

Public Accounts Committee.

Q. Mr. Howell spoke of this man drinking excessively. Are you aware of that habit of his during any time when these prosecutions were going on?—A. I would not think that was the case. I thought him a shrewd, sober, unscrupulous man. I think this was the impression generally.

By Mr. Fitzpatrick :

Q. Of large experience?—A. Wide experience. I don't know why, but he seemed to be shrewd enough and sober enough as far as I could see and I heard nothing to the contrary, and saw no sign of it.

Q. He was the informer in all these cases?—A. He seemed to be the mainstay of the prosecution.

Q. Were you aware of his arrest during the time these cases were going on?—A. I never knew of it or heard of it until I saw it in this evidence ; if so, it had passed out of my memory.

Q. Now, what is the practice in the province of Manitoba in regard to accounts for witnesses' expenses ; are these disbursements accurately kept track of by the counsel or persons disbursing them?—A. I should think so ; they should be very accurately kept as they have to be sworn to.

Q. Sworn to?—A. That is the usual practice. An accurate account is kept in order that an affidavit for witnesses' fees can be offered. No witness fees are ever taxed, as I understand it, without an affidavit of disbursement.

Q. That is the practice in Manitoba?—A. As in every other province I have practiced in.

By Sir Louis Davies :

Q. Do you have affidavits in criminal cases?—A. Of course there would be. That would depend upon whether the Crown were prepared to pay them at all or not. Sometimes they do not pay criminal witnesses.

Q. Did you ever know of the Crown demanding affidavits in paying witnesses they summoned themselves, for mileage and attendance?—A. No, though I have acted for the Crown in prosecutions frequently it has been as counsel and I never had the responsibility of looking after disbursements at all, so I won't say what the Crown would do in criminal prosecutions.

By Mr. Fitzpatrick :

Q. Your reference was to the practice in civil cases?—A. It was ; though I should think it would apply in every case.

By Sir Charles Hibbert Tupper :

Q. If you paid out \$500, we will say, in witness fees, would you not consider yourself bound to keep an account of them whether they were for the Crown or for a client?—A. I would feel bound to do so with the same exactitude in either instance.

Q. If you disbursed them yourself?—A. With the same exactitude in either instance.

Q. Was there anything that occurred on the trial in your opinion to warrant the statement by yourself or any one else that the Conservative jurymen alone disbelieved Freeborn ?

Question objected to by the Solicitor General.

By Sir Charles Hibbert Tupper :

Q. I will give my reason for asking the question. Mr. Howell has sworn that the Conservative jurymen disbelieved him (page 47 of the printed evidence of last year).