

HONORABLE MEMBERS OF THE LEGISLATURE ON THE SMITH CHARGES

WHITE WASH REPORT FROM THE MINISTER OF PUBLIC WORKS ON GLOUCESTER SCANDALS

Mr. Alphonse Robichaud Drew Money Under Several Names and Used Government Trucks To Cart Goods and For Joy Ride — Some of These Things Cannot Be Justified Says Hon. Mr. Veniot, But He Does Not Find Them Seriously Wrong.

(Continued from page one)

The text of the report is as follows: To His Honor the Lieutenant-Governor: B. F. Smith, Esq., a member of the Legislature for the county of Carleton, having made the charge before the Public Accounts Committee of the Legislature that he had been credibly informed and had reason to believe that Supervisor of Roads P. J. McNally and Gervais M. Hebert, were guilty of irregularities in connection with the expenditure of public moneys on the roads of the Parish of Shippegan, the Minister of Public Works acting under authority of chapter 12 of the consolidated statutes and amending acts, held an inquiry at Shippegan on the 16th day of May, 1918.

B. F. Smith, M. L. A., was present on the invitation of the Minister of Public Works. He was accompanied by R. B. Hanson, K. C., who asked to be allowed to appear on behalf of Mr. Smith. As the accused officials were not represented by counsel it was agreed that Mr. Smith would conduct the inquiry on behalf of the persons making the charges and Mr. Hanson would assist him. No specific charges were laid before the minister and by mutual agreement it was decided that the expenditures made by the two road supervisors in question should be gone into.

The inquiry was held under oath. The Man of Many Names. It had been alleged that Alphonse G. Robichaud, whose name appeared on the pay sheets as "Alphonse," "Alphonse G.," and "Alphonse J.," received cheques and payment under all these names. He swore that they were intended for him. He had personally worked as a laborer on the Barron road for which he received payment. He was the owner of two horses, both of which are employed on this road in charge of two drivers. The payment for the hire of these two horses and his drivers was made to him by cheque. Letters which accompanied the pay sheets, as well as the entries in the time book kept by the supervisor, showed that Robichaud was credited with the hire of his horses and drivers, and that the cheques were properly issued, and that the owner of the horses driven by hired help was properly entitled to the cheques so issued.

Used Government Property for Private Purposes. It was brought forward in the charges that Alphonse G. Robichaud, while chauffeur of motor truck No. 11 had used the truck for carrying merchandise from the store of J. G. Robichaud, M. L. A., to different sections of the parish. The evidence showed that the chauffeur of truck No. 11 carried some flour, lard and other material from the store of John G. Robichaud to the men on the road several times between the hours of 12 and 1 o'clock noon, at the request of the workmen, and for their accommodation. These men were riding about three miles from any one, and if the chauffeur of the motor truck No. 11, who took his meals in the village near to the road, did not accommodate the workmen in this way they would have had to travel a distance of from five to six miles after their day's work to secure provisions for their families. I cannot see that the chauffeur rendered himself guilty of any grave offense by this accommodating the workmen employed by the government.

Made Money from Govt. Truck. The chauffeur of truck No. 11, when taking the truck to Bathurst in the fall to be housed for the winter, took the liberty of using this truck to transport six passengers from Shippegan to Bathurst for which he charged \$1.50 each. While his action in this respect cannot be justified, there does not appear to have been any attempt to improperly use government property as the truck had to be taken to Bathurst and was not purposely used for transportation of passengers. It was shown that on one occasion the brother of the driver used the truck to carry a cask of molasses from the railway station, and also to trail a wood cutter. This did not take place in working hours.

A Peculiar Situation. Very full testimony was produced in the matter of the cheque that certain persons named were on the pay sheet who had never worked on the road under Supervisor P. J. McNally. It was sought to prove that Louis Degrae, Louis Jule Robichaud and Alphonse G. Robichaud were on the payroll for sums of money and that they had never worked on the Barron road (so called), and that the province had been defrauded as no value was given.

Louis Jule Robichaud swore that while he had never worked on the road he received cheques for the hire of his horse and cart, and for his son who drove his horse. In the case of Louis Degrae it was proved that while he did not work on the road his horse, cart, and two hired men who drove his horse, worked during July and August, for which he received payment. In the case of Alphonse G. Robichaud it was also proved that his two horses were employed on the road two drivers, for which he also received payment. The same principle applied to all persons who hired their horses with drivers.

As the principle of making payment direct to owners of horses and not their drivers prevails on all contracts as well as on all work under government control, I do not find that any wrong was done, nor was there any evidence of an attempt at padding the pay sheets. In each instance of this kind I found that the province received full value.

The Earth Incident. It was also alleged that horses and men employed on the roads by Supervisor Gervais M. Hebert were used to haul earth on to the property of John Robichaud, M. L. A., and on the property of his brother, Patrick G. Robichaud, thus using horses and men paid for by the government for the benefit of these two persons.

