and the bulk of the work of training boys for the sea is done on this sailing ship.

VICTORIAN TRAINING SHIPS COMMITTEE.

The managing committee consists of the Honorable J. A. Boyd, M.H.R., chairman; T. W. Bothroyd, Esq., M.A.; W. A. Callaway, Esq., J.P.; W. Groom, Esq., J.P.; W. G. McBeath, Esq., J.P.; Captain A. E. Kane, and Captain J. A. Mitchell, with Mr. Sidney Gotto, secretary. Messrs. Boyd, Kane and Groom are active members of the committee, Mr. Boyd in particular devoting a considerable amount of time to the affairs of the training ships.

The chairman and members of the committee act in an honorary capacity.

CAPTAIN SUPERINTENDENT OF "JOHN MURRAY."

During the period covering the charges contained in the Schedule, Captain Williams was in charge of the *John Murray* at Geelong from 1st May, 1914, to 31st August, 1914. At the outbreak of the war he was called to active service in His Majesty's Navy, and on the 1st September, 1914, Captain J. A. Newman was appointed to take charge of the ship and he has continued in that position up to the present time. He also exercises supervision over the *Dart*.

SCHOOL ON THE "JOHN MURRAY."

Mr. G. O. Wilson is Head Schoolmaster of the school established on board the *John Murray*, and the position of Assistant Schoolmaster is vacant at present.

Mr. L. Prime was for some few months assistant schoolmaster, but is now in charge of a school in the Mallee district.

The schoolmasters are appointed by the Education Department, and the school is carried on under the direction of the department, and as far as possible on similar lines to that of any half-time State School. Inspections and examinations by the departmental inspectors are made from time to time and reports furnished to the Education Department.

METHOD OF DELIVERING SUPPLIES.

The method adopted of effecting delivery of supplies at Geelong by the provedores to the ships may be shortly stated.

Each morning, a cutter left the ships *John Murray* and *Dart* for the purpose of taking on supplies at the Stony Pier, Geelong. The contractors endeavoured as far as possible to meet the cutters and make deliveries, but it has happened that on many occasions, owing to stress of weather, &c., the carts arrived before the cutters, and the goods, vegetables, meat, milk, &c., were left on the pier unprotected and unguarded.

They were taken delivery of at a later period when the cutters arrived, or they were taken back to the provedore's shop during bad weather.

The ships *John Murray* and *Dart* were anchored about half-a-mile from the Stony Pier, Geelong.

WITNESS OUTSIDE JURISDICTION OF THE STATE.

Charles Henry Robbins, ex-employee on the *John Murray*, and one of the parties to the allegations before referred to, had furnished a sworn declaration as to the truth of the statements made by him. He had, however, left Victoria and was residing in New Zealand.

He was therefore not available for purposes of examination as he was beyond the jurisdiction of the State.

The charges made by him were proceeded with as far as it was possible to investigate them in his absence.

WITNESS JOHN HILL SAMPSON.

John Hill Sampson, ex-chief steward on the *John Murray*, was examined for six successive days, and was recalled on several subsequent days to give further evidence.

Previous to his arrival in Australia he had held a number of positions and furnished testimonials in regard thereto.

He was a soldier and a sailor—a marine in the Royal Navy, having served on a number of men-of-war, and was a canteen steward.

He produced medals won by him at the Soudan-Gordon Relief Expedition, the Boxer Rebellion in China, and long service and Khedive's decoration for service in the Soudan.

Although possessing evidence that he had been a canteen steward, it could not be said that he had had much experience as a chief steward of a ship until he joined the *John Murray*.

He arrived in Melbourne on the 10th September, 1913, having been nominated as an assistant immigrant by Mr. Sampson, M.H.R.

On the recommendation of Mr. Sampson, M.H.R., to Mr. J. A. Boyd, M.H.R., Chairman of the Committee of the *John Murray*, he was appointed chief steward of the *John Murray* on the 30th April, 1914, and remained there until 10th December, 1914, when he was discharged for insubordination in refusing duty.

A fortnight after he had gone on the *John Murray* he began to keep a diary.

He produced his original diary up to 11th August, 1914, and he alleged that portion of his original diary written after 11th August was stolen from him on the *John Murray*.

He produced a book containing written matter which was used by counsel to refresh his memory as to events and accounts concerning which Sampson gave sworn evidence before the Commission. On being typed it was found that the contents of this book or diary consisted of 91 pages of typewritten matter.

As the evidence in regard to many of the charges rested entirely upon Sampson's uncorroborated statements, it became necessary to test his veracity in the closest manner possible, with the result that I was compelled to view with suspicion any allegation made by him, and I could not rely upon the truth of his evidence unless supported by independent testimony.

