

tioned to me some time ago that it was the intention and expectation of your government to undertake this expense with regard to the prosecution to which you refer, and on hearing from you to that effect I will give to Mr. Osler and Mr. Hogg whatever authority is needed from this department.

Yours truly,

O. MOWAT.

To this letter Sir John replied as follows:—

OTTAWA, 31st December, 1891.

MY DEAR MR. MOWAT,—In reply to your letter of the 26th, I beg to say that it is fully intended that the expenses which may be incurred by the counsel referred to, shall be borne by my department.

Yours sincerely,

JOHN S. D. THOMPSON.

28. The arrangements and proceedings thereunder were not communicated at the time to the officers of the Department of Justice, because there was no occasion for making the communication. There was nothing for the officers to do in the matter of such prosecutions, everything being necessarily done in Manitoba, where the frauds were committed.

29. It was considered in the public interest that the proceeding preliminary to the prosecutions should be known to as few persons as possible, until after the prosecutions had been actually instituted. This alone would have been a good reason for not unnecessarily communicating the information to the officers of my department; but I do not think that this consideration had anything to do with my not communicating what we were doing at the time. The actual reason, so far as I was concerned, was that given in my answer to the preceding question.

30. As I understand, unless some action has to be taken thereon in the department, it is not an essential part of the duty of the Minister of Justice to communicate his decision to the officers of the department. I never heard of there being a rule requiring such communication, where no action on the part of the officers of the department was intended.

31. It is the business of the minister to decide whether the information should be communicated to the officers of the department, and when.

32. I have no doubt of the propriety of my not, at the time, having advised the officers of the department of the action taken in the case of the prosecutions referred to, as there was, under the circumstances, no object in such communication. To prevent misapprehension, I may add that the not making the communication to the said officers, and not at once having a record made by them of the decision of the government as to the expenses, did not arise from want of confidence in any such officers, though they were all appointed before the present government came into power. I never thought of such a thing. I believe they were all faithful and loyal to their superiors for the time being.

33. It is a fact that the actual conduct of these prosecutions was left in the hands of the law officers of the Manitoba government. Their action was, of course, subject to any directions they might receive from the government at Ottawa, or from myself, as a member of the government, and Minister of Justice.

34. Mr. Howell had other business in Ottawa on the occasion referred to, namely, I believe, before the Supreme Court, and I cannot say, therefore, that he came to Ottawa for the purpose of consulting with me or the government as to the proceedings to be taken. That may have been one object of his coming to Ottawa. It was he who had charge of the contemplated prosecutions as Crown counsel, and, he being in Ottawa, we had a consultation on the subject. The consultation was in Mr. Sifton's office, and several other members of the government were present, by appointment. I think that on this occasion we got some further information from Mr. Howell as to the details of the discoveries made or frauds committed, and, after talking the