

POOR DOCUMENT

HOUSE OF ASSEMBLY.

Debate on the Clerk of the Pleas Committee Report.

At 7.30, Tuesday evening, Mr. Blair moved the House into committee on the majority and minority reports of the committee appointed to investigate the affairs of the Clerk of the Pleas office, and the evidence taken before it, Mr. McManus in the chair.

MR. BLAIR

said he would be as brief as possible in calling attention to the matters brought before the House in the reports of the committee and the evidence submitted, and would cover as much of the ground as possible. He cited the resolution he had moved in bringing the matter before the House, and said the charge he had then formulated against the Government was that the Clerk of the Pleas office was regulated by statute, and its fees were by law ordered to be paid into the public treasury. He had invited attention then to the manner in which the Government had permitted this statute to be violated. The statute provided for quarterly returns by the Clerk of the Pleas of fees received by him, but there were large sums received and expended in that office of which there was no record in the public accounts, and on which the Legislature had never passed. When he made these statements he felt that he was making a very grave charge against the Government, and taking upon himself a very serious responsibility in sustaining it. When he had made this charge he had no conception that things had gone to the length they had, and as he had made it without any thorough acquaintance of the facts, he felt that he was appearing before the House with his reputation in his hand. When a member of the Government rose in his seat—a gentleman possessed of a full knowledge of the facts and who spoke with authority—said that (Blair) had made a mistake, believing in that gentleman's sincerity he had felt that he was mistaken, and that he had made an unwarranted and unfounded statement; but in the light of the facts developed by the investigation, he could now say that the gentleman in the Government, who had gone around and said that he (Blair) had made a great mistake and had ruined himself by foolish charges he had made against the Government, was not sustained by the facts since elicited by the Committee.

He would compare what the honorable gentleman had said with the facts in the evidence bearing on it, and he would also see if the statements of the Provincial Secretary were borne out. He read from *Sen's* report of Hon. Mr. Fraser's speech, in which he said the Government had accounted for every dollar, and courted the closest and fullest enquiry. But while they courted full and free enquiry, continued Mr. Blair, the Government had found it necessary to be represented by counsel who made the evidence taken in accordance with strict legal modes, and had attempted the role of an obstructionist. He would show how they had accounted for every dollar. He traced the course funds must take to be fully accounted for down to their final appearance in the public accounts, by which last means they could only be accounted for. There was only one channel in his mind, and if there was any other conceivable course he would like to be informed of. If we find that the Clerk of the Pleas has been paying out for other purposes money which should have gone into the public treasury; or if, on the other hand, it appears that the Government has been authorizing a similar course—no record of which has been seen the light of day—it does not lie in the mouth of any man to say that every dollar has been accounted for. From 1874 to 1882 the sum of \$14,000 was received in the office of the Clerk of the Pleas, while only \$10,000 was accounted for—a difference of \$4,000 of money received and not accounted for. Does not this fact alone condemn the Government? For what purpose do both branches of the Legislature sit and make laws, if a Government can thus set them at naught at any time? There is this sum of \$4,000 unaccounted for of the moneys received in this period, and he said this advisedly. If it was accounted for, by what process, to whom and at what time was it done? We may be told this money was accounted for because it was paid out, or because, had it been asked, the members of this House might have given their sanction to its expenditure. What had the Provincial Secretary, who had said every dollar was accounted for, to say now that this was shown? It will be said that no harm has been done—that it has been paid out for contingencies for the office. Whether these contingencies were right or not was not the question now, because it must be a correct principle that all such expenditures must be subjected to the scrutiny of the Legislature. Yet none of these expenditures ever came before the House or were audited by the proper auditing officer, and this was in direct contravention of the provisions of the statute regulating the office of the Clerk of the Pleas.