He admitted on oath that he had assisted in defrauding the Royal Navy of a large sum of money; that on his dismissal he had taken away books and papers the property of the *John Murray*; that he had deliberately falsified the stores-received book and the stores-issued book on board the ship; that he had signed accounts as correct which he stated he knew to be incorrect; that he signed delivery notes as correct which he stated were not so.

Evidence was given that Sampson had approached the provedores who supplied the ships at Geelong for a secret commission. Sampson gave this a point-blank denial.

From the evidence of Mr. Jonas Blakiston, Messrs. Ritchie Brothers, and Mrs. Marshall, I am quite satisfied that he did apply for commission and that receiving a refusal he determined to cause Ritchie and Marshall annoyance in regard to their accounts.

I had a direct opportunity of testing his veracity and good faith at Geelong.

In consequence of a complaint made by Sampson that Marshall, the baker, had short supplied the *John Murray*, Captain Newman interviewed the baker. Marshall declined to supply any more bread unless the steward or some authorized person from the ship came to his bakehouse to see the bread weighed and take delivery there. The captain ordered Sampson to carry out this duty, but the evidence showed that he disliked the task, and that only on one occasion did he enter the room where the bread was being weighed. At all other times he stood at the door, and although pressed by the baker to come forward and inspect the scales, he declined to do so, saying that he could see from where he stood.

When giving evidence, Sampson was closely examined on this question, and stated that he could actually see the markings on the scales, and thus check the weights from where he stood in the doorway.

I made a personal inspection at Marshall's, and satisfied myself that Sampson's statement that he could see the scales and check the weights was untrue, and that he was false to the trust reposed in him by the captain, and made no effort to do his duty although challenged by Marshall to come in and see the bread weighed.

His final act on the ship was one of gross insubordination in refusing to obey the lawful orders of the captain, for which he was dismissed.

ALLEGED FRAUDULENT SUPPLIES.

Charge I.

That during the year 1914 the contractors or tradesmen concerned with the supply to the ship of vegetables, meat, bread, or milk, fraudulently short supplied those commodities, and, knowing such to be the case, claimed and were paid for the goods, or some of them, purporting to have been, but not supplied.

This charge has reference to provedores at Geelong who supplied the ships *John Murray* and *Dart*.

The provedores who supplied the training ships were Mr. C. Ritchie, butcher, Moorabool-street, Geelong, Mr. W. Marshall, baker, Malop-street, Geelong, Mr. C. Bant, baker, Moorabool-street, Geelong, and Messrs. Mathews Bros., Moorabool-street, Geelong.

The evidence of J. H. Sampson, ex-Chief Steward of the *John Murray*, was that there had been continuous shortages in supplies practically the whole of the time he was on the ship, and that he had repeatedly brought these shortages under the notice of Captain Williams, the ex-Captain Superintendent, up to the 31st August, 1914, and under the notice of Captain Newman, the present Captain Superintendent, up to the 10th December, 1914, when he was dismissed from the ship's service.

Sampson produced supply notes and delivery notes marked by him in support of his allegations.

He gave many specific instances of shortages extending over several months.

He stated that he had weighed the meat, vegetables, and bread, and that he found serious discrepancies between the amount supplied and the amount charged for on the provedore's bill.

These allegations of shortages sworn to on oath by Sampson were a subject of investigation by this Commission.

A large amount of evidence was taken, books, papers, documents, &c., being closely scrutinized and an exhaustive investigation generally made in order to elucidate the matter.

Sampson's evidence that there were shortages is not corroborated.

The evidence of ship's employees and boys went to show that at various times Sampson had told them he was short, but not one of them could give direct testimony as to an actual shortage of one ounce or the loss of one vegetable.

In the matter of payment for vegetables, it appeared also that Sampson was under a misapprehension as to how vegetables were charged for.

He assumed they were charged for as "single" vegetables, whereas the accounts conclusively proved they were contracted for and paid for at per cental.

Mr. Sidney Gotto, Secretary to the Committee, actually told him they were charged for by "weight," but he persisted in making notes as if they were charged for at per "vegetable," and wrote the alleged discrepancies in his book.

When such vegetables as carrots and parsnips, weighing each a few ounces; cabbages, weighing up to six pounds; and vegetable marrows, weighing fifteen to twenty pounds, were being supplied, the payment for each "vegetable" on a level plan would be absurd.

The evidence of Mr. R. C. J. Ritchie, one of the partners of the firm of "C. Ritchie," the provedore, showed that supplies for the *John Murray* and *Dart* were carefully weighed, and only the amounts which were delivered charged for.

