

FIRST SESSION OF
ROYAL COMMISSIONEnquiry Into the Matter of Sale
of the Laurel Point
Lots.

HIGGINS REFUSES TO ANSWER QUESTIONS

Editor of Vancouver World De-
clines to Divulge Sources of
His Information.

(From Tuesday's Daily.)

The first session of the royal commission appointed to enquire into the facts concerning the sale of the Laurel Point property, and the alleged mis- use of confidence on the part of some person in the lands and works department, took place yesterday forenoon in the main room in the parliament buildings. Fred Peters, K.C., the commissioner appointed to enquire into the matter, presided; W. J. Taylor, K.C., appeared on behalf of the government, and H. H. Wintemute represented the editor of the Vancouver World; H. D. Helmcken, K.C., appeared for C. A. Harrison and Mrs. Logie; Mr. B. Wintemute of Vancouver represented the Vancouver World.

Mrs. Biygn was appointed official stenographer, and after the commission had read the appointment of the commission, Mr. Higgins asked what form the enquiry was to take.

Mr. Taylor put in as exhibits the tender from P. R. Brown, acting for W. J. Pendray, for lot 570 B, dated September 21, 1905, for \$2000; also the tender of Mrs. Logie for \$2100, dated October 1, and the receipt for \$10,000 crown grant fees.

Copies of the provincial Gazette and the Colonist containing the advertisement calling for tenders were also submitted.

Mr. Higgins desired that the original tenders should be submitted and not copies, stating that it was very important that the tenders be submitted, as the result of the investigation might hinge on those documents. The commissioner could not see why the original tender should be submitted.

Mr. Taylor suggested that if so much importance was attached to the documents they could have them reproduced for inspection and photographed, and counsel could study them at their leisure.

The commissioner requested that a copy of the Colonist with the advertisement calling the commission and a copy of the Vancouver World containing the article in reference to the transaction should be submitted.

Considerable discussion took place over the scope of the enquiry. Mr. Higgins stating that he understood the enquiry was to get facts from the world to substantiate the statements that had been made in that paper. He did not wish to have the evidence taken in a haphazard way, and he thought that he should have the liberty to cross-examine on the whole scope of the investigation.

Scope of Commission

The commissioner said that the enquiry was not to go into the working of the lands and works department, but to ascertain the facts concerning the sale of the Laurel Point property.

Mr. Taylor said that the commission directed an enquiry to ascertain the facts in connection with the tenders and the truth or falsity of charges of misconduct, and if Mr. Higgins intended to take up the time of the commission making accusations against the lands and works department, he should be asked to state in writing what he intended to prove, and in this manner follow out the precedent set by Sir Matthew Begbie in a commission against the corporation; and if the counsel had any charges to make, he should make them in writing and not refer to several newspaper articles.

The commissioner said he was prepared to entertain the charges, first and secondly the charges contained in the editorial of the World and no further; and the enquiry would be brought down to specific charges and not indefinitely.

Hon. R. F. Green, chief commissioner of lands and works, was then called on. On examination by Mr. Taylor, he said that he had charge of the department having control of the lands and works, and that he had received tenders submitted by Mr. Pendray and Mrs. Logie. The tenders were rejected and the property was not sold and is still owned by the government. The reason for this was that the land of trade sent a delegation of shipmasters asking the government not to sell the property, pointing out that if the property was sold, a high building erected, vessels coming in and out, and the government not see each other, and this would lead to collisions.

Asked by Mr. Taylor if he gave any information to the tenders, Mr. Green said he had not.

Continuing, he said he knew what Mrs. Brown's tender was, and he had conversation with anyone about the tenders.

Cross-examined by Mr. Higgins, he said he received a tender from Mr. Brown on September 17, when Mr. Brown handed him the tender in his (Mr. Green's) office. The envelope was opened and Mr. Brown showed him the amount and he told Mr. Brown that tenders would be called for, providing they were given to understand, that the figure would satisfy the government and the tenders be intended to sell the property unless the figure was a good one. It was for this reason that Mr. Brown submitted the tender open and Mr. Green suggested that the property should be sold by auction. He had the tender and it was locked in his drawer from the time Mr. Brown handed it to him till the tenders were opened.

Tender Was Locked Up

The tender was taken from his drawer about 1:20 o'clock October 7, and no one knew what the amount was unless they had unlocked his drawer with a key. Otherwise it was impossible for anyone to know the amount. The tender was in his drawer and he had placed it there. He could not remember if he had

sealed the envelope before placing it in the drawer.