He touched upon the extra salary paid a servant of this Assembly by Mr. Carman, and received the history of the affair as told in the evidence. At the time of the arrangement, it was made to appear to the House that \$1,000 was Mr. Blair's salary as Clerk of the Assembly, but we find that the Government authorized the payment to him of the sum of \$200, for extra services

out of the fees of the Clerk of the Pleas office, whether as Clerk of the Clerk of the Pleas office, or as Clerk of Assembly, is immaterial, and in direct contravention of the statute, for these fees should have been paid into the public treasury. On looking into the matter further, we see that Mr. Blair states that he understood that he was to have \$1,600. He states it distinctly, and it has not been contradicted. The Attorney General says, in reply, he could not bring his mind to believe it. Mind, he did not contradict it. He merely says he could not bring his mind to believe it. And it stands corroborated by a train of facts. There are Mr. Blair's statements that he was to receive \$400 from the Receiver General for extra clerk hire, which, with his \$1,000 salary by law, and the \$200 extra in the Clerk of Pleas office, made \$1,600. But a difficulty arose, and a committee to which the matter was referred recommended that he be paid what was due on these terms, but that in the future he only receive the usual salary. Does not this bear out his statement? The then Provincial Secretary says that some of these payments to Mr. Blair were made by his own private check. From 1873 to 1877 the sum of \$3,333 was paid Mr. Blair by check on the People's Bank, issuing out of the Receiver General's office, and of this some \$1,700 or \$1,800 was public money, which had been paid out in contravention of the statute. Here some \$1,700 or \$1,800 of public money had been paid out in an irregular way, and not a trace of it was seen in the public accounts. This is the way in which the public finances are managed—this was what we discovered when we got behind the scenes. We will be no doubt told that this is a regular transaction and that no money has been lost, and as the country is in a good position no one ought to make any complaint. But the people will demand an answer to it and he would ask this Committee what they thought of this transaction. He thought that the sober sense of the Committee would say it was a most unjustifiable transaction and open to the gravest censure. It was magnanimous, no doubt, but beyond his comprehension, for the honorable gentleman to put his hand in his own pocket and recoup the public treasury in this sum of \$1,700 or \$1,800, but had this Province come to such a state that members of the Government should have to put their hands in their own private pockets to pay officials of the Government? If it had the fact should be made known. We find the Attorney General coming to the rescue in February, 1877, and paying in again to make up this money so paid out the sum of \$1,150. But it will not be understood why his honor, friend should be called upon to pay this money. The Attorney General now states that from that time down to the present he has been paying Mr. Blair this extra sum out of his own pocket. He (Blair) would say in justice to Mr. Blair that he was not aware of this arrangement until 1879. He pointed out that certain fees were by law ordered to be paid to the clerk as they came in, and if it was agreed that he should receive yearly the sum of \$140 it was not a matter for serious objection. But in 1874 Mr. Carman paid these officers fees into the public chest, and during those two years Mr. Gill was paid by check out of the Receiver General's office the sum of \$140. This he thought was a serious matter as no record was shown of this for two years, when the Receiver General called on Mr. Carman to make this expenditure good. The check was handed over to the Receiver General by Mr. Carman, and no record was made of it until Sept. 1880, when the check was cashed and the amount credited into the account. He thought that this threw much light upon the manner of keeping the cash, and showed a looseness of management. He then took up the report of the majority of the Committee, which he read and commented on as he went along. He asked the attention of the Committee to the statements contained in the report. The statement in the report that all the Supreme Court fees were accounted for by the Government was an evasion of the real subject of enquiry. He then moved as follows, which he thought would be found to be a true statement of the facts as elicited by the investigation, and if there was any statement in it that was not borne out by the evidence, he would make the correction if the error was pointed out by any honorable member.

Resolved, That in disregard of the Act of the Assembly, Chapter 26, Consolidated Statutes, the Government have not required payment to them of all the Supreme Court fees collected in the office of the Clerk of the Pleas, nor passed the same as public money to the credit of the Province, nor accounted therefor with other revenue receipts in the accounts annually audited and laid before the Legislature.

That the system which has been prevailing for many years past of permitting the Clerk of the Pleas to disburse a part of the Supreme Court fees in payment of the contingencies of his office is not only directly contrary to law, but is in violation of the further ground that these accounts have not been subjected to any proper examination.

