

service which has resulted in benefit to the public, and therefore he is entitled to his expenses. My learned friend, Mr. Skerrett, puts the defence of his clients before the Committee, as if this Committee were a Criminal Court—as if his clients were brought here upon a criminal charge. The rules which govern the proceedings of this Committee are not analogous to the rules of a Criminal Court. I submit that the jurisdiction of this Committee is a purely civil jurisdiction; that the only punishment it is at liberty to inflict is by a recommendation that the contract between Briscoe, MacNeil, and Co. and the Government should be terminated. That is the only penalty this Committee has jurisdiction to inflict. The question before the Committee is not a criminal, it is civil; and I need not remind the Committee that very different rules are applicable to one jurisdiction and the other. My learned friend's defence of his client may be summarised thus: that, having a weak case, he devoted fully one-fourth of his speech to abuse of the other side. Besides attributing to Jenkins all kinds of motives my friend assails his conduct and character, calls him blackguard, liar, and I do not know what all. I submit that the character and motives of Jenkins have little or nothing to do with the present case. All that Mr. Jenkins did was to call the attention of the Public Works officers to certain facts. That was his whole function, and that, he has told you, he deemed it to be his duty to do. Had he not mentioned these facts which came to his knowledge he would deserve to have come under the censure of the Committee. In consequence of these facts Mr. Blow and the officers of the Public Works Department instituted an inquiry. The result of that inquiry is expressed to your honourable Committee in the report of Mr. Blow. Mr. Blow states, after the enumeration of certain overcharges, that others than those which had been mentioned by Mr. Jenkins had been brought to light, so that, as Mr. Blow expressly says, Jenkins's statement is borne out by the facts. The Public Works Department thought the matter so serious that they issued a circular warning their officers to be on their guard against these overcharges; and, finally, Mr. Blow sends in his report to this Committee. Jenkins had drawn attention to certain facts, and those facts were deemed by the department to be of such importance as to justify the gravest steps being taken against Briscoe, MacNeil, and Co. It is not Jenkins who led them, it is the result of the inquiry which they had instituted that led them to take further steps in the matter. Not only do they issue a circular warning the officers of the department, but they take the opinion of the Law Officers of the Crown as to the course of action that should be pursued. Mr. Blow, in answer to a question, said that he was not then at liberty to state what the recommendation of the Law Officers of the Crown was, but the Public Works Department were quite ready to act on their recommendation. The Law Officers having made their recommendation, in pursuance of that recommendation Mr. Blow wrote to Jenkins, and asked him whether he would be prepared to come forward and substantiate the allegations which had been made. The Public Works Department found it necessary to take serious action. That letter written to Jenkins by Blow could only have been addressed to Jenkins because of the recommendation of the Crown Officers. Their recommendations, I submit, must have been that the contract of Briscoe, MacNeil, and Co. should be cancelled; and the Public Works Department were prepared to call Jenkins as one of the witnesses to contribute his quota of evidence to the case against Briscoe, MacNeil, and Co. should that firm have questioned the decision of the Public Works Department in the law Courts. The position then was that Jenkins simply drew the attention of the Public Works Department to the facts, which facts, after investigation by the department, were deemed sufficient to warrant them in taking the very grave steps that they have taken. My client is therefore before the Committee not of his own motion, but in obedience to the request of the Public Works Department. And now I come to the question of the value of Jenkins's evidence. We have here a list carefully prepared by the department showing the overcharges on the vouchers sent in by Briscoe, MacNeil, and Co. from 6th February to 31st July. This list refers only to the vouchers that had been checked by the central Public Works Department. Outside of this list there are numerous vouchers which are in evidence before this Committee—from the Survey Department, from the Police, and from outside works carried on by the Public Works Office, and which had not been submitted for examination to the central office. A careful examination shows that the total overcharge disclosed by the statement put in by the Public Works Department is £47 0s. 6d., upon an amount of £68 13s. 6d.—that is, upon items which represented £68 13s. 6d. there was an overcharge of £47 0s. 6d.

*Mr. Skerrett:* My learned friend is making the mistake of taking into account the total of Jenkins's individual vouchers, which are not before the Committee at all.

*The Chairman:* As well as I could make out there was an overcharge of £49 9s. 9d., which was afterwards reduced to £16 5s. 10d., or something like that.

*Mr. Menteath:* The list put in was never publicly attacked. My learned friend never attacked it as a whole. That statement is in evidence before the Committee. What I wish to point out is that my learned friend simply picked out certain cases, and separated them in his address from the others; he made it, as it were, a little nest of items, which he distinguished as belonging to a peculiar class, and he put that before the Committee, and then made out that the overcharge was only £18, or thereabouts. But that overcharge of £18 was upon such items only as Mr. Skerrett chose to distinguish from the others.

*Mr. Skerrett:* My friend is making a complete mistake. I was told by the Committee to confine myself to the excesses of weight.

*Mr. Menteath:* There was a large number of excesses in price as well as weight.

*The Chairman:* Over weight or under weight, that would have a good deal to do with overcharge in price.

*Mr. Menteath:* My friend says he went through the whole of these items. What he has done is this: he has picked out certain items in which overcharge occurs in consequence of excess of weight, and he puts them into a different category. What I wish to emphasize is that the whole of the overcharges represent a very large amount indeed. They are not the trivial amounts which