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APPENDIX

TO THE

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OF THE

JOURNALS OF THE HOUSE OF COMMONS

DOMINION OF CANADA

SESSION 1899



OTTAWA

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# APPENDIX

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## LIST OF APPENDICES, 1899

- No. 1.—REPORT of the Select Standing Committee on Public Accounts in reference to the following matters : Manitoba Election Frauds ; Cameron Lake (Trent Canal) Flooded Lands ; Case of W. J. Christie ; Payments to Col. Donville ; Expenses of Chief Engineer of Public Works ; Fishing Bounties in Prince Edward Island. *Printed herein.*
- No. 2.—REPORTS of the Select Standing Committee on Privileges and Elections relative to the West Huron Election. *Printed herein.*
- No. 3.—REPORT of the Select Standing Committee on Agriculture and Colonization. *Printed herein.*



APPENDIX No. I.

COMMITTEE ROOM,

OTTAWA, TUESDAY, 8th August, 1899.

The Select Standing Committee on Public Accounts, having had under their consideration the matters hereinafter set out, beg leave to present the following, as their sixth report:—

MANITOBA ELECTION FRAUDS.

1. The committee have had under further consideration the payment of \$10,964 to Archibald & Howell, J. Cameron and W. E. Perdue, for legal services and expenses in connection with prosecutions for election frauds in Manitoba, set forth in the report of the Auditor General for the year ending 30th June, 1897.

Witnesses were examined during the last preceding session of parliament in connection therewith, and the evidence reported. Further evidence has now been taken, and, upon consideration of the whole matter, the committee beg to report:

That Mr. Sifton, then Attorney General of Manitoba, on the 17th July, 1896, wrote to the Prime Minister, stating that he had evidence in his possession of an organized system of tampering with ballots at the Dominion general election in 1896, and requested that the expenses of securing further evidence and prosecuting the persons guilty of such offences should be borne by the federal government;

That the Prime Minister, after consultation with the Minister of Justice, Sir Oliver Mowat, and other members of the government, wrote to Mr. Sifton in reply, under date of