That the payments of Mr. Blair of additional salary out of these fees is entirely without justification and contrary to law and this mode of payment appears to have been resorted to at first, and to have been continued as an expedient to avoid making such payments known to the Legislature.

That the further payments to Mr. Blair, also in addition to his salary, made by the Receiver General (by sundry checks) out of Provincial funds from time to time, extending over a period of nearly five years since

1873, amounting up to 1877, to seventeen hundred and six dollars and not appearing in the Public Accounts, but which, as it is shown subsequently, repaid into the Treasury in one sum by the present Attorney General out of his private means, and since which time he, the Attorney General, has continued, as he had stated, to pay Mr. Blair of his own moneys two hundred dollars per year, for no part of which the Attorney General has yet been recompensed in any way.

That the making of payments out of the Treasury in these transactions is wholly indefensible in principle and if continued is open to very great abuse. Moreover there cannot be any reason assigned consistent with the public interests why the salary of a public official should be paid for years out of the private and personal funds of another private individual, whose such payments are by way of advance or otherwise. Such a mode of paying a public official is unjust to the official and radically wrong in principle.

Mr. Willis seconded the motion.

HON. MR. HANINGTON, in rising to reply, congratulated the hon. Leader of the Opposition upon the quiet manner in which he discussed the matter. Any who led the debate he thought ought to have felt to-night that the facts brought out must have taken the spirit and inspiration out of him, as there was a lack of fiery eloquence in the hon. gentleman's speech when speaking of the facts, which he had when he spoke from his imagination. As the Leader of the Opposition had referred to the past, he would refer to it, too. There had never been any desire on the part of the Government to stir up inquiry, but they had forwarded fees and full investigation. There had never been any inclination to burk enquiry. The resolution of this evening was very mild compared with the charge, and in the heat of the debate the hon. Leader of the Opposition had said that perhaps this money had gone into the private pockets of members of the Government.

Mr. Blair—What I said was, that I would not insinuate that the money went into the pockets of any member of the Government, but I said, and say now, that for aught we knew, the money might have gone into their pockets.

Mr. Hanington—Oh, he admits. He admits that he said it might have gone into their private pockets. He has also said that the accounts were never audited, and that the money had gone for purposes the Government dare not disclose, and that perhaps some of it might be found in the pockets of the Government. What does the evidence taken before the Committee show? He held that there had been a criminal charge against the Government, and contended that the hon. Leader of the Opposition was trying to ruin the political career of the Hon. Attorney General, as that gentleman had never been in the Province since he was elected to the office. The hon. Leader of the Opposition had not wanted a committee to gag enquiry. Yet he was the judge and accuser of our Government. The majority of the committee were just as respectable men as he and his first lieutenant. He dissected an article on the investigation in the *News* of the 25th Feb., and took up the *Globe's* remarks on the fact of his (Hanington) appearing in the committee as a representative of the Government. He held that the *Globe* was mistaken, and defended his appearance in the committee, contending that he had a right to be there, as had every member of the House to be present at an enquiry into a question. He said that he had a right to be present at the committee, and would show authority for it (at the same time slapping two large tomes down on his desk). He cited a case in 1869 in the Canadian Parliament. (A page here brought over two more books and laid them on Mr. Hanington's desk.) He then discovered another case in point in 1861 in the New Brunswick Legislature, and after citing his authority he said that he had never heard of the case before; it was one of the privileges of this House. He read from the *HERALD* of March 10th, and denied that he had ever cross-examined the Attorney General severely. He held that he had proved his right to be present at the investigation, and if there had been any stifling of investigation, it was by the party who sat as judge and accuser. He then dealt some length with the subject directly under consideration, having concluded *pro tem* with Hanington and Hanington's defence; and defending the Government from the attacks of the Opposition, he strove to make it appear that the Hon. Leader of the Opposition had made a personal attack upon the Attorney General for the purpose of injuring him politically; but expressed the opinion that there was a retributive power over all that deals out justice to the public, and that such attacks, and overtook them when they least expected it. He held that the Leader of the Opposition had tried to prove that such a state of affairs as he had charged had only commenced when the present Attorney General took charge of the reins of the Government. He charged that Mr. Willis was a supporter of the Government in 1872, when this arrangement was made, and was in the Government when the money was paid in 1873. Now he wants to condemn the Government at present for what had been done while Mr. Willis was in the Government himself. He contended that Mr. Blair could have asked that Clerk of the Pleas accounts be laid on the table, and that the accounts of that officer had been published in the public accounts. He took up the minority report and took exception to the subject matter in it. He explained the matter he had the \$200 check, and the lump sum of money paid Mr. Gill for clerical fees. He claimed that the Province had not lost anything by the tedious and intricate method of balancing the account involved in the explanation of this \$200.