He produced his delivery notes, signed by Sampson, that all was correct.

Sampson saw Robert C. J. Ritchie and his brother, James Ritchie (the other partner), in the shop, and he met David Johnstone, their driver, on many occasions, but on no occasion did Sampson mention to any of them that the supplies were arriving short.

Ritchie contracted to supply meat, vegetables, potatoes, &c. (the vegetables, potatoes, &c., being supplied by sub-contractors). He brought witnesses to prove that he had faithfully carried out his contract, and that the goods were not short weight when delivered.

With regard to Wm. Marshall, baker, who supplied the ships with bread, Sampson challenged his account, stating that he had weighed each loaf, and found a shortage in each. Marshall, in his evidence, stated that he sold bread to the ships by the pound, and not by the loaf, and produced his delivery dockets and accounts in support thereof. When the Captain came ashore to see him in reference to shortage alleged by Sampson, Marshall affirmed that his accounts were correct, and further told the Captain, and telephoned to Mr. Gotto to the same effect, that he would make no further supplies to the ships unless an officer were sent to his bakehouse to see the bread weighed, and take delivery on the premises. Captain Newman ordered Sampson to carry out this duty, and no more complaints were heard.

It is remarkable that Marshall's accounts should have been challenged by Sampson subsequent to the incident sworn to by Mrs. Marshall that Sampson asked for his steward's commission.

The evidence of Ritchie Bros. and Mr. Jonas Blakiston shows that somewhere about November, 1914, Sampson approached Robert Ritchie for a pound, stating that it was his week end off duty.

Ritchie refused to give him anything, and he left the shop. Sampson denied that any such conversation occurred, but the weight of evidence is in favour of the statements of R. and J. Ritchie and Mr. Blakiston.

I am quite satisfied that the incident referred to did occur, and that Sampson asked for a pound.

It is again remarkable that, following this attempt to gain a secret commission, Ritchie's account for November was challenged by Sampson, who would not sign it. Sampson had signed Ritchie's September and October accounts, and when Captain Newman received the account for November, he handed it to the Chief Steward to check. Sampson produced a list of alleged shortages, and refused to sign the bill as correct.

On the 10th December, Captain Newman sent for Sampson, and instructed him to get his books and dockets, and go ashore with him to Ritchie to see about the account.

Sampson declined to do so, and for refusing to obey the Captain's order, he was summarily dismissed. Had Sampson's action in refusing to sign the account as correct been in good faith, he should have embraced the opportunity of going ashore with the Captain to Ritchie's shop, and if there were shortages in supplies, the Captain could have ascertained the truth.

Instead of so doing, and availing himself of the occasion to right an alleged wrong, he became grossly insubordinate to Captain Newman.

I can only conclude that he was unwilling to undergo the test in the presence of Ritchie and the Captain, and preferred to be dismissed with a bad discharge from the ship.

Sampson's veracity was impugned by his relation of an alleged conversation he had with Captain Newman relative to the purchase of a boom for the *Dart*.

Sampson alleged that Newman told him he had valued the boom at £10, but that £20 was paid for it. Captain Newman denied on oath that any such conversation had occurred.

As a matter of fact, Captain Newman valued the boom at between £3 and £4. The sum of £4 was paid for it, and he produced the account.

There is a frequent reference in Sampson's "Diary" to an alleged Masonic conspiracy to injure him, and to defraud the Government. References are also made to "Solomon" as typical of the spirit of Freemasonry, "Cabal," "Solomon's High Priests," &c. No evidence was adduced to warrant such references.

Sampson stated that he had repeatedly brought shortages of provisions under the notice of the Captain. With the exception of the bread shortage referred to, and the quality of apples supplied on one occasion, Captain Newman denied that he was informed of any other shortages.

Mr. C. J. Bant, baker, Moorabool-street, Geelong, denied that he had ever short supplied the ships, and no evidence was adduced in support of the charges made against him.

Mr. Reid, manager for Mathews Bros., denied having short supplied the ships.

Disputes as to an account had arisen, but they were adjusted, and the account paid.

Assuming that in good faith and with perfect honesty of purpose Sampson had noted that the weights of meat and vegetables were continually short supplied, and had made records of them on the supply and delivery notes which he kept in his cabin, his obvious duty would have been to decline to sign the monthly accounts from the contractors as correct. Each month, from May up to November, the accounts bear his signature as to their correctness. If there were shortages, and he had declined to certify, they would have been detected at a very early stage, and brought directly under the notice of the Secretary and Committee.

Up to November he signed all the delivery notes from the contractors as correct, and at the end of each month certified to the correctness of the accounts sent in by the contractors.