The evidence touching this charge was very explicit. It was proved by Supervisor Hebert that the material dumped on these two properties was muck and soft wet earth from the road ditch and that, acting under the direction of District Engineer Theriault, he had to find a dumping place for this material as he was instructed both verbally and in writing not to put such material on the road. His assistant for and obtained the consent of Messrs. Robichaud to use their land as a dumping ground which gave a haul of only about twenty-five yards, whereas as if he had not been able to obtain such permission, the teams would have had to haul this material some 600 yards to another dumping ground. I find that by so acting the supervisor saved an extra expense to the province of a considerable sum as, by using the property of Mr. Robichaud, M. L. A., as a dumping ground, he avoided making a long detour to procure gravel for this road which they obtained on Mr. Robichaud's lands without cost to the province.

Charges Against an M. L. A. It was further alleged that to secure work on the Barron road it was necessary that the men should promise to deal at the store owned by J. G. Robichaud, M. L. A. The only evidence produced touching this charge was that of Agapit Mallet, who swore that he "asked John G. Robichaud for work on the road," and the told me at first that there was enough work for you on your way on the road?" the witness answered, "No." This witness swore that after Mr. Robichaud told him there was enough work on the road he went to Supervisor McNally who gave him work and "He told me that I would take goods out of Mr. Robichaud's store." This latter statement was contradicted by Supervisor McNally.

The statement made by Mallet that he has never asked by Mr. Robichaud to take goods out of his store for the benefit of his work on the road, and the denial of the supervisor are sufficient proof to my mind that there was no foundation for this charge.

Member Got Workmen's Cheques. It was further alleged that cheques for the workmen reached J. G. Robichaud, M. L. A., through some channel other than the proper one, so that he could have control of them for the payment of goods bought at his store by these workmen. No evidence was produced that could substantiate such a charge, but it was shown that two of the workmen, Agapit Mallet and Albert T. Duguay, gave orders to Mr. Robichaud to obtain their mail from the post office with authority in one case, to endorse the cheque and keep the same in payment for goods purchased. It was admitted that he owed Mr. Robichaud \$70 or \$75 and that, notwithstanding this, Mr. Robichaud cashed his last cheque and gave him a part of it to help him along.

Worked in Hayfield. It was alleged that in the month of August Supervisor McNally had two men employed on the road whose names appeared on the pay sheet while they were working in his hayfield. Agapit Mallet swore that on August 14th and 15th McNally sent him and Dazle Savoie to work in his hayfield. They worked a day and a half. Examination of the time book showed that these two men were marked as working on the road on the two days named by the witness.

Dazle Savoie testified that he did work in McNally's field but could not tell what date. He worked the same time as Mallet, and McNally paid him in cash for this work.

Supervisor McNally testified it was not the 14th and 15th of August that these men worked in his hayfield, but the 23rd and 24th of August and for the time worked on those dates these men were not marked in the time book. An examination of the time book showed that their names were not down for those days.

He also testified that he paid both Mallet and Savoie in cash, and the department of public works did not pay for the time these men worked in his field.

A "Pig" Story. Agapit Mallet testified that McNally did not pay him for working in his field, but that the money he gave him the day after this work was done, was to buy a pig for him, and that he had only paid him for working in his field about ten days before this investigation was opened.

Supervisor McNally swore the statement of this witness was "false," that he never offered him money to buy a pig, and that he never paid him for working in his field only ten days before the opening of the investigation, that he paid him for this work in cash, the day after the work was done, and that the payment was given him on the Barron road.

In corroboration of the testimony given by McNally on this point, Alex. Savoie swore that he was present on the road and heard the conversation between McNally and Mallet about the work the latter did in his hayfield. He asked Mallet how much he charged for working at his hayfield and he said it ought to be worth the same as working on the Barron. Mr. McNally claimed it was not worth more than \$1.50 a day, as he boarded Mallet, and Mallet was receiving \$2 on the road, and had to board himself. He told McNally to give him \$1.50 a day. Witness saw McNally give Mallet a \$2 bill. He added that he would give him the balance when he had change.

Mr. Veniot says: "In the face of the direct contradiction of Supervisor McNally, corroborated by Alex. Savoie's testimony, I am forced to find that Mallet is either sadly mistaken, or that his evidence is at variance with the truth. I also find that these men worked in his hayfield on days for which they are not credited in the time book."

The Merry Berry Pickers. It was further alleged that Supervisor McNally allowed, or ordered, two men, Agapit Mallet and Alex. Savoie, to pick berries in the Barron for him, and that during that time their names were on the time book and the province paid them for working on the road.

Agapit Mallet swore he was sent to pick berries by Supervisor McNally; that he picked two half days, and picked about six quarts, which he gave him, and that Alex. Savoie was with him.

Alex. Savoie swore that he and Mallet on two or three occasions, while working at a distance from the other men, and where the Supervisor could not see them, left their work and picked for a few hours. McNally did not ask them to go so. He did not see Mallet give berries to McNally. Supervisor McNally swore Mallet never was told by him to go and pick berries, and that Mallet never gave him any berries. He did not know they had left work to pick berries. They could do so without his knowledge, because at times he was over a half mile from them looking after other part of the work.