The debate was then adjourned until 2.30 Wednesday afternoon.

That the Government had done wrong in connection with this check. The check was never issued until 1880, and in 1881 the Clerk charged this amount to the Government as part of the fees. The Crier was doing the work and he had to be paid by some one. The actual amount per year of this officer's fees had not been determined. He claimed that the leader of the Opposition had made reckless statements, and that his reputation would be better today if he had asked for returns of the accounts of the Clerk of the Pleas office, to see how they stood before going into this investigation. He next took up the matter of the \$200, as paid Mr. Blair in the office of the Clerk of the Pleas, and contended that there had been no concealment. It appeared in the public accounts if not in the stated ones, and he charged that the first payment was made Mr. Blair when his friend the first lieutenant (Mr. Willis) was in the Government. He also dealt with the facts and circumstances as developed in the evidence concerning the arrangement made with Mr. Blair. He quoted the resolution on this point, and wanted to know how Mr. Willis could second this resolution, as what he charged was done while he was in the Government. He claimed that Mr. Willis stultified himself as a politician, and attacked him on the ground that this arrangement had been made while he was in the Government, and was responsible for the acts of the Government. He said, he was not here to condemn the crime of that Government, for the wheels of legislation were then clogged by a difficulty with the Council, and granted for any purpose had been refused. The Government does not attempt to get steps in order that legislation might proceed. It was then that this arrangement was made with Mr. Blair, and Mr. Carman was to pay him. It was a *bona fide* arrangement, he said, but he was not over this clerk difficulty. The Attorney General said that it was only a temporary arrangement, but that legislation, which was to have been made, never took place, and it was in view of this possible legislation, that it was made. This money has been paid back and the Province has lost nothing. It has appeared in the public accounts but not in the printed accounts. He contended that the statement made by Mr. Blair that the Attorney General had paid the amounts in checks was paid in part by check. He explained the difference between the Attorney General and Mr. Blair with regard to the arrangement, and said that when the Attorney General saw there would be no possible legislation in the matter, he went and paid it out of his own pocket, and he paid it in hard cash. Where were the little lying "sland'ous tongues"? The lie is nailed to them as sure as plummet falls. He again attacked Mr. Willis at some length on the same old score, and passed into the consideration of the minority report of the committee. He again attacked Mr. Willis for bringing in a miserable subterfuge, and trying to pass it off as a report of the committee. He hoped that the country would never again have the spectacle of a man attempting to put upon the records of the House the report of one man as that of a committee of five. He held that the minority report was a garbled conclusion from the evidence, isolated islands of evidence having been sought out to serve the ends, because they wished to send a garbled statement of this matter to the country. He hoped that he had shown that not one cent had been lost to the Province, while admitting that perhaps the friends of the hon. Leader of the Opposition had some other advantage under contingencies, but this had never been done. He said that one would not think that this was something new when it was not, for he dared say that one-half of the present House had supported the Government which had allowed this state of things to go on. Not one cent had been lost to the Province, and why had this charge been made? Mr. Blair does not deny that he stated that the accounts were falsified, but has he proved it? The accounts were not falsified; to say that they are, is not truth. He compared utterances of Mr. Blair with an article in *The Herald* of the 25th Feb., and stated that the organ of Mr. Blair or that Mr. Blair was the organ of *The Herald*. He held that when the Opposition condemned the present Government for following a course that had been pursued by able politicians and men of honesty and integrity in the past, it would not have much effect; and pointed out that many of the present Opposition had been supporters of Governments that had followed the same course in this connection. It was the course that had been pursued by the hon. gentleman from the City and County of St. John when he was in the Government. He asked that the House would not only not condemn the Government, but that it would also save Mr. Willis from presenting himself to the country as a stultified politician. He then moved in amendment, seconded by the Hon. Mr. Perley—