The tender of Mrs. Logie was received on October 1 and it was brought in to him by Mr. Gore. The tenders were opened and Mr. Gore was present. He had not seen Mr. Brown or Mr. Pendray on October 7, but had received a telephone message from Mr. Brown asking if their tender had been accepted, and he told them it had not. Mr. Brown wished to know who it was that was higher, and how much the tender was. He read the name to Mr. Brown, and he asked, "Is it a woman?" and Mr. Green replied that it was.

Mr. Brown then said, "I thought so," because Mrs. James Anderson had been to his office, and from her remarks he was led to believe that she had tendered.

Mr. Brown had objected to the tender being accepted, remarking: "You are not going to turn us down for that small amount?"

Mr. Brown and Mr. Pendray did not suggest that there was anything wrong with the tender.

The commissioner then told Mr. Higgins that he should confine himself more closely to facts. He pointed out that Mr. Green had said that Mr. Pendray and Mr. Brown had not suggested anything wrong.

Continuing, the witness said the delegation from the board of trade waited on him within a few days after the tenders were opened. He replied that he did not have the money, but said he knew where he could get it. He then met the attention of the hotel and the bank, and he accepted his advice and had her check marked at the Bank of Commerce for \$2100 and arrived at the department a few minutes before noon. He met a clerk in the office and got the required information and got \$10 from Mr. D. Rogers to pay the crown grant fee. The tender was made out and placed in the box about 1:15 o'clock. He drew the attention of the clerk to the time.

In reply to Mr. Higgins he said that he wrote the tender for Mrs. Logie and she signed it. He recognized the signature on exhibit. He said Mr. Anderson was not present when he spoke with Mrs. Logie, that he knew nothing about the property until 1:15 o'clock on Saturday and was satisfied with the information from Mr. Anderson, and had no other information from anyone.

In reply to Mr. Taylor, the witness said there was nothing wrong with the information he gave to Mr. Anderson. Mr. Anderson would share anything that Mr. Harrison made on the transaction.

P. R. Brown Examined

P. R. Brown was then called and said he was a real estate agent and acted for Mr. Pendray in regard to the Sehl property and Laurel Point. He put a tender in for Mr. Pendray and identified that on exhibit. He said that he had been given by Mr. Brown, Mr. Pendray or himself.

James S. Murray was then called on, and Mr. Higgins objected.

The commissioner wanted to know what his objections were, and Mr. Higgins said that he desired to have the privilege of cross-examining him. He had not been allowed to cross-examine Mr. Green, as he had de-

In reply to Mr. Taylor, the witness said he was a real estate agent and was pretty well acquainted with the values of the property near Sehl's Point, as he had been familiar with the values according to the estimate asked for by Mr. Sehl. He did not know the exact value of the property. He said he had given the price of \$2000 and that he knew it was \$2000 and that he would bid higher than that. He went over to the department and saw Mr. Gore, and asked for information. He said he had received another tender. He went to see Mr. Pendray and telephoned the chief commissioner. He said he had arrived at the tender for Mr. Pendray on the valuation of the Sehl property. He was of the opinion that Mr. Murray thought the same figure. To these gentlemen he said same figure. Mrs. Anderson came into the office apparently for the express purpose of referring to the deal and she opened up the conversation. He did not recall Mrs. Anderson saying that "you ask a good price when you are selling, but you do not so very high when buying government lands."

Mr. Taylor asked if he did not have any transaction with Mrs. Anderson, and the commissioner said that it was not permissible.

Mr. Taylor said he was examining with the intention of refreshing the mind of the witness, regarding some conversation with Mrs. Anderson in relation to a negotiation which led up to the visit.

The question was allowed and witness replied that he thought the dealings for property by Mrs. Anderson and Mr. Harris were afterwards but he could not be sure.

Asked by Mr. Higgins if there was any understanding with the government as to the price the property was to be sold for, Mr. Brown said that there was an upset price of \$2000.

The commissioner said he was present and heard Mr. Green's evidence regarding your conversation before the tenders were called for?

Mr. Brown—Yes.

The commissioner—Do you give that as a correct account of the conversation?

Mr. Brown—Yes.

Witness also stated that he put in a tender before they were called for and he did not know what they were till they were opened.

The commissioner—Were you surprised when Mrs. Anderson came into your office?

Mr. Brown—I was not surprised when she came into the office, but I was surprised when she stated the figure that I had seen in the newspaper.

