

Public Accounts Committee.

23. I think I knew on the 30th June, 1897, when I signed the recommendation referred to in the Order in Council mentioned (and printed on page 6 of the evidence), that Mr. Sifton to facilitate the proceedings, had accepted drafts in respect of the expenses. If the money referred to in the Order in Council had been paid by Mr. Sifton before the order was made, it would only have been done as a matter of convenience to the parties carrying on the investigations. It was never intended, from the time the matter was first mentioned in Council, that Mr. Sifton was to assume any personal obligation. If he chose to accept drafts it must have been to oblige the drawers, and otherwise to facilitate the proceedings which were being taken, as was supposed, in the public interest.

24. I cannot now state on whose and what information I made the said report to His Excellency the Governor General. I satisfied myself of the necessary facts before I signed the recommendation.

N.B.—The remaining questions are not numbered in the copy transmitted to me by the Chairman, the Honourable Mr. Fraser, but I have added the numbers so as to make intelligible my answers hereinafter.

25. I did, as a law officer and a member of the Dominion government, consider it proper under the circumstances that the expenses attendant upon the prosecution of the persons charged with frauds in connection with the Manitoba federal elections should be paid out of the Dominion treasury. In the British North America Act there is nothing specific as to the expenses of criminal proceedings, and the question depends in each case on what is reasonable.

26. An arrangement was made that the Dominion government should pay the expenses attendant upon the prosecutions in the present case. I cannot give the date of the arrangement. It was made soon after Sir Wilfrid's government was formed. As to how it was made, it was agreed to in Council and communicated to those whom it concerned.

27. I believe that the Dominion government paid all the expenses in connection with the prosecution of Connolly and McGreevy, in 1891 and 1892, when I was Attorney General for Ontario, with the exception of the fees of one of the counsel, Mr. Kerr, which, as far as I recollect, we did not ask the Dominion government to pay. He was an additional counsel and was in our confidence and was specially retained by the Ontario government. On the 3rd November, 1891, I received a telegram from Mr. Sedgewick, then Deputy Minister of Justice, suggesting that counsel should be instructed to formally attend on the preliminary investigation and represent the province. "We (that is the Dominion) taking charge and paying all other expenses." On the 29th December, 1891, Mr. B. B. Osler wrote me as follows:—"I am instructed that I am to appear for the Crown in these cases, the Department of Justice paying my fees." The following is a copy of a letter which I received from Sir John Thompson:—

OTTAWA, 24th December, 1891.

MY DEAR ATTORNEY GENERAL,—A number of persons have been committed for trial at the assizes to be held here in January, for offences committed against the Dominion government.

I would be glad if you would agree to my desire to assign counsel for the prosecution, and would name for that purpose Messrs. B. B. Osler, Q.C., Toronto, and W. D. Hogg, Q.C., Ottawa.

If you can make it convenient to let me know at an early day that you agree to this, I shall esteem it a favour.

Faithfully yours,

JOHN S. D. THOMPSON.

The following is a copy of my answer:—

TORONTO, 26th December, 1891.

MY DEAR SIR JOHN,—I have your letter of the 24th. The rule is that when private prosecutors desire special counsel it is at their own expense. Mr. Osler men-