It will be seen by the evidence that this is the second time the witness, Agapit Mallet, has been contradicted by two other witnesses. And here again, I must conclude that the evidence given by him cannot be accepted as reliable.

A "Fishy" Explanation. It was further alleged that Supervisor McNally was on pay lists for full time in some months, when he was absent from the work.

The supervisor testified that July 20th, he was absent a part of the day on a visit to Caraque, and on one other occasion he lost one full day from work and also his horse was off work half a day on account of illness but he did not take these days off the time book as he worked three days in May preparing for the work and had never put his time, he felt he was entitled to these two days on that account.

While there does not seem to have been any intention on the part of the supervisor to defraud the province yet, his action was quite irregular. He should have charged in the regular way for the work performed in May and deducted from time book the two days lost. Such irregularities if permitted to continue may lead to abuses.

A \$5 Per Day Team. It was brought out in evidence that Supervisor McNally, in September, had his horse hauling brush at \$3.00 a day and also had a man loading and unloading the brush and driving the horse at \$2.00, making \$5.00 per day for horse and driver.

Several witnesses testified that they had given up this work on account of the difficulty and hardship encountered in obtaining this brush in the woods where there was no road, and had told the supervisor they could not do this work unless paid \$5.00 or more per day.

The supervisor testified that he only allowed his horse to be used at this work because no other could be had and he felt the charge of \$3.00 per day, besides the wages for the man was not too high.

The supervisor under the circumstances should have explicitly stated in his pay sheet that there was separate wages paid the man who loaded the brush and drove the horse; not having done so, his action tended to work against the officials of the department and for this he is certainly to be blamed, but at the same time I am not convinced that there was any intention on his part to defraud the Department of Public Works and write the charges may appear large I feel that, taking into consideration the extreme difficulties surrounding the work of obtaining this brush, no one could be expected to do this work for less pay.

Children Drew Men's Pay. The allegation was also made that young boys, 8 years old, were employed driving horses. While the evidence showed that the name of Arthur M. Chasson, aged 10 years, was on Supervisor Hebert's pay sheet his father swore that he did not drive any horse, but that the horse was driven by him (the father), and that when the supervisor told him he had put the boy's name on the list he said to leave it there. The father received the pay in the name of the boy.

The name of Alain V. Robichaud was on the pay sheet of Supervisor McNally, and the evidence showed that the boy's father had two horses on the work, one driven by a hired man. When the pay sheet was made up, he instructed the supervisor to put down the name of Alain V. Robichaud, his son, as the driver, because he did not want the cheque for the second horse in the name of the man who had driven him. The boy had been driving a horse.

There certainly was an irregularity in entering the names of the drivers in the time book, but the fraud was attempted, and none perpetrated, I cannot but find that both supervisors, Hebert and McNally, acted carelessly, and that the names of the drivers without relying upon the work of the owners of the horses. I also find that there was a fraud on the money paid in both cases.

Defends Child Labor. In two or three instances, the evidence showed that boys ranging in age from 11 to 14, acted as drivers of horses, owned by their fathers. It was contended that the usual amount of \$3 per day for horse, cart and driver, should not have been paid, as the boys were not worth as much as a man driver. I do not agree with such a contention. It was shown in evidence that there were sufficient men in the gravel pit to load each cart in three to four minutes, the coming and going of the teams being so arranged that at no time were any of the shovellers in the pit idle, so the drivers were not required to help in loading. And as it is the practice where such a large number of horses are employed that sufficient men are put in the pit to keep the teams constantly moving, the drivers do not have the time to help load their carts.

In such a case, a boy, able to drive and take care of a horse, is just as valuable for that purpose as a man. I cannot see that the work suffered any by this method, or that the province did not get value for the money paid in these cases.

The persons making the charges having contended that the names of the drivers of horses, when they are not proprietors, should be placed on the pay sheet, and the cheques for the hire of horses, etc. be made out in their names, I beg to submit that such a course would entail a good deal of risk on the part of owners of horses, and especially where several different drivers are employed during the progress of the work to drive the same horse at different periods. After looking very carefully into this phase of the question I have come to the conclusion, that where parties are employed to drive a horse, by the proprietor, the name of such proprietor should be placed in the time book and on the pay sheet, as well as the name of driver, but the cheque for the team and driver be forwarded to the proprietor in his own name.

As far as I can ascertain this is the practice in all cases where teams are hired and under the care of drivers, and I see no reason why the Department of Public Works should do otherwise.

The allegation that Alphonse G. Robichaud had been off work as the driver of a truck, one or two days and received pay for the same, was admitted, but the truck was driven by a brother, who received no pay for this work.

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FLOUR MILLS CLOSE. Calgary, July 11.—The great four mills of Calgary, together with all the mills grinding wheat within the dominion, are to be closed for the greater portion of August and possibly until the new crop comes in. The Robb hood mill of this city may close in the next week and the Western Canada mill some time before the first of the month.



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