

Report of T. Hollis

Walker, K. C.

(Continued from page 5)

Public Works when the minister in charge of that department refused to continue a line which had become ruinous by reason of the abuses which accompanied it, and he was not unknown in the Department of Agriculture and Mines was overworked and undermanned, the only economy effected was economy of staff and the inevitable result was inefficiency. The work was done in haste, one might say in panic, it was attended by looseness, irregularities and mistakes which made possible impostures from without, and put it in the power of others to steal a profit from the turmoil. Its record in the main a record of rash and bad bargains, rendered disastrous by the conditions of the times and the temper of the people, and of public money poured out in alarming profusion without care and without safeguards. It was a costly business, it was bound to be, but it need not have been so costly. I am not unmindful of the difficulties inherent in the problem, aggravated by elements peculiar to Newfoundland, the configuration and climate of the island, the extent and distribution of its population, the nature and amount of available transport—but I am satisfied that many things would, and more economically, in relation to his cash fares Dr. Campbell directly misused and misappropriated portions of the public funds under his control which throughout were badly and wastefully administered by him. The pit prop account is still unpassed by the auditors because, among other things—

For many payments there are no vouchers at all.

For many of the lump sums paid for relief there are no returns whatever, and the same thing with regard to seed potatoes.

The auditor also called my attention to a matter which seems to me to be a particularly gross case of mismanagement of the pit prop account. Out of it Dr. Campbell paid away \$300 to improve the means of access to the young scholars to the Methodist Cathedral Hall. The work was not done by the District and had nothing to do with relief. I was puzzled to know why this matter ever came before Dr. Campbell, then the Treasurer of the institution gave me the reasons—(a) because Dr. Campbell had more money at his disposal than the Ministers of Roads and Education, and (b) because he was a prospective candidate for the District. The minister justified his judgment and the incident reminded me that a candid witness has told me that I did not understand Newfoundland politics. At the outset of the Enquiry this was undoubtedly true, but as time went on I came more and more to realize the most part played by politics in many of the matters which came up for discussion. The key to many of the problems with which I was confronted, the mismanagement of many of the actions which I questioned, was to be found in the word "politics." Politics caused the distribution of contracts for supplies among petty profiteers, crowded the rockhills and model farm with shirkers, scattered seed potatoes among all who asked for them, poured out money all over the island without care of check, and accounted for the phenomenal growth of every form of relief on the approach of a general election. Relief was not business, it was politics. I find that Dr. Campbell improperly used his opportunity as Minister to ad-

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was abandoned, at any rate for the time, and the existing buildings were retained and used. These were old and inflammable and the foreman complained that the means of lighting in use, kerosene lamps, was dangerous and unsuitable in a place where valuable bulls and stallions were housed. On the whole I do not think that this was an unreasonable view, but more care should have been taken before so much money was spent, largely on the property of other people. No suggestion of contribution to the expense was made to either Mr. Fraser or Dr. Campbell; no attempt was made by estimates or tenders to keep the cost down; the contractors were simply told to do the work and when his bill came in the Department was surprised. If it had been known, as it should have been, before the work was given out, that so large a sum would be involved, I think that some less ambitious and extravagant scheme would have been found. In fact the installation had hardly been used when the farm was given up, Dr. Campbell does not want it on his land and Mr. Fraser seems to be the only person likely to benefit from this large expense so lightly incurred.

As regards the prices of food stuffs in the market had not risen and the home grown crop and distribution. Though the distribution of stock under the different heads was different, the total number was not larger, and the amount of feed required for them was very slightly if at all increased. The great advance was no doubt in the wages bill; for the six months January to June 1923 they rose from \$2,591 to \$5,922. The number of men employed regularly on the farm was originally 12, it afterwards rose to 7, and there were short periods of special activity, such as the time for hay to be got or manure to be spread, when extra hands were taken on; the total, however, never exceeded 12 or 13 in 1921-22. But in the following year there were throughout March 14 to 16, and throughout April 13 to 21, Mr. Bayly the secretary could not suggest any reason for the increase, and it is clear that such work as they did was especially made for them. They were in truth residents of St. John's West, voters too, for whom the Minister, a prospective candidate for the district, found jobs on the eve of a general election.

As regards the few farm-ers in the island who are in a position to buy expensive machinery and pedigree stock and it was suggested to me by Dr. Campbell that the sale of the Model Farm effects was insufficiently advertised and that there was negligence in not bringing it to the notice of foreign buyers. He complained that costly well bred cattle were knocked down at beef prices, and that animals which were worth \$20,000 were allowed to go for about \$2,000. This was hardly a fair description of his successor's action, the best of the stallions and nearly all the bulls were excluded from the sale, and were retained for use in Colony. I do not find that there was any impropriety in the course pursued by Mr. Downey.

The egregious list of cash fares charged to this account proves my satisfaction actual misappropriation on the part of Dr. Campbell, and the padding of the wages bill by men unnecessarily and improperly introduced at his instance was a misuse of the funds which in my view amounted to misconduct on his part. Beyond these matters I do not feel called upon to find serious fault.