The captain, the contractor, the secretary, and the committee would glean from his certificates that all was correct at the end of each month.

The stores-received book and the stores-issued book kept by Sampson tally with the delivery notes and the contractor's accounts.

If Sampson's evidence is to be believed, that goods were continually short supplied, then he falsely certified to the correctness of every monthly account from May to November; he deliberately falsified the stores-received book and the stores-issued book, and he falsely certified to the contractor in his delivery book that he had received the goods.

The necessity for so many dishonest acts on his part has not been made apparent.

Mr. Sidney Gotto, secretary to the Training Ship's Committee, was on board every fortnight at Geelong. He stated on oath that he spoke to the chief steward asking if everything were right, and if supplies were coming in all right, and Sampson answered yes.

Had anything been wrong it was a simple matter to tell Gotto, but Sampson stated he had not done so.

The Chairman (Mr. J. A. Boyd), Captain Kane, and Mr. Groom had been on board from time to time, and every opportunity presented itself for an honest servant to complain if the contractors were guilty of any dishonesty in sending supplies for the ship.

It is worthy of note that there were no complaints from the steward of the *Dart*, which was also supplied by the same provedores at the same time.

The steward of the *Dart* said he had no complaint to make of shortages. Sometimes he ordered certain goods, and if the contractor could not supply them he sent substitutes. Everything he was charged for he received, and he was quite satisfied.

I can only conclude, therefore, that the failure of the provedores to respond to Sampson's requests for steward's commission caused their accounts to be challenged by him.

I find as to Charge I., that there is no truth whatever in the allegation.

Charge II.

That one or more of the persons named below, being in authority or concerned with the management of the affairs of the ship, being aware or in a position so to be of the existence of the fraudulent practices in the last preceding paragraph referred to, either connived at or condoned or improperly failed or neglected to bring the persons concerned to account or to take effective steps to check the irregularities.

The Hon. James A. Boyd—Chairman of Managing Committee.

W. Groom—Member of Managing Committee.

A. E. Kane—Member of Managing Committee.

S. Gotto—Secretary to Managing Committee.

J. A. Newman—Present Master of Ship.

G. D. Williams—Ex-Master of Ship (now serving on H.M.A.S. "Australia")

My finding in regard to Charge I. is of such a nature as to completely exonerate the persons named in Charge II.

Charge III.

That, in respect of the school established on board the ship "John Murray," one or more of the following defaults or irregularities improperly existed or occurred subsequent to the 1st April, 1914 :—

- (a) **No school at all was held about from the 17th of April to about the 4th May.**
- (b) **No school at all was held from about the 5th of June to about the 10th of June.**
- (c) **The maximum time in school on any day did not exceed four hours.**
- (d) **On not more than about five days did the school hours exceed three.**
- (e) **On several days the school hours did not exceed one and a half.**

Sub-charge (a).

The evidence showed that no school was held during the period named. Mr. G. O. Wilson, the schoolmaster, was ill and under the care of the doctor. He was suffering from a severe injury received on board the ship. The matter was reported to the Education Department and to Mr. J. A. Boyd, the Chairman of the Committee. It was arranged that he should take three weeks' sick leave in lieu of his annual holiday, and there was no school held during his absence. The boys were not idle, inasmuch as a large amount of time is devoted each day to seamanship on the *Dart* and *John Murray*, under the care of skilled instructors, and the effect of closing the school during the period named was that the boys had more time for instruction in seamanship.

Sub-charge (b).

With regard to the charge that there was no school from the 5th to the 10th June, it is explained that the 5th of June fell on a Friday. Saturday and Sunday intervened, and Monday, the 8th, was observed as a statutory holiday (King's Birthday).

On the 5th of June the boys were ashore at liberty, and there was no one to be taught.

According to the records, school was held on the 9th and 10th, and the schoolmaster swore that school was held on those days.

No evidence beyond the mere assertion of Sampson was adduced to contradict Wilson, or the records of the department.

Sub-charge (c).

The charge that the maximum time in school on any day did not exceed four hours is not borne out by the evidence. The records, which are examined by the Education Department, do not support this charge.

Mr. Wilson denied the charge, averring that his records were honestly and faithfully kept.

Sub-charge (d).

The time table for the school is fixed at 9.15 a.m. to 11.45 a.m. and 1 p.m. to 4 p.m., and school is held during these hours unless the schoolmaster is informed that the boys are required for duties on the *Dart* or *John Murray*. The school is always liable to be broken into for nautical purposes.

If the boys are not in school they are being instructed in seamanship under the care of instructors other than the schoolmaster.

Since the advent of Captain Newman as Captain Superintendent, the boys are getting more regular schooling, but less nautical instruction.

