

which we claim it would make such a lot of fresh evidence to go into that the Committee would not have time to deal with it.

54. You say you have other items, and you think that you would be allowed what you charge on a certain number of these?—Yes. It was suggested that Mr. Gellatly, Mr. Blow, and Mr. Reid should go into these matters. I would respectfully ask that that suggestion, when this inquiry is finished, should be carried out. I believe that if Mr. Gellatly and Mr. Blow were to go into the whole of these matters, after they had considered them there would be a considerable amount coming to us.

Mr. Skerrett: I am prepared to admit that Jenkins said he first heard of his proposed dismissal on the Saturday night.

Mr. Menteath: And that he received the note on the Monday morning following.

ADDRESSES OF COUNSEL.

TUESDAY, 17th SEPTEMBER, 1895.—(Mr. A. R. GUINNESS, Chairman.)

Mr. Menteath: I appear here as the legal representative of a witness who has been subpoenaed to give evidence before this Committee. He was in the employment of Briscoe, MacNeil, and Co., and came to the knowledge of facts which seemed, to his mind, sufficient to show that some person in authority in the office of Briscoe, MacNeil, and Co., was endeavouring by loaded weights, and by taking advantage of a somewhat incomplete system of check on the part of a Government department, to enhance the profit to be made out of the contract with the Government by fraud. These frauds became of frequent occurrence and involved considerable amounts. He became alarmed as to his participation in what appeared to him a system of fraud. After consideration he reported these irregularities to the local head of the firm. The answer to his communication was dismissal. Nothing further was heard of the matter until, on the advice of friends, he reported the matter to the persons most concerned—the persons who, in his view, were being defrauded; on whom, at any rate, an attempt to defraud was being made. In consequence of his discharge of what he deemed to be a public duty the matter was considered of sufficient public importance to be brought before this Committee. He was asked, first by the Public Works Department, and afterwards by subpoena, to give evidence before this Committee. I have to submit that he has discharged his duty; and the results of his evidence have been to show that there existed dishonesty on the part of some persons who were charged with the control of this contract as between the contractors and the Government public departments. I am happy to say that the course of this inquiry has cast no reflection at all on the officers of the public departments. It might have been thought by some that such frauds as were attempted, if you believe the evidence of Jenkins, could not have escaped notice without complicity on the part of some of the officers of the Government. We have had ample evidence on that point, and one pleasant result of this inquiry is, that no stigma rests on any officers of the public departments. It may be suggested that the system of check, at any rate on outside works, is of a somewhat lax character, and this inquiry may lead to a more complete system of check being adopted. At any rate I submit that the facts brought under the notice of this Committee by Jenkins have established the proposition that an attempt has been made on the part of the contractors with the Government to perpetrate large frauds on the public through the public departments. Mr. Jenkins is deserving, I submit, of recognition at the hands of the Public Accounts Committee, because, although many of the errors which he revealed would have been detected without his assistance, he, at the same time, threw a strong light on the way these errors came into existence. He led to a circular being issued by the department, warning outside Public Works officers to be on their guard, and the result is, that a very large amount of protection is afforded to public departments in the future. My special mission here is to protect Mr. Jenkins in the discharge of a public duty. I have to ask the Committee that, as he has been compelled by subpoena to devote considerable time to attendance and giving evidence here, the Committee should recommend payment of his expenses. He attends here "by order," and not of his own choice, and at the sacrifice of his time; for he is in employment, and has to submit to deductions of his earnings in consequence of his attending here. I therefore ask the Committee that it would take into consideration the services he has rendered to the public, and award him his expenses before this Committee.

Mr. Reid: It was stated by me at the commencement of this inquiry that the position of the Crown in this case was somewhat anomalous. To a certain extent the Crown is prosecutor, while, so far as the imputations made against officers of the department are concerned, we are defendants. As the case was presented to the Committee, it was this: Here is a large contract, in which overcharges are being made right and left, almost daily, and it was suggested, if not absolutely charged, that the Government officers were either looking on supinely or conniving at these overcharges. Such was the suggestion made at the commencement of this inquiry. Now, I would ask the Committee to consider what is the case, as proved by the evidence? The case, as proved, shows that, although there has been gross overcharges throughout the contract, the departmental officers of the Government, through the vigilance exhibited by them, have saved the Government from being defrauded in any way. The net result is a mere bagatelle. So far from any stigma resting on any officer of the departments the answer must be, "No case." As to the value of the evidence given by Jenkins, who must be taken as prosecutor in this case rather than as a mere witness, the Committee can form their own opinion. I do not propose to enlarge upon it. I claim for the officers of the department that it is by their means the Committee is able to come to a proper conclusion in respect of the whole of this inquiry. Practically Jenkins's evidence may be discarded, for it has been more than covered by the evidence from the departments. At the outset we were accused of taking up a hostile attitude towards Jenkins. What position certain members of the Committee wished us to