RELIEF ACCOUNTS.

The fourth matter mentioned in the Commission stated in the following terms:—"Similar allegations have been made respecting the expenditure under relief of institutions during the years 1922 and 1923 by the Department of Public Works and known as 'Relief Account Number 1 and Relief Account Number 2'."

In the autumn of 1921 great damage was done to breakwaters, piers and wharves and to railway lines, roads and bridges by a storm of unusual severity; there was also an abnormal amount of unemployment and consequent destitution. On 2nd November an Order-in-Council was made by which among other things a special account was to be opened in the De-

partment of Public Works to be called "Storm Damages and Special Employment Account," the expenditure being limited to \$125,000. A copy was sent by the Deputy Colonial Secretary to the Minister (Mr. Jennings) with a covering letter dated 29th November, which stated:—"The Government direct that the expenditure in your Department on this account shall be definitely to repair storm damages and to meet unemployment and destitution. There is to be no per capita basis applying to the several Districts, but each individual application will be considered by the Government on its merits and if approved will be authorized by Minute of Council. All payments thereunder upon receipt by you of a certified copy of Minute of Council." About this time fears of public disorder appear to have arisen and the Government sought to interest merchants, employers of labour, owners of property and others in the problem of dealing with unemployment which was increasing daily; meetings were held and in December a Citizens' Committee of 15 members was formed under the Chairmanship of Mr. Cowan. Suggestions were made by this Committee and the result is shown by a Minute in Council dated 17th January, 1922—"Committee of Council had under consideration the question of unemployment in the city as set forth in the report from the Citizens' Employment Committee and as was voiced at the meeting of the G.W.V.A. last evening. It was decided that the time had come when steps should be taken to provide employment in some way because the men were unable to obtain work. It was decided that: (1) The Citizens' Committee of Unemployment to be authorized to employ as many men as possible upon work on the Southside Road. Committee of Council desired that the Citizens' Committee should assume all responsibility in regard to the work to be done, the time-keepers to be appointed, the rate of pay to be given and the general arrangements necessary for the carrying out of a useful public work and the employment upon the same of those who were in destitute circumstances. The expense incurred in this connection to be assumed by the Department of Public Works, chargeable to the account in that Department for Storm Damages and Special Employment. The accounts to be carried by persons to be appointed by the Citizens' Committee for such purpose. (2) The Citizens' Committee to be authorized to employ any remaining destitute men in quarrying stones and cutting the same. This work also to be in the full charge and under the direction of the Citizens' Committee, the accounts duly certified to be paid by the Department of Public Works from the same account and in the same manner as in Section (2) hereof." A copy of this Minute was forthwith sent to the Citizens' Committee, who passed a Resolution in the following terms—"The Committee are unanimous in doing all in their power to assist in providing employment, but regret that individually they feel they cannot give the time and attention to a scheme as outlined above. They recommend that the Government engage a competent Superintendent of relief work who shall have absolute control of the work and whose decision as to the dismissal of men who in his opinion are not giving adequate returns shall be final. That the services of the East and West End Road Inspectors and Municipal Inspectors, four in all, shall be placed at the disposal of the Superintendent. The Committee will be glad to continue to act as an advisory body as between the Government and the unemployed." No further Order in Council was made, but work was begun; Major Butler of the Unemployment Bureau, arranged the employment of the men and operations were controlled by Mr. Duff. The men these rock sheds, under him, sheds were erected and rock breaking was undertaken as well as snow-shovelling, in the summer men were employed on the roads, returning to the rock sheds in the following winter; Mr. Duff arranged for the time-keepers and fixed rates of pay. I was unable to find out under what authority these things were done, there were no documents, Mr. Jennings knew nothing about it except

and unfortunately Mr. Duff was too ill to attend the Enquiry. The payments were charged to a relief account known afterwards as No. 1, and in the month of May had reached a total of \$180,000, when that particular account was closed; the full amount was allocated to it from the loan of 1922 by an Order-in-Council.

In April 1922 the Citizens' Committee came to an end. It had kept in touch with the leaders of the unemployed and dealt with periodical reports from Mr. Duff, but unemployment appeared to be lessening and with the approach of summer there was every prospect of an early return to normal conditions. Their Minute of 6th April defines the position:—"The petition of the men was as follows: 'That providing the Citizens' Committee will give work to the newly unemployed for one month full time the men now working are agreeable at the end of the month that the work be discontinued. This arrangement is to include single and married men with or without dependents.' At some discussion it was ordered that the Men's Committee should be communicated with as follows:—(1) that the Committee feels that relief work should be curtailed, (2) the Committee abides by its former decision regarding single men, (3) that the work on the roads outside the municipality near St. John's should be handed over to the Road Commission, and that only City men be employed, (4) that the Committee proposed to finalise its work on April 28th."