There is no evidence to support the allegation that for not more than about five days did the school hours exceed three.

Sub-charge (e).

There is no evidence that the school hours on several days did not exceed one and a half hours.

Charge IV.

That the Chief Schoolmaster (one G. O. Wilson) of the ship "John Murray" was guilty of misconduct or dereliction of duty constituted by one or more of the acts or omissions following :—

- (a) **In making or permitting to be made in the school register false entries in relation to school hours on the dates referred to in paragraph III. hereof or in relation to some one or more of such dates.**
- (b) **In repeatedly making or permitting to be made in the school register untrue entries as to the hour of commencing school.**
- (c) **In omitting to make or to cause to be made in the school register or record of punishments, floggings administered to certain boys.**
- (d) **On occasions remaining in bed on school days until after 9 a.m.**
- (e) **On occasions breakfasting on school days as late as 9.30 a.m.**
- (f) **In ordering instructors on the ship to bring boys to him for punishment and not send any to the Captain.**
- (g) **On the 18th August, in usurpation of the Captain's authority, administering twelve strokes to a boy on sleeping deck at 1.15 p.m.**
- (h) **On 29th July, in usurpation of the Captain's authority, administering a strapping to a runaway boy.**
- (i) **Incompetence or negligence evidenced by his having failed to properly teach or cause to be taught writing to a boy who had been at school on the ship for about seventeen months, and in October was about fifteen years of age.**

- (j) In failing to foster emulation among the boys, evidenced by no boy's name having been entered on the merit board nor any merit certificates issued, or alternatively omitting to post on such merit board the names or to issue merit certificates to boys deserving of either of those honours.
- (k) In breach of his duty being absent from the ship between the 7th and 11th August and on other occasions.
- (l) That having charge of money provided by the parents or guardians of the boys for the latter's benefit, he improperly retained portion of the same for his own use.
- (m) In placing a boy of fourteen years of age to take charge of the sick and to handle poisons indiscriminately.
- (n) In neglecting the case of a boy named Firmin, physically injured by being struck by the Second Schoolmaster.
- (o) In neglecting the case of a boy named Warner who, though ill, was not attended to for a week or more.
- (p) In forcing a boy named (blank) to eat pea soup, a feeding tube being used to intimidate him.
- (q) In otherwise neglecting the sick boys on board.

Grouping Sub-charges (a) and (b).

There is no evidence to support these allegations.

The schoolmaster swore they were honest entries, and were entries of facts.

The school has a work programme, and is examined by an Inspector of the Education Department, and the results would mirror any neglect on the part of the schoolmaster if he had neglected school, and made false entries in the registers.

Sub-charge (c).

The schoolmaster also gave evidence that every case of strapping boys for school offences was entered in the punishment book, and that the records there are a true statement of facts.

The corporal punishment register from 5th January, 1914, to 31st August, 1914, was stolen from the ships. The table wherein the schoolmaster kept his books was broken, and the locks forced.

Inspectors of the Education Department examined the corporal punishment book, and having satisfied themselves that punishment was administered according to departmental Regulations, signed the book.

Grouping Sub-charges (d) and (e).

There was evidence that on occasions in Captain Williams' time the schoolmaster had risen late, and was late at breakfast, but it was explained that it was at the period of his injury before referred to.

On many occasions the boys were not ready for school—the gymnastic instructor had charge of them, or they were required by the ship.

Grouping Sub-charges (f) and (g).

There was no evidence to support these charges.

Sub-charge (h).

The evidence was clear that the boy referred to was strapped for playing truant—a school offence.

Sub-charge (i).

There is no evidence of incompetence or negligence on the part of Mr. G. O. Wilson. On the contrary, he is held in high esteem by the Education Department, by whom he was specially selected for the school on the *John Murray*. He is most assiduous in his duties, and two of his pupils obtained merit certificates at last December examination.

He is also coaching some of the boys for Duntroon College examinations, such subjects as French, algebra, geometry, &c., being taught by him to these boys after the ordinary school hours.

With regard to the specific case stated, the boy referred to was certified to by Dr. Harvey Sutton as of dull intellect, and one who would not pass the 4th grade. He had not attended any school until he came on the *John Murray* at the age of thirteen years. The letter written by him was not a fair sample.

I caused a test to be made of this boy's writing, and he did very well—his weakness being spelling.

I think the schoolmaster has done very well with this boy.

Sub-charge (j).

The merit board referred to was purchased by Mr. Wilson at his own expense. There were no names on it, because up to December examinations no one had passed the examination for merit certificate. Merit certificates are not issued by the ship authorities. They are won at the annual examinations held by the Education Department, and certificates are issued by the Department only.