Whereas the mode of accounting for fees received in the office of Clerk of Pleas and of paying contingencies of said office out of fees collected has been in operation since the year 1851, and it has been proposed for some time past to change said mode and provide that all moneys receivable by the Clerk of the Pleas shall be accounted for and paid to the Receiver General, and that the contingencies of the office shall be paid by warrant and a bill for the purpose has been introduced into the House, and that the *Hereditary Resolutions*—That this committee believes that hitherto no loss has been sustained by the Province by reason of the mode of collecting, disbursing and accounting for said fees, and that the proposition introduced meets the approval of the committee.

MR. BLAIR said he proposed making some remarks in reply to the hon. gentleman, and also examining the amendment moved by the Government. He said that Mr. Hanington had dwelt upon matters entirely immaterial to the resolution. He had attacked Mr. Willis, and the answers of the Government to the charge were that Mr. Willis was a member of the Government when this state of affairs existed. They made this a complete answer. It

occurred to him that the matter could be dealt with on its merits. In 1878 this administration had been stamped as corrupt, and in defending Mr. Willis from the attacks of Mr. Hanington in this connection, held that he was responsible so long as he remained in the Government, but if when these facts or any similar facts came out and he left, there was no responsibility attaching, except to those who remained with or stood by the Government. Mr. Hanington said that he (Blair) had sat on that committee as judge and accuser, and if he thought that he (Blair) was incompetent to sit on that committee because he had formulated a charge against the Government, why did he not say so like a man when he was appointed and not have waited until he had been appointed and the committee was in session before he raised the point. He had hoped that personalities would not be indulged in—not that he was afraid—for so long as he had a voice and could stand up in his place he could take care of himself. Hon. Mr. Hanington had said that he (Blair) had received an order in 1875 and 1876, and he would say that in his professional capacity he had. There was nothing to show that these orders were not ordered by law, or that they were issued in an irregular or improper manner. He had no conception when the motion for enquiry carried that it would involve the Attorney General in any way, and he had not moved in that spirit. He took up the matter of legislation on the checks for \$200, and pointed out that this check was hanging in suspense, we were having balances of cash on hand in the Receiver General's office and People's Bank, without its being considered in them at all. He denied that the Province was in such a position that members of the Government had to pay the salary of one of its officials. He denied having said that the Government had put this money in their pockets, but he had said that it might so have gone—that it was possible—considering that this money was paid out and nothing had been heard of it for four years.

MR. HANINGTON said in reply, that the leader of the Opposition had sought to cover his defeat with madness and abuse. He held that Mr. Blair had attempted to rule the committee of investigation, and defended himself at some length from the attack of what he was pleased to call "such a vile thing as the hon. gentleman's organ" which he held was inspired by the leader of the Opposition. He went along for a little time in this same strain and had got himself into fine condition for a war of words, when Mr. Blair enquired, with mildness, if the hon. gentleman remembered what he had said to him (Blair) on a certain occasion when a want of confidence motion was before the House. Mr. Hanington, who had listened attentively, replied, like a bunch of fire-crackers going off—"Nothing! Nothing!! Nothing!!! NOTHING!!!!" and the hon. gentleman shook his fist with fierce and threatening gesture. Mr. Blair then, after having obtained the hon. gentleman's permission to detail what had taken place in a private conversation, enquired if he had not upon a certain occasion when a want of confidence motion was before the House, asked him (Blair) "For God's sake not to press it." The hon. gentleman's face was a picture of Sphinx-like impressiveness and rapt yet startled and fearful attention and expectation as Mr. Blair calmly and deliberately moulded the language and propositions of the interrogatory he put to him, and with rapt and fearful attention and expectation the whole House watched the hon. gentleman's Westling breath and force in the same instant rolled out a long string of "Never! Never! Never!!!" and flourishing his arm with defiant and excited gesture, he pounded his unconscious and offending head at every judicious detail to give it additional force and emphasis, and growing redder and redder in the face, and more moist and effervescent about the lips and incoherent in his speech, the crowd of hon. members broke into laughter as the last "Never!" reverberated hoarsely through the Chamber, rattling the pendants of the chandeliers, and died away in the corridors and lobbies where it lingered for a moment—then seemed to be the burst of a storm of "Hardly ever!!" The hon. gentleman when he had cooled sufficiently, denied the statement in a more extended form, and said he had never made any such remark as the hon. gentleman had said, and he had no recollection of the strength of the Government.

