

MINUTES OF EVIDENCE.

TUESDAY, 13TH JULY, 1915.

Mr. Justice Hosking (Chairman): This is a meeting which must be considered as informal, because Dr. Martin, the third member of the Commission, is not able to come to Wellington until to-morrow, but he has authorized the other Commissioners to meet in order that preliminaries may be arranged with a view to facilitating the inquiry. The formal opening of the Commission will be adjourned till Friday, at 10.30 a.m. It is proposed in the meantime to issue a general advertisement inviting all persons who can give information which will assist the Commission to hand in their names and addresses, either verbally or in writing, to the secretary, and it is hoped that some arrangement will be made by which the evidence of such persons can be presented under the most favourable circumstances by having counsel employed on their behalf. The same observation will apply to any one who has a complaint to make, although personally unable to attend and give evidence, if he is satisfied that the evidence is forthcoming to establish the complaint. So far as any defects in connection with the camp, or charges of responsibility against any person, are concerned, the minds of the Commissioners are, I might say, a blank, so that they have nothing before them in the shape of any distinct charge upon which they can proceed. The whole of the charges will therefore have to be developed by the evidence that is brought before the Commissioners. I see the Solicitor-General is present; I do not know whether he is able to make a statement on behalf of the Government as to whether they have arranged for the engagement of counsel, who will act as a sort of general advocate in the matter, so as to bring out the full force of all that has happened in connection with the camp.

Mr. J. W. Salmond (Solicitor-General): As you have indicated, the question has to be considered as to the propriety or necessity of the appearance of counsel before this Commission. If the Commission thinks it desirable I am prepared to assist the Commission to the best of my ability. I may say, however, that it would scarcely be consistent with my duties for me to take up the position of advocate for or against the various persons who may be affected; nor could I appear either as a prosecuting counsel in respect of any charges or suggestions made against officers, or as counsel to rebut such accusations or charges. I think, therefore, it is a matter for consideration by the Commissioners whether independent counsel, in addition to myself, should not be retained to represent those interests. I desire to say that I am authorized to state that the Government is prepared to engage such independent counsel—namely, two other men, one to represent the interests of officers against whom charges may be made, and the other to represent the interests of persons making charges or bringing matters under the notice of the Commission. If the Commission approves, the Government will take the necessary action accordingly to have the investigation conducted with the assistance of myself and two independent counsel.

The Chairman: We think that would be the most desirable course to adopt. It will be of great assistance to the Commission if independent counsel are engaged to represent the interests spoken of. The Commission quite agrees with your view as to the part you should play in the matter. We shall gladly welcome all assistance that you can give us, but we should not regard you as an advocate for either side. The advocacy in the matter may be left to the independent counsel retained. While we state that to be a desirable course to adopt, it will, of course, be open to any one who may be the subject of a charge to engage his own counsel in the matter, apart from the counsel which may be engaged to generally represent the interests of officers charged. I would ask you, Mr. Solicitor-General, to see that the counsel are retained in time for the meeting of the Commission on Friday next, and, if possible, to let the secretary of the Commission have the names, so that they may be published.

Mr. Salmond: Would the Commission indicate in any way the witnesses they desire to hear on Friday?

The Chairman: We have already asked the Minister to supply us with a list of the names of those who were connected with the administration of the camp.

Mr. Salmond: I can supply that now. [List produced and handed to Chairman.] Perhaps it would be necessary to take the evidence of Lieut.-Colonel Potter, the Camp Commandant, first.

The Chairman: It would be very desirable to take him first, because he will be able to lay before us the history of the camp, and what calls have come to be made on the camp in the course of its history, and whether those calls were emergency calls or calls that should have been foreseen in the ordinary course of things, and if emergency calls, what steps were taken to meet them. I think if he is prepared to give us evidence on those lines he would be a very fitting person to begin with, because then we should have a general plan of the whole matter. This is a valuable list.

Mr. Salmond: I shall endeavour to obtain the attendance of Lieut.-Colonel Potter, then, for Friday. If he cannot attend I shall supply some other man to take his place.

The Chairman: Yes; I think the first witness should be some one who can give us some authentic information respecting the history of the camp. That is really what we want to get first. We will have an advertisement inserted. We do not think it necessary to set out the details of the Commission, but we propose generally to state that the information desired by the Commission is such as will enable us to ascertain (1) what defects, if any, have existed in the camp-site and in its administration in regard to the health of the men; (2) what are the causes of the sickness