Sub-charge (k).

It was shown in evidence that Mr. Prime, Assistant Schoolmaster, arrived on the ship to take up his duties on Friday, the 7th August. Wilson was on board to meet him. Saturday was the 8th, Sunday the 9th, and he was on board again on the 10th August, having been absent for the week end.

On other occasions of his absence from the ship, explanations were furnished which I deemed satisfactory.

Sub-charge (l).

There was no evidence to bear out this serious allegation against Mr. Wilson's honesty.

On the contrary, the boys owe him some £30 advanced out of his own pocket to them to pay train fares, &c.

This may be regarded as lost to him, as many of the boys are in a state of impecuniosity while on board, and out of goodness of heart, he had assisted them.

Sub-charge (m).

The boy referred to was appointed to this duty by the Captain Superintendent, and was a reliable boy.

As Mr. Wilson did not appoint him, the charge is not sustained.

Reliable boys are appointed to the sick bay, and the only occasions in which they have access to the medicine chest is when they are sent by Mr. Wilson to procure the bottles or medicines he requires for use in the sick bay hospital. The medicines are administered under his direction and supervision.

It is a common practice to employ boys in chemists' shops, and there is nothing unusual in allotting boys on the *John Murray* for sick bay duties.

Sub-charge (n).

The boy Firmin met with an accident on board the ship. He fell down the after companion ladder, and was laid up in the sick bay. He was injured in the groin. Mr. Wilson attended him in the sick bay. He had a subsequent rick when he slipped down the companion way. He was thus laid up twice, and attended to by Mr. Wilson in the sick bay.

The boy Firmin stated on oath that Mr. Wilson attended him all the time he was in the sick bay, and subsequently sent him to the Hospital at Geelong.

There is not only no evidence of neglect, but strong evidence that he gave him personal attention, and ministered to his wants in a humane and laudable manner.

Sub-charge (o).

With regard to the boy Warner's illness, when this boy was laid up Mr. Wilson himself was absent from the ship through illness. The boy was sent to the Geelong Hospital by Captain Newman. On other occasions when the boy was ill Mr. Wilson attended to him.

There is no evidence of neglect, but rather that of kindly consideration for the boy.

Sub-charge (p).

One of the boys refused to take his pea soup, and Mr. Wilson, who was in charge of the mess deck, insisted on his doing so. When told that he would be forced to do so, he took some of the soup.

Mr. Wilson being satisfied that his orders had been obeyed, did not further insist.

The charge may be dismissed as frivolous.

Sub-charge (q).

I have had no evidence that Mr. Wilson neglected any of the sick boys.

It is due to Mr. Wilson to state that in my opinion the boys and the ship are to be congratulated in having such a humane man to look after the sick boys. He is trained in first aid, and has done three years' chemistry. He has therefore good qualifications which fit him to minister to the requirements of the sick boys. He has voluntarily undertaken this duty, and has frequently attended to many boys for various minor wounds and illnesses between 6.30 p.m. and 8 p.m., and on such occasions has remained with sick boys until 2 and 3 o'clock in the morning.

Under these circumstances, it seems unfair that these unfounded charges should have been levelled against him.

Charge V.

That the Second Schoolmaster (one — Prime) of the ship "John Murray" was guilty of misconduct or dereliction of duty constituted by one or more of the acts following :—

- (a) **In striking the boy Firmin aforesaid, the offence committed not being a school offence, and further, he having no power to punish at all.**
- (b) **In striking the said boy in the testicles.**
- (c) **In striking a boy named Lever so severely that he was queer for a long time after, and had to go to bed in consequence.**
- (d) **In unnecessarily and with undue severity flogging a boy named Maxwell, and**
- (e) **In otherwise administering too severe punishment on boys.**

Sub-charge (a).

The boy Firmin had been fighting with another boy near the cook's galley. Smith, an instructor, saw the fight, and took Firmin to the Second Schoolmaster for punishment. Mr. Prime gave the boy about four or six strokes with the strap. He had just commenced duty, and was unaware of the regulation that the schoolmaster should punish for school offences only.

When his attention was drawn to the regulation, it did not occur again.

In the absence of the Chief Schoolmaster, his powers of punishment are delegated to his assistant.

Mr. Wilson gave the necessary authority in Prime's case.

Sub-charge (b).

The method adopted on board the ship of administering punishments is that a boy must touch his toes with his fingers and receive the strapping across the buttocks.

Dr. Harvey Sutton, Chief Medical Officer of the Education Department, stated that this was probably the least harmful way of giving such punishments.

It may so have happened that this boy, Firmin, did accidentally receive one of the strokes on the place indicated, but I entertain considerable doubt in the matter.