At the suggestion of the Attorney General, the debate was adjourned until Thursday afternoon at 2.30.

THURSDAY EVENING. The House met at 7.30, and on the order of the day being called the House went into committee on the Clerk of the Pleas Committee report, Mr. McManus in the chair.

MR. WILLIS said that after the manner in which his name had been involved in this matter, and the attacks made on him by the counsel of the Government—he could think of no other name to call him by—he thought he would be excused for making a few remarks. He thought that the report of the minority had been dealt with fairly and thoroughly. He had not been desirous of getting on this committee, but when he was appointed by Mr. Speaker he was bound to do his duty, and he had taken the position of chairman with reluctance, having remonstrated against it. He held that if Mr. Hanington had not appeared before the committee as counsel in name he was such in fact. He had been allowed to be present by vote of the committee, and contended that in the case cited by Mr. Hanington in which Mr. Jardine had represented the Government, there was no motion on the book giving him authority to be present. The ground that Mr. Hanington had taken on the authority of the case in the Journals was not sustained by the Journals at all. It was shown there that he could only be heard after a petition had been presented to the House praying for the same,

but the committee had decided to hear the gentleman in this case without petitioning this House. He defended further the report he had brought in. He felt justified in adopting the course he had on the strength of parliamentary authority, because it is competent for a chairman of a committee to report the evidence of the committee from time to time, and authority could be found to support this. When asked by Mr. Speaker what the nature of the report was, he had replied that it was apparent on the face of it. He held that he had been studiously fair throughout the whole proceedings, although he and the hon. gentleman from Westmorland had had some wordy wars. He outlined what had been done until the majority and minority reports were brought in, and pointed out that the Committee could have got along very much faster and added the evidence very much more clearly had Mr. Hanington not been present. The hon. gentleman from Westmorland seemed to have a particular fondness for newspapers, and had made mention of him (Willis) in this connection in an ungentlemanly manner. A former speaker had informed him that Mr. Willis the member was not responsible for the acts of Mr. Willis the editor, but he held himself responsible as Mr. Hanington's charges in this connection would not hold water. He defended himself from Mr. Hanington's charges in connection with the articles that had appeared in *News*, showing the falseness of his position. Newspapers, he said, can take care of themselves, and perhaps they will take care of the Hon. Mr. Hanington in the coming campaign. He defended himself from the charge that these matters had taken place when he (Willis) was a member of the Government, and it was therefore as he because he had signed the minority report and supported the gentleman who formulated the charge. He said that while he was in the Government he never knew anything about the transaction. He knew that Mr. Blair was to take a seat on the floor of the House at a salary of \$1,000 a year, but he knew nothing of the private arrangement made between him and a member of that Government, and up to the time he went out of the Government, no member of the Government had a right to this check out of the public funds to pay the salary of an official which had been agreed upon by private arrangement, and it was dealing with public money that could only be condemned. It was said that the Province had lost nothing, but this money was not recouped until February, 1877. He dwelt at some length with the improper expenditure of money which should have been paid out of the Legislature, and the fact that no record of the matter had appeared in the public accounts. He wanted to know what the hon. gentleman from Westmorland knew about this matter until it was disclosed here in this House? The matter of the check was a very singular procedure, and as he knew of no other matter that had not been fully dealt with, he would occupy no further time. The position of the Government on this matter was one that merited condemnation, and he thought that the Government should bring in some legislation to remedy this state of affairs and relieve the Attorney General from the awkward position in which he stood with regard to the payment of the salary of an official of this House.