The optimistic forecast of the Citizens' Committee was signally falsified by events. In the month following their dissolution the new account (Relief No. 2) was opened, the summer months of dislocation of expense and in the succeeding winter the figures were strikingly increased. In the month of February, 1923, the expense reached \$50,000, in March it was \$100,000, and in April \$125,000 had already been spent when Nomination Day (the 28th) brought this form of dole to an end for a time. According to Mr. Jennings it would have been cheaper to have given a dole pure and simple. The country would at least have saved the expenses of buildings, tools and haulage and the salaries of foremen and supervisors. There is no doubt that especially in 1923 a great many of the men did not work fairly for their pay, the younger men being the worst offenders in this respect; discipline was not enforced and the output per man fell off to a remarkable extent. Mr. King, the foreman at the rock sheds in St. John's East, described the system in vogue and gave cogent and reliable evidence of the abuses which he was powerless to prevent. The men these rock sheds, who numbered slightly over 100 in 1922, increased to 600 in 1923; they were taken on by Major Butler and each man on presenting himself for work in the morning was given a numbered metal check by the time-keeper, which it was his duty to hand in against his pay at the conclusion of the day's work. In fact men left at all hours, giving their checks to the fellow workmen to hand in for them, with some transparent excuse or with none. Sometimes the full day's pay was handed out to these shirkers, sometimes it was refused, sometimes a man was dismissed, but it made no difference, he would be at once reinstated at the instance of some member of the House of As-

sembly, and there was "quite a lot" of this kind of thing. "When a man came back under these circumstances," said Mr. King, "he was bossed and it was not." Another matter dealt with by this Department was the buying of splits. It had always been the practice of the Department to provide splits as fuel to various public institutions. In the autumn of 1922 Mr. Jennings, having heard complaint as to the way in which this business was being carried on, took the matter into his own hands. By the 3rd or 4th of February, 1923, he

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had supplied all the institutions with enough wood for 2 or 3 years, and he refused to purchase any more in disgust at the abuses which prevailed. The matter was then taken up by a Committee consisting of Dr. Campbell, the Minister of Agriculture and Mines; Mr. Harris, the Deputy Minister of Public Works; Mr. Butler and Mr. Duff, the first two being the active members, and splits to the price of \$8,000 were purchased and stored. The matter was then carried on, took the matter into his own hands. By the 3rd or 4th of February, 1923, he

Department "decent," resigned his office.

Of individual items brought to my notice only two need to be specifically dealt with—

(a) A sum of \$3000 was paid to Mr. E. G. Cousens on 1st May, 1923, to settle a claim for damages alleged to have been done to land by Mr. Duff and his workmen, during the time of Mr. Jennings' tenure of office. The original claim was somewhat extravagant and nebulous and Mr. Jennings thought that there was nothing in it. I had the advantage of hearing Mr. Cousens himself, and though I think he was treated generously, I am not prepared to say that the settlement was improper.

(b) A sum of \$2,500 paid to Mr. Duff on 9th April, 1923, in respect of compensation claimed for a strip of land taken for road widening during the year 1922. Mr. Duff's original claim was for \$8,850, while Mr. Jennings considered that \$145 would suffice. The proper procedure governing such disputes is provided by the Statute dealing with roads; the Minister and two assessors, one appointed by himself and one by the owner, being made the Tribunal. Mr. Jennings appointed Mr. Churchill and Mr. Duff appointed Mr. Courtney, and the three undoubtedly met and had some sort of conversation about values. On 14th August, 1922, Mr. Jennings and Mr. Churchill issued a so-called award—"We hereby certify that after due consideration we award to Mr. J. J. Duff the sum of \$145.50 as full value and compensation for land and trees belonging to the said J. J. Duff and appropriated by the Department of Public Works for the widening and improvement of Waterford Bridge Road."

Mr. Courtney refused to recognize this document in any way, and it is possible that its value and validity can be successfully questioned, though I am not enamoured of Mr. Courtney's chief objection, viz., that the Tribunal provided by Statute was not calculated to give an owner a just price. This type of argument, however, was not new to me. Several times in the course of the enquiry witnesses when faced with statutory obligations or restrictions contentedly assumed me that they were universally ignored. In this very case Mr. Jennings and Mr. Churchill charged \$15.96 for their services and greeted with surprised smiles the reading of a section which specifically limits them to \$2.00. Mr. Duff seems to have taken his claim to a higher authority which also did not effectively study the Statute and on 9th March, 1923, the Deputy Colonial Secretary wrote to Mr. Jennings—"... the matter has now been arranged and it has been agreed by the Government to make a payment of \$2500 ... in full settlement of all claims in connection with this matter. I shall be glad if you will kindly issue a cheque ..."

The same day Mr. Jennings replied, informing his correspondent of the enlarged arbitration and referring to the Statute, section 1, chapter 23, Consolidated Statutes. This letter was laid before the Executive Government and on 21st March the Deputy Colonial Secretary wrote confirming his previous message. Mr. Jennings, however, refused to recognize the authority thus to override him and still de-

(Continued on page 3)

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