This boy had been injured in that region by falls on board the ship, and the fight that he engaged in with another boy, and for which he was strapped, may have caused the injured part to be affected.

The strapping was given by Prime in a proper manner.

Sub-charge (c).

There is undoubted evidence that Prime did hit Lever on the head. Mr. Wilson, the Chief Schoolmaster, was present, and described the blow as a mere flip, which did not call for any comment on his part.

This boy is peculiarly susceptible to headaches. Prime should not have given him or any other boy even the slightest tap on the head.

Captain Newman, to whom the matter was reported, took a very serious view of the matter, and threatened to dismiss Prime if it occurred again.

Sub-charge (d).

The boy Maxwell stated on oath that Mr. Prime did give him the strap, but it was not a flogging.

As the boy has not made complaint the matter ends there.

Sub-charge (e).

There was no evidence to support the allegation that Prime had administered too severe punishment on boys.

The evidence was clear that Captain Newman would not permit it, and the departmental regulations are against excessive punishments, even for school offences.

Charge VI.

That the Chief Officer (one J. T. Richardson) was on or about the 23rd July, 1914, guilty of misconduct constituted by kicking a watch boy, one (blank) along the deck, and twisting his ear.

Mr. J. T. Richardson joined the First Expeditionary Force, and is on active service in the Dardanelles.

Under these circumstances, I did not permit this charge to be investigated in his absence.

Charge VII.

That one or more of the persons constituting the staff of the Ship or concerned with its good management or the proper discipline thereon were guilty of misconduct or dereliction of duty, active or passive, in either doing or suffering to be done the acts or defaults specified, or in improperly omitting to take steps to safeguard against the recurrence of such or the like acts or defaults (that is to say) :—

- (a) **Punishing certain boys for an offence for which they had already been sufficiently punished.**
- (b) **The kicking on or about the 22nd of July of a boy named Warner.**
- (c) **Employing boys on or about the 17th May to clean up the Captain's cabin, rendered filthy by the latter's drunken condition.**
- (d) **Punishing a boy so severely for smoking that he had to be sent to the sick bay to be cured of his injuries.**
- (e) **In two other cases flogging boys so severely that as a result they had to be sent ashore to hospital.**

Grouping Sub-charges (a) and (b).

There was no evidence to support these charges.

Sub-charge (c).

This charge does not refer to the present Captain Superintendent, Captain Newman.

Captain Williams was Captain Superintendent on the date named.

He is on active service on H.M.A.S. *Australia*, and I did not permit this charge to be investigated in his absence.

Grouping Sub-charges (d) and (e).

There was no evidence in support of these charges.

Charge VIII.

That the ex-Master, George Davies Williams, was habitually guilty of neglect of duty in that he was rarely, if ever, seen out on deck, but kept his cabin day after day.

As before stated, Captain Williams is on active service, and this charge was not proceeded with.

Charge IX.

That ex-Instructor Mallison was guilty of misconduct in that he took a boy or boys to his cabin for an immoral purpose, and that the Master, J. A. Newman, was also guilty of misconduct in that knowing the facts he discharged Mallison to the shore (telling him that he would get a good discharge) within a few hours without investigation or prosecution with the intention of hushing up a grave offence, or alternatively that ex-Instructor Mallison was falsely charged with having taken a boy or boys to his cabin for immoral purposes, and the Master, J. A. Newman, was guilty of injustice in discharging the said Mallison for the offence.

The only evidence in this case was that of a boy who was known as "Screw," (suggesting that he had a screw loose, or was not mentally sound).

This boy had charged Mallison with the offence, but he did not make the charge until after three months had elapsed.

Captain Newman investigated the matter, but could not obtain any further evidence. He stated that Mallison indignantly denied the charge at the time.

Subsequently the Captain found boxes of cigarettes in a boy's possession, and ex-Instructor Mallison admitted he had given the boy money to buy them. An order had previously been issued that instructors were not to do this.

For this offence, which is regarded as serious on board a training ship for boys, he received fourteen days' notice, but left on the following day at his own request. He received a good discharge.

Mallison was not discharged for immoral conduct, but for placing the temptation of cigarettes before the boys.

Charge X.

That those concerned with the discipline of the ship and the proper welfare of the boys, after proof that ex-Instructor Sadler had been guilty of undue familiarity with certain boys, nevertheless allowed him to remain on the ship for fourteen days thereafter, during which time the said ex-Instructor continued those acts in a greater or lesser degree.

Evidence was taken as to the suggested undue familiarity with certain boys. It was shown that he had taken a warm bath with one of the boys, other boys being present.

It was at most an indiscretion, not an immorality.