MR. LYBOTT said he felt that it was due to himself and his colleagues on the Committee, in view of what had been said, to say something in explanation. He would not say much as he was sick of the check, but he would say what he said to the mission of the hon. Leader of the Opposition in the House was that of a sort of political battering ram, and he had been battering away on the quarters of the Government for some time past without any effect. He would like to bear him now at the close of the session on some other subject; he would be pleased to hear him, and he was sure he would give his other hearers pleasure. He dealt at some length with an article on the Committees report which had appeared in the *News*. He said that the statement that appeared in the article were untrue, and he merely drew attention to it in order to clear himself of the imputations conveyed in it. He held that although there was some little irregularity in the transaction in that it did not appear in the printed accounts and pass the Auditor General, every cent had been accounted for and no cent had been lost to the Province. The charge that had been made was entirely unjustifiable and was in no way denied.

MR. BLAIR said that the Government had evaded every allegation made by the Leader of the Opposition when moving for this committee of enquiry, and nearly every one had expected that the inquiry would be a failure. But he had been disappointed in this anticipation raised by the assertions of the Government. He attacked again the system of keeping the public accounts. The investigation has been held and irregularities have been discovered. He cited from the statute showing that there had been law bearing on the case in existence for some years past, and took exception to the statement made by Mr. Lybott that no money had been lost to the Province. He held that no money could be thus taken out from the Provincial funds for private purposes without there being a loss of interest. The balance sheets that had been presented had shown no trace of these moneys, and were incorrect. If the accounts do not show what salaries officials are receiving, it shakes our faith in other public accounts and documents and shows the necessity of the public accounts being emphatically correct. He called attention to a statement embodied in the resolution submitted by the Hon. Mr. Hanington. All agreed with the evidence adduced, but there was a difference in the deductions drawn from it which was perhaps natural with men holding different political views. He read the resolution, and took exception to the statements in the preamble, and contrasted the payment of part of Mr. Blair's salary out of the fees with the law bearing on the question, which was directly opposite. He argued at some length to show that the state of affairs which had existed was such as to shake our confidence in the public accounts and documents, and was such as the House could in no way condone. The principle was wrong morally apart from the financial loss, and wrong even if there had been no financial loss. In concluding he condemned the system of keeping the accounts.

MR. HANINGTON said that after the manner in which his name had been involved in this matter, and the attacks made on him by the counsel of the Government—he could think of no other name to call him by—he thought he would be excused for making a few remarks. He thought that the report of the minority had been dealt with fairly and thoroughly. He had not been desirous of getting on this committee, but when he was appointed by Mr. Speaker he was bound to do his duty, and he had taken the position of chairman with reluctance, having remonstrated against it. He held that if Mr. Hanington had not appeared before the committee as counsel in name he was such in fact. He had been allowed to be present by vote of the committee, and contended that in the case cited by Mr. Hanington in which Mr. Jardine had represented the Government, there was no motion on the book giving him authority to be present. The ground that Mr. Hanington had taken on the authority of the case in the Journals was not sustained by the Journals at all. It was shown there that he could only be heard after a petition had been presented to the House praying for the same,