The commissioner—Did she not make the remark with the intention of finding out from you?

enquiry.

In answer to Mr. Taylor, Mr. Murray said that he talked with Mr. Anderson about the sum of \$2100, taking into consideration the valuation of the adjoining property.

The commissioner—Did you in any way, directly or indirectly, obtain any information from the lands and works department?

Mr. Murray—I did not.

Continuing, witness said, in reply to the commissioner, that Mr. Anderson told him about 9:30 o'clock, after Mr. Harrison had put in a tender on Saturday night.

C. A. Harrison of the Driard Hotel, in answer to Mr. Taylor, said that on the Saturday on which the tenders were to be closed he was walking across Broad street, about 11 o'clock, to Mr. Kingham's office to buy coal, he met Mr. Anderson at the tailor shop. He passed the time of day with him and asked him where he could make a dollar. Mr. Anderson said, "Wait till I order my coal, and I will see you about the 'good thing'."

He discussed the matter with Mr. Anderson and he explained the nature of the property and the dimensions. He told Mr. Anderson that he did not know the property, but from the dimensions and the location he came to the conclusion that it would do for a hotel or a wharf.

Mr. Anderson told him that the tender must be in before 1 o'clock. He replied that he did not have the money, but said he knew where he could get it. He then met the attention of the hotel and the bank, and he accepted his advice and had her check marked at the Bank of Commerce for \$2100 and arrived at the department a few minutes before noon. He met a clerk in the office and got the required information and got \$10 from Mr. D. Rogers to pay the crown grant fee. The tender was made out and placed in the box about 1:15 o'clock. He drew the attention of the clerk to the time.

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Green nor from any other source, neither had he discussed the matter of the tenders with anyone but his son, Mr. Green's statement of the facts was correct.

The next witness was D. W. Higgins, editor of the Vancouver World.

Comm. Peters said he understood Mr. Higgins had published an article in the World of 14th May, stating that information had been given out by some official in the office of lands and works regarding the tenders for the lots in question, as to give him an advantage.

The commissioner wished to know from what source The World received this information.

Mr. Higgins—Information received from proper quarters.

The commissioner—And what were those "proper quarters?"

Mr. Higgins—I shall be betraying confidences if I name the party from whom I received the information.

The commissioner—You must give this information.

Mr. Higgins—I will not tell you unless I have to by law. I will not betray the confidences of a client. The editor that gives away the source from which he gets information, gets very little more.

The commissioner then read to Mr. Higgins, section 12 of the Public Enquiry Act, in which it is stated that "No person shall be excused from answering any question put to him by such commissioners on the ground of any privilege or on the ground that the answer to such question will tend to incriminate such person."

Mr. Higgins read the act carefully through.

Mr. Frank Higgins on behalf of witness suggested that if Mr. Higgins could say he did not know the name of the party that gave the information in the first instance it would be the end of the question.

Mr. Higgins—I do not.

At this point the commissioner at Mr. Frank Higgins' suggestion allowed the answering of this question to remain over to the next sitting.

Before leaving the witness-box, however, Mr. Higgins made this emphatic statement: "I will not give away office secrets, confidences of a client unless you can prove that before the next sitting. The letter giving me the information was type-written, and I do not know who the writer of that letter got his information."

Mrs. Charlotte L. Logie's evidence followed in which she stated that she came to Victoria two years ago and now resides at the Hotel Driard as stenographer. She is possessed of considerable private means and Mr. Harrison acts as her adviser in its investment. On the 7th of October, 1905, she was invited by Mr. Harrison to witness the vesting in the government lots was suggested by Mr. Harrison to witness.

Mr. Taylor suggested that Mr. and Mrs. Anderson should have been examined as witnesses. Mr. Harrison said, "certainly," Mr. Taylor rose to say that the Andersons were at Seattle and would probably not be back until Wednesday next.

From R. L. Drum, M. P., the next witness, no evidence of any importance was elicited, and the proceedings for the afternoon would have been wound up at this juncture, had not been for a suggestion on the part of Commissioner Peters that all the officials in the lands and works department through whose hands the tenders for the government lots were likely to have passed should be examined.

Hon. R. F. Green, chief commissioner of lands and works, sent out the following list of witnesses: Thomas C. Woolridge, bookkeeper; Henry Cathcart, chief clerk; Stanley Phipps, Henry G. Mason, receiver of applications for their permits; Arthur Stewart, W. B. Green, Thos. Cecil Bolton, crown ground clerk; E. B. McKay, surveyor general; W. B. Wilmot, draftsman. To these gentlemen he said same figure. Mrs. Anderson came into the office apparently for the express purpose of referring to the deal and she opened up the conversation. He did not recall Mrs. Anderson saying that "you ask a good price when you are selling, but you do not so very high when buying government lands."