I have since learned that Sadler was killed in action at the Dardanelles. Had I known that he was with the Expeditionary Forces I would not have permitted any evidence to be taken on this charge in his absence.

I think, however, it is due to his relatives that I should record my verdict.

Charge XI.

That J. A. Newman, the Master of the ship, was guilty of conduct subversive of good order and discipline in the following respects :—

- (a) **In that he was in the habit of using to the knowledge of the Committee of the ship vile language.**
 - (1) **In front of the boys of the ship ;**
 - (2) **In public when talking of the Committee.**
- (b) **In telling a man on board the ship that he did not know about his present Chief Officer until after he engaged him, and, after the latter arrived on board, saying he did not like "the cut of his jib."**

Sub-charge (a) (1) and (2).

There was no evidence in support of this accusation, and the Captain denied the use of vile language.

Sub-charge (b).

There was no evidence of this. The Captain spoke in the highest terms of his Chief Officer, and denied having used the objectionable phrase.

Charge XII.

That the First Officer (J. T. Richardson) of the ship was habitually guilty of neglect of duty in that he was hardly ever out of bed before 9 o'clock in the morning, and then spent hours of each day asleep in the saloon smoking room.

As before stated, Mr. Richardson is on active service, and this charge was not proceeded with.

Charge XIII.

That one or more of the persons constituting the staff of the ship or concerned with its good management or proper discipline were guilty of neglect or breach of duty evidenced by the acts and omissions following (that is to say) :—

- (a) **In failing to adopt or observe on board the said ship a proper system of paying duty boys, in consequence of which many boys who had worked in the steward's department did not receive payment.**
- (b) **In that the ship was continually left without an officer in charge.**
- (c) **On or about the 22nd of July improperly permitting two barmaids to be on board the ship.**
- (d) **In that prior to the 8th July the life boats had not been in the water for about two years.**
- (e) **In that prior to the 8th of July no fire drill had been held on board for about two years.**

Sub-charge (a).

The system in vogue in regard to duty boys and their payment appears to be a suitable one, and is approved of by the Committee.

Some boys do not receive payment, but that is part of the system.

Grouping Sub-charges (b) and (c).

There is no evidence in support of these charges.

Grouping Sub-charges (d) and (e).

Prior to the 8th July Captain Williams was Captain Superintendent. Owing to his absence on active service, I was unable to examine him as to this.

I have evidence, however, that since Captain Newman has been in charge of the ship these duties have been carried out effectively.

Charge XIV.

That on or about the (blank) day of (blank) while ex-Chief Steward J. H. Sampson was absent from the ship, some person or persons unknown, but concerned in the particulars of certain entries in a diary kept by him relative to matters the subject of inquiry under this Commission, burst open a brief bag in the cabin of the Chief Steward, and stole or abstracted therefrom the pages of the said diary therein deposited covering entries between the 12th August and the 10th of December, or was or were a party or parties to such breaking, stealing, or abstraction.

There was evidence that Sampson had kept a diary. On the day of his dismissal he reported to the Captain that his bag had been burst open, and his diary stolen. The Captain caused inquiries to be made, but no trace of the diary could be found.

Charge XV.

That the Master of the ship, J. A. Newman, unjustly and wrongfully dismissed ex-Chief Steward J. H. Sampson from his position on board of the ship at a few minutes' notice because he refused to go ashore with the said Master and square up a claim known to the said J. H. Sampson to be fraudulent.

The evidence is clear that the ex-Chief Steward J. H. Sampson was rightfully dismissed from the ship for gross insubordination in refusing to obey the lawful orders of the Captain.

Charge XVI.

That the Master of the ship, J. A. Newman, unjustly and wrongfully, at twenty-four hours' notice, dismissed ex-Engineer C. H. Robbins from his position on board the said ship on the ground that he had been abusive to the Chief Officer of the said ship, and that the said C. H. Robbins was a dangerous man, whereas in truth and in fact the said C. H. Robbins had not been so abusive, and was not a dangerous man.

The ship's papers show that Robbins was dismissed for using insulting and insolent language to the Captain and Chief Officer.

CONCLUSION.

On reviewing the whole of the evidence I am of opinion that the tradesmen who supplied victuals to the *John Murray* at Geelong did not defraud the Government or attempt to do so by supplying inferior articles of food or short weight. I am also satisfied that the boys on the ship have been and are being well treated, both with regard to their physical well-being and their education, and that the charges of immoral conduct have not been sustained.

All of the above findings I have the honour to submit for Your Excellency's consideration.

Witness my hand and seal this third day of June, 1915.

(L.S.) G. C. MORRISON,
Commissioner.