but the committee had decided to hear the gentleman in this case without petitioning this House. He defended further the report he had brought in. He felt justified in adopting the course he had on the strength of parliamentary authority, because it is competent for a chairman of a committee to report the evidence of the committee from time to time, and authority could be found to support this. When asked by Mr. Speaker what the nature of the report was, he had replied that it was apparent on the face of it. He held that he had been studiously fair throughout the whole proceedings, although he and the hon. gentleman from Westmorland had had some wordy wars. He outlined what had been done until the majority and minority reports were brought in, and pointed out that the Committee could have got along very much faster and added the evidence very much more clearly had Mr. Hanington not been present. The hon. gentleman from Westmorland seemed to have a particular fondness for newspapers, and had made mention of him (Willis) in this connection in an ungentlemanly manner. A former speaker had informed him that Mr. Willis the member was not responsible for the acts of Mr. Willis the editor, but he held himself responsible as Mr. Hanington's charges in this connection would not hold water. He defended himself from Mr. Hanington's charges in connection with the articles that had appeared in *News*, showing the falseness of his position. Newspapers, he said, can take care of themselves, and perhaps they will take care of the Hon. Mr. Hanington in the coming campaign. He defended himself from the charge that these matters had taken place when he (Willis) was a member of the Government, and it was therefore as he because he had signed the minority report and supported the gentleman who formulated the charge. He said that while he was in the Government he never knew anything about the transaction. He knew that Mr. Blair was to take a seat on the floor of the House at a salary of \$1,000 a year, but he knew nothing of the private arrangement made between him and a member of that Government, and up to the time he went out of the Government, no member of the Government had a right to this check out of the public funds to pay the salary of an official which had been agreed upon by private arrangement, and it was dealing with public money that could only be condemned. It was said that the Province had lost nothing, but this money was not recouped until February, 1877. He dwelt at some length with the improper expenditure of money which should have been paid out of the Legislature, and the fact that no record of the matter had appeared in the public accounts. He wanted to know what the hon. gentleman from Westmorland knew about this matter until it was disclosed here in this House? The matter of the check was a very singular procedure, and as he knew of no other matter that had not been fully dealt with, he would occupy no further time. The position of the Government on this matter was one that merited condemnation, and he thought that the Government should bring in some legislation to remedy this state of affairs and relieve the Attorney General from the awkward position in which he stood with regard to the payment of the salary of an official of this House.

MR. LYBOTT said he felt that it was due to himself and his colleagues on the Committee, in view of what had been said, to say something in explanation. He would not say much as he was sick of the check, but he would say what he said to the mission of the hon. Leader of the Opposition in the House was that of a sort of political battering ram, and he had been battering away on the quarters of the Government for some time past without any effect. He would like to bear him now at the close of the session on some other subject; he would be pleased to hear him, and he was sure he would give his other hearers pleasure. He dealt at some length with an article on the Committees report which had appeared in the *News*. He said that the statement that appeared in the article were untrue, and he merely drew attention to it in order to clear himself of the imputations conveyed in it. He held that although there was some little irregularity in the transaction in that it did not appear in the printed accounts and pass the Auditor General, every cent had been accounted for and no cent had been lost to the Province. The charge that had been made was entirely unjustifiable and was in no way denied.

MR. BLAIR said that the Government had evaded every allegation made by the Leader of the Opposition when moving for this committee of enquiry, and nearly every one had expected that the inquiry would be a failure. But he had been disappointed in this anticipation raised by the assertions of the Government. He attacked again the system of keeping the public accounts. The investigation has been held and irregularities have been discovered. He cited from the statute showing that there had been law bearing on the case in existence for some years past, and took exception to the statement made by Mr. Lybott that no money had been lost to the Province. He held that no money could be thus taken out from the Provincial funds for private purposes without there being a loss of interest. The balance sheets that had been presented had shown no trace of these moneys, and were incorrect. If the accounts do not show what salaries officials are receiving, it shakes our faith in other public accounts and documents and shows the necessity of the public accounts being emphatically correct. He called attention to a statement embodied in the resolution submitted by the Hon. Mr. Hanington. All agreed with the evidence adduced, but there was a difference in the deductions drawn from it which was perhaps natural with men holding different political views. He read the resolution, and took exception to the statements in the preamble, and contrasted the payment of part of Mr. Blair's salary out of the fees with the law bearing on the question, which was directly opposite. He argued at some length to show that the state of affairs which had existed was such as to shake our confidence in the public accounts and documents, and was such as the House could in no way condone. The principle was wrong morally apart from the financial loss, and wrong even if there had been no financial loss. In concluding he condemned the system of keeping the accounts.