

14. *Mr. Menteath.*] Next?—In the contract journal, page 52, there is an entry: 20 sheets of plain galvanised iron, 26 gauge. The weight shown, in my handwriting, is 2cwt. 3qr. 7lb. In the order-book, on page 4, appears an entry, "20 sheets galvanised iron" 26 gauge, without weight shown. In the yard-book, page 325, is 20 sheets of plain galvanised iron, sizes 72 by 136, 26 gauge. Weights shown, in Hilton's handwriting, are: for 11 sheets, of 1cwt. 1 qr. 18lb., and 9 sheets, of 1cwt. 0qr. 17lb—totalling 2cwt. 2qr. 7lb, the difference being 1qr., at 32s.

15. Are these all the specific instances of overcharge on which you propose to offer evidence?—Yes, these are all.

16. Did you write up this contract journal?—The contract journal embodies pretty well all the entries that took place between the Public Works Department and Briscoe, MacNeil, and Co.

17. Under this contract?—Yes.

18. Can you say that, with the exception of the overcharge that you have pointed out, all the other entries are correct?—I could not say that.

19. Why is it that you limited yourself to the entries you have now given?—At times I had no inclination to take a note or make a copy. I had no time at other times. I took what I thought was sufficient to show that such things were happening.

Cross-examined by Mr. SKERRETT.

20. *Mr. Skerrett.*] The period during which you took these notes extended from February until your dismissal in May?—About that time.

21. Your notes commenced with the second day you were there?—No.

22. When did they commence from?—After I had been in their employment for some time.

23. The first note of an inaccuracy occurs on the second day you were there; look at page 21 of the journal; how do you account for that—that is so, is it not? Is not the alteration made there the subject of one of your notes?—That was altered by specific instruction.

24. I ask you how you came to make it on the second day?—For the same reason that I have a note of inaccuracies prior to my employment with them.

25. When did you make that note?—I made no record of the date when I made it?

26. About the date?—That I cannot say.

27. Can you not give me a reason how you came to make the note?—I could not; speaking from memory.

28. If you did not commence making these notes for some time afterwards, how is it that we find them here—22, 24, and 25?—I suppose it was reasonable for me to go back from May.

29. Do you remember the first note you made?—I cannot say.

30. Will you tell me the first that you made?—I cannot.

31. And how you made the note?—I made it on paper in the ordinary way. If you make your questions a little more explicit—

32. I might then reach your intelligence?—Yes, quite so.

33. Can you give any information as to how you came to make this first note?—I cannot.

34. Why did you make it?—For the simple reason, that, in case of any action for conspiracy for fraud, I was afraid of being made a party to it.

35. Then it was for your protection, therefore, that you made and kept these notes?—It was for my protection that I kept these notes.

36. When a false entry was made did you not take a note of it?—Do you mean immediately?

37. Yes?—Not immediately.

38. How long afterwards?—Whenever I had an opportunity.

39. Shortly after?—Probably it might be the day after.

40. Then, was it after you made the entry that you made the note?—Yes.

41. I suppose you were careful about taking the note?—I was.

42. There were not many items escaped you?—Not many.

43. I asked you whether there were any?—I cannot remember.

44. You cannot remember any item?—Quite so.

45. Did you differentiate between the different false entries?—I hardly follow your questions.

46. Did you purposely take a note of some false entries and leave others unnoted?—"Purposely," No.

47. But, so far as you are aware, you took a note of all discrepancies?—As far as I am aware.

48. You cannot recollect having omitted anything?—I cannot recollect any.

49. But if you were saving yourself from a possible action for conspiracy you would be very careful in making these notes?—I cannot follow what you are driving at.

50. I do not want you to follow what I am driving at. Was not the object of taking these notes in respect of a possible action for conspiracy? and, if so, would you not be careful in making a note of everything that came under your observation?—I had not the time; I was under Mr. Bridson's inspection. It stands to reason, therefore, that I could not make a note of everything. I cannot remember any specific instances in which I did not make a note.

51. Your notes are very minute, are they not: they refer to such sums as 6d., 9d., 1s. 10d., 2s. 3d.?—I did not extend any case.

52. But you took a note of small matters?—Yes.

53. And of those where you had a suspicion of discrepancy or inaccuracy?—Yes.

54. You were careful to make no mistake?—Yes.

55. In other cases, where you had no reason to suspect discrepancy, did you take a note?—I know of no such instances.

56. But you took a note of those ingots?—Because in the order-book it was 40lb., and it was marked off 40lb., no alteration being made; it is not extended there.

57. You were careful to note that?—Quite so.