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Gurney Oxford Chancellor Range.....	" 100.00
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E. J.	25	Smith & Champion	1 00
B. J.	25	C. A. Goodwin	1 00
Mrs. Morley	1 00	Mrs. Grimmer	1 00
Mrs. Smith	1 00	Mrs. D. A. McTavish	1 00
Mrs. Camusa	50	D. W. Hanbury	1 00
T. Babbington	50	Rev. J. W. Laing	1 00
John Hawton	50	Mrs. Oliver	1 00
W. D.	50	John Douglass	1 00
Mrs. J. White	50	H. B. Robertson	1 00
S. Johns	1 00	McPhillips & Heisterman	2 00
N. Shakespear	50	A. J. Clyde	1 00
W. Burdon	1 00	F. Foster	1 00
Mrs. Baiss	25	John B. McKillop	1 00
Mrs. Bryan	25	Madame Koche	1 00
Mrs. Bentley	25	J. R. Collier	1 00
T. Riddings	1 00	A. F. Allan	1 00
Mrs. Clay	1 00	Abel Chas	1 00
A. Campbell	1 00	Mrs. Marchant	1 00
Weller Bros.	10 00	Mrs. Simpson	1 00
Hinton Electric Co.	2 50	Hilt Bros.	1 00
Ed Pearson	1 00	Podwell &	1 00
Mikado Tea Room	50	Hou. R. McBride	1 00
J. K. Worsfold	50	A. Coombs	1 00
Rocenbelle	2 50	J. Sears	1 00
Mrs. Dickson	50	A. J. Malley	1 00
N. Shakespear	50	Wm. &	1 00
Mrs. Chaffee	50	Rev. Father J. Nicolays	1 00
Mr. Munro	1 00		
Mrs. Max	50		
Mr. Frank Hall	50		
Mrs. J. Somers	50		
A. Stuart Robertson	1 00		
R. P. R. & Co.	1 00		
H. Stadthagen	50		
Miss Beale	50		
Mrs. Whitley	2 00		
Thos. Hooper	50		
Mr. Dellany	50		
C. W. Rogers	50		
R. Bray	2 50		
Mrs. Hardy	50		
J. Greenfelder	50		
J. C. Newbury	1 00		
Dr. A. E. Bolton	50		
G. H. Haynes	50		
C. H. Bowes	50		
S. Hall	50		
Mr. McCandless	1 00		
Rev. E. G. Millar	50		
R. Jones	50		
Archibald Orth	2 00		
Mr. Hall	4 00		
"A Friend" 4 at \$1	4 00		
"A Friend" 7 at 25c each	1 75		
"A Friend"	10		
Dr. J. D. Galletly	100 00		
Mr. J. C. Galletly	50 00		
Miss A. M. Galletly	20 00		
H. C. Marsh	1 00		
Thos. A. Vernon	5 00		
James A. Douglas	10 00		
Mrs. M. F. Hemming	1 00		
Bank of Hamilton	10 00		
Dr. J. D. Galletly	2 50		
John Dewar & Sons (\$2 25)	10 21		
Mrs. E. Culum	1 00		
Arthur Wheelwright	2 50		
J. J. Bittencourt	2 50		
Sale catalogues for Bittencourt	75		

Annual Subscriptions	\$800 35
Mrs. Heisterman	1 00
A. Morgan	5 00
P. Blyth	1 00
Rev. G. K. R. Adams	1 00
Major J. P. B. Blyth	2 50
Mrs. Mary Saunders	1 00

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PROTECT THE JEWS.

onal Israelite Alliance Wants
Warships Sent to Odessa.

July 25.—The International Alliance, whose headquarters has addressed a letter to Minister Bourgeois, asking that warships be sent to Odessa for use of protecting the Jews another massacre. The sign of the letter include a number of warships be sent to Odessa for use of protecting the Jews another massacre. The sign of the letter include a number of warships be sent to Odessa for use of protecting the Jews another massacre.

NANCE CO. QUILTS 'FRISCO.

San Francisco, July 24.—The Milwaukee Insurance company has been notified by the company's loss which it intends to pay, to \$1,330,000. It has a sur- deduction of its losses of \$227-