

A GRAVE AND SERIOUS MATTER FOR MR. GOODISON, M.H.A.

was paid. Mr. Powell paid me in goods on the last mentioned note.

The above having been read over and explained, is signed by marksman in presence of
F. C. BRIEN His
Sgd. ROBERT W. X CLARKE.
Mark.

Evidence of Elijah Slade

ELIJAH SLADE (Sworn)—Can read and write. Yes, I worked at the construction of a well at the Neck in Victoria Village in 1913. I cannot say for sure how long I worked, it may be two days or there about. I cannot remember receiving any more than two dollars and fifty cents. I may have got three dollars and a quarter and cannot remember. I may have done a little more work on the roads but cannot remember. I was paid for all the work I did. I did not receive any money for alleged work which I did not do.

Sgd. ELIJAH SLADE.

Evidence of Samuel Wescott

SAMUEL WESCOTT (Sworn)—Can read and write a little. I was a member of the Victoria Village Road Board in 1913 and 1914. I did not attend meeting of that Board. Never had anything to do with the giving of work on the roads. The Chairman always gave out the work, he generally let me know when it was being given out. I never worked on the Roads whilst I was a member of the Board. I was foreman on the work. There was more than one foreman, but no particular one. I was not foreman on all the work done on the roads, as I usually go away about the 15th or 20th of May. As foreman I received \$1.50 per day. I have received less than that per day but not in 1913 or 1914. On statement "C" I notice that I am down for \$1.25 per day. The reason for that is the shortage in rate is made up in the hours stated in the time. I was always paid a "globe" amount which was divided by \$1.25, the result being the number of days shown on the sheet. Mr. Wescott shewn the several returns under enquiry. His attention was drawn to his signature as marksman and explanation asked, states that he gave authority to the Chairman to sign his name to all returns in his absence. I cannot of my own knowledge certify to the correctness of the returns under enquiry. I cannot say I ever saw any of these returns before.

The above having been read over and explained, is hereby signed by the marksman in presence of

Sgd. F. C. BRIEN, His
Sgd. SAMUEL X WESCOTT.
Witness. Mark.

Evidence of Annaias Antle

ANNAIAS ANTLE (Sworn)—Cannot read nor write. I may have received one dollar from Mr. Powell for driving him to the "Neck well" in 1913. I do not remember receiving any money for road work in Victoria Village in the year 1914. I would not know if my boy received any money. My boy's name is Leonard Antle. I do not remember having a contract to do any work in 1914. I did not receive any money for a contract that year as far as I can remember, but I received fifteen dollars for digging a well that year. Mr. Powell paid me this money. I have no receipt of any kind for this amount. I gave value in labor for all the money I received from Mr. Powell.

The above having been read and explained, signed by marksman in presence of

F. C. BRIEN, His
ANNANIAS X ANTLE.
Witness. Mark.

Evidence of Nicholas Powell

NICHOLAS POWELL (Sworn)—I am a Merchant and live in Victoria. I hold no position on the Victoria Road Board. Yes, I have acted as a sort of intermediary between Mr. Goodison and the Chairman of the Victoria Road Board in paying persons Road money. Mr. Goodison would send me notes, which notes I would pay in either cash or goods and would obtain repayment from Mr. Clarke. The same plan was sometimes used by Mr. Clarke. I have accepted road money in payment of accounts due me. I have put men to work on the roads. Sometimes I was asked by the Chairman to tell such a man to go to work; other times Mr. Goodison would phone or send me a note to put men to work on the roads. If Mr. Goodison sent me a note to pay a man who was going to work, I would pay him. But I never in these cases, assumed responsibility for his doing so. I had no occasion to bill Mr. Clarke for these payments, as, when the Government money came along, he generally enquired as to the amount of indebtedness incurred by these advances on Government account, and I would give him the names and amounts. This list included the persons whom Mr. Goodison told me

were to go to work on the roads. With regard to these last individuals I would ask them if they had worked. I paid a man called George Peckham \$10.00; Mr. Goodison phoned me to do so; Mr. Clarke repaid me this \$10.00. I did not send George Peckham to work, nor did I ask him if he had done the work, I simply paid him and he signed a receipt which reads like this: "Received from Nicholas Powell the sum of \$10.00 for which I agree to repair my road." That was the sense of the receipt if not the exact words. The expression "my road" in the receipt meant repairs to a road leading from the main road to Peckham's house. The receipt was a guarantee that he would do the work. I don't remember the exact date of this. I think it was sometime in the Spring of 1913. The case of Peckham is a typical one. The other payments were made in much the same way. The practice of advancing money on account of the roads for work done had prevailed for several years as between myself and the Chairman of the Road Board; but with regard to the member for the District, it has only extended over a period covering the last three or four years. I have never personally or jointly with Mr. Goodison, had complete charge of the roads in Victoria Village in the absence of Mr. Clarke. I have never authorized on my own responsibility the expenditure of road money during the years 1913 and 1914. I have told two or three men to go to work and that I would see the Chairman and get him to endorse my recommendation and in these cases I did so. We were without a Chairman for three or four months after the death of Mr. Burke. During this time if the road wanted repairing, the men applied to Mr. Goodison. He would send or phone me to advance them money to pay for which which, it was understood between these men and Mr. Goodison, they would perform. This has reference to some of the money that was expended on the sheets under investigation.

With regard to the Well at the Neck, some of the people on the Neck have to go 1 or 1 1/4 miles for water. At the time I promised to do my best to get them a well. I spoke to Mr. Goodison about the well. He said go ahead with it; he would get the money for me. I called a meeting of the Victoria people interested in this well for the purpose of selecting a site. A site was decided upon and I think the two foremen were appointed by the meeting. I put the work in charge of these foremen. I think their names were Samuel Wareham and Benjamin Deer. I did not want to have anything to do with the Road Board and upon receipt of the \$150.00 allocation from the Board of Works, I passed it over to Mr. Edward Clarke in accordance with instructions from that Department. The well was dug before the money came from the Public Works Department and I told anyone who wanted their money to come up and I would pay them. The money was paid in cash and goods; most of it in goods. When Mr. Clarke got the money he paid me. The \$10.00 paid George Peckham was a balance left over from the well. There being no funds at the time to pay Peckham and as the grant was special money, I thought it was just as well for Mr. Clarke to charge it to that grant.

Exhibit 'A' pass to Mr. Powell.
The heading of this Exhibit which is the return on which George Peckham's payment was charged, reads as follows: "Expended by Ed. J. Clarke on account of Special Works in the District of Carbonear for Special Works for construction of well at the Neck and roads at Victoria Village, under letter of authority dated 12th May, 1913, allocating \$150.00 for this service." The word "roads" covers the \$10.00 charged to this sheet on account of George Peckham, because, as I said in my evidence above, he was to use it for "repairs of a road leading from the Main Road to his own house."

(Mr. Clarke to Mr. Powell)—
Do you remember the amount of George E. White's note which he took to you from me? The amount was two dollars fifty.
Did I pay you two dollars for Arch. Newman?
Yes.

I hereby certify that the above is correct to the best of my knowledge.

Sgd. NICHOLAS POWELL.

Sworn Statement of John R. Goodison, M.H.A.

JOHN R. GOODISON (Sworn)—I am an Accountant. There was no Chairman of the Road Board at Victoria Village in the spring of 1913. About the end of May, 1913, I recommended Edward Clarke to be a member of that Board and I presume he was elected Chairman. The former Chairman had died about New Year. My being Member of House of Assembly for Carbonear would account for the recommendation. Owing to the continual movement of the inhabitants to and from the Sydneys and other

places, it is extremely difficult to secure a qualified Chairman, i.e.—a person who can read and write and be present continually during the whole year. I had considerable trouble to get a man who would fulfil these conditions. I tried to get the service of either Messrs. George or Nicholas Powell, the former had been Chairman for many years—but both declined.

While Mr. Clarke, was absent from the Village, I had arranged for Mr. Nicholas Powell to perform, unofficially, his duties as Chairman. He had acted in the same way during the hiatus occurring between the death of the late Chairman, Mr. Burke, and the appointment of Mr. Clarke. I could not tell who set the men to work during this unofficial employment of Mr. Powell outside of some authorizations I made personally. In the very few instances in which I acted, I usually telephoned Mr. Powell a recommendation that such and such a man be given work. The understanding was that the payee would go to work and then pay subsequently for such advance by working it out.

I know George Peckham. Sometime previous to May 1913 he asked me for some work. He told me the road to which he had to get to his house was knee-deep in mud. It wanted repairing and filling in. I know from personal knowledge that the road was in a poor state. I do not think any part of this road is private, except maybe the inner part. It is open to and used by the public anyway. George Peckham's brother was present when he asked for money for this road. I told them I would give \$10.00 each, and telephoned Powell there and then the recommendation. I do not know whether George Peckham did the work, but his brother came to me subsequently and told me that he had done his own share but had not been half paid for his work. I certainly did not make use of any expression at my interview with the Peckhams, which would lead them or anybody else to infer that I was doing what was not right. I positively swear that I did not say "Boys, if this was known, what would become of me." I am positive that the money paid George Peckham was for some particular work, in fact the work I indicated above in my evidence, and in support thereof I put in Peckham's receipt to Powell marked Exhibit "J.R.G.F."

(Exhibit "J.R.G.F." shewn Witness. His attention drawn to endorsement.)

The endorsement is in the handwriting of Mr. Nicholas Powell.

At the close of the Peckham interview, I told them to fix up the road to suit themselves and then they would not have any cause to grumble about it afterwards. During our conversation just referred to, Mr. George Peckham mentioned a claim he had against the Government for clothes alleged by him to have been detained when he was put in the Smallpox Detention Hospital at St. John's a year or two previous when he was a sealer in the "Newfoundland." He claimed \$25.00, but Dr. Campbell reported he was better supplied on leaving the Institution than when he came in and the Colonial Secretary refused to recognize his claim. I may say, further, that later in the year I declined to advance him \$10.00 to go to Sydney. This last summer he again approached me for a special grant alleging poor circumstances, but I again refused.

I have no recollection of a man called Sutton applying for road work in the spring of 1914, but it may be so. I have no distinct recollection of Moses Vaters' wife getting a note from me to Mr. Powell in 1913. If I gave such an order it would be regarded as poor relief. The times were bad in the village in 1914 and were getting bad in 1915 owing to the curtailment of work in Bell Island and the Sydneys. Under these conditions it was necessary to help, not only them, but others in the Village to what really was Poor Relief.

With regard to the payment of \$2.50 to Arch Newman, I authorized the advance to him for a couple of days' work. This was a case of extreme destitution also. He told me his wife was very ill; nothing in the house to eat; children hungry. I saw the Relieving Officer at Carbonear, Mr. Noel, and got a little help from him. Then I authorized the advance for a couple of days work. Whether he got it or not I can't say. I telephoned the order to Mr. Powell and I have no doubt but he got the money.

I cannot recollect if I gave an order to Robt. Cole on Mr. Powell.

I authorized an order of \$4.00 and \$6.00 to Jno. M. White and his wife, respectively, on Mr. Powell. This man was in great distress at the time. His two legs were broken and was unable to work them. But I understood he would work it out during the summer months. I do not know if he did. I did not keep track of any of these men afterwards and the fact that they had not worked was not brought to my notice. Had such been done, we could easily have corrected it. I hear now, for the first time, that this work was not done.

Yes I made a \$30.00 contract with Nicholas Clarke for work on the road and well. The whole thing was on private property, but the well was to be thrown open to the public and considered as public property. This had been done.

I cannot recollect giving an order for the employment of William J. Cole. If he swears it is so, very likely I did. I had so many applications, I cannot recall them.

Yes, in November, 1913, I sent a man called John Pye to the Chairman, who was then home, recommending his employment at the building of a bridge. I also recommended the payment, but this payment, to the best of my knowledge, was not asked for until some considerable time afterwards. I can't say when exactly. This was a public bridge.

Yes I authorized George Ed. White to clear what is known as the Double Brook in the winter of 1913. Either George Edward or his father came to see about it. I am not sure whether they came to me after the work was done. If they did, I would telephone the Chairman, if he were home, or if not, to Mr. Powell to pay them if the work was done.

In all the orders given for work to the individuals indicated or any others concerned in this enquiry, the work was done on public property. I must qualify this statement. Lots of these roads connect the main roads with the houses of these people, but they are to all intents and purposes public roads in that they are not fenced. In no case have I ever given an order with the understanding or even the possibility that the work to be done on private property solely as private property.

Without a specific case being given, I am unable to say if I ever gave an order for the payment of any individual connected in any way with the present enquiry, for work done without official authority by that individual. I do not know of any at the present time. In the case of these orders, as far as I know, the work for them had never been touched when the applicants came to me.

As to the "modus operandi" of getting Special Grants for the Victoria Village Road Board. The Special Grant is more or less subject to the Member's recommendation.

Yes, I obtained from the Public Works Department in 1913 \$150.00 for the construction of a well at the Neck and roads in Victoria Village. I am not sure whether I applied for this allocation before the work was done or after. The chances are that I did not apply for the money until after the work was done, I would not like to say definitely as I cannot recollect. I authorized the construction of this well. I understood I have no legal right to authorize such public expenditures. I have followed the customs of the country in this respect.

Sgd. JOHN R. GOODISON.

Mr. Speaker, I think I have performed my duty in bringing this matter to the attention of the Government, and I trust that as we are supposed to be within a few days of the closing of the House that the Government will take up the matter immediately and dispose of it without any further delay.

There is a suspicion in the minds of certain people that some parties are guilty of grave irregularities in the spending of Public moneys. And this has been substantiated by the Auditor-General's Report, the affidavits and sworn statements I have read this evening.

I trust that an opportunity will be given for all interested to explain their actions and if guilty of any wrong they will have to suffer the consequences of their misuse of Public moneys.

Supports Mr. Halfyard's Resolution

MR. GRIMES—Mr. Speaker, I rise to support the motion for adjournment to enable this House to discuss the very serious and important matter submitted by the Hon. Member for Fogo. Dealing as it does with certain alleged misconduct on the part of the Hon. Member for Carbonear who holds the highest position this House can offer with evidence that gives credence to the alleged irregularities, it certainly calls for some action on the part of this House to rid the suspicion that has gone abroad among the people that law makers can become law breakers and be upheld by this House in so doing.

What has the Hon. Member done? According to the Report of the Auditor-General he has committed a breach of Rule 10 of the Orders in Council made under the provisions of the Audit Act, which Rule has all the force of law. In other words, the Hon. Member gave orders for certain work to be done and did not get any authority from the Public Works Department. He took the law into his own hands; he usurped the powers of the Public Works Department, and of the Road Board who are the sole authorities in the matter to relieve certain

pressing needs which obtained at Victoria Village. He admits his action was not proper but pleads that he followed the custom of the Country in this respect.

What does the Auditor-General say of this plea: "With regard to this I have to say that 'no plea of expediency (as to assuming the direction of road matters in the absence of a Chairman) or of the impoverished condition of the people (as to authorizing advance on 'work to be done to people in want) or of custom should be allowed to hold good against the well recognized principle that those officials only who are responsible to the Legislature should be permitted to dispose of the public money entrusted to their care by act of that body.'"

These are the words of the Auditor-General and they should not be treated lightly by this House. In acting as he did, the Hon. Member did not improve matters so far as proper expenditure is concerned. According to the testimony read by the Hon. Member for Fogo, we find Ten Dollars given to a man for the digging of a well he never dug, Two and Five Dollars to men for work they never performed, and so on.

Now what are we going to do? What action should we take? We should show to the Country that we are determined to jealously guard the interests of the people by the proper protection of their moneys to the extent of having them properly expended; that we are going to uphold and respect the laws we have created, and if any wrong has been done, that justice will be meted out, whether it affects a Member of the House or any one outside of the House.

I therefore second the motion for adjournment.

Is Backed by Opposition Leader and Mr. Clift

MR. LLOYD suggested that the Leader of the House find an occasion on which to move the House into Committee of the Whole with a view of affording an opportunity to the Member for Carbonear of giving an explanation. He (Mr. Lloyd) said there was no question about the gravity of the evidence taken by the Auditor General and the findings of that official.

The charge was (1) that a breach of the law was committed by a Member who holds an exalted position in the House; (2) that the Member went outside his duties and usurped the function of the Minister of Public Works and of a Road Board; and (3) in a most objectionable way by using an agent, who was not even a member of the Road Board to distribute labor largely on the truck system.

It was due to the dignity of the House for the Member concerned to make such an explanation as he deemed fitting.

MR. CLIFT said the matter was a public one of grave importance and it rested with the Members of the House and the Premier as leader of the House and guardian of its honor to see that proper action was taken. The Report of the Auditor-General had reflected on the conduct of a Member of the House and it was due to the Member that he should have some opportunity of making an explanation.

He noticed that in his evidence, Mr. Goodison stated that he knew what he had done was not legal but that he justified it by stating he was following the custom of the Country. He, Mr. Clift, had been connected with that House for 25 years and he had now heard for the first time the claim that such a custom existed. He denied emphatically that such a custom existed.

There was only one course a Member could take and that was to make a requisition to the Board of Works and the Minister of that Department allocated moneys and the persons authorized by that Department spent the money. There was no custom for a Member to usurp the function of that Minister.

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M. A. DUFFY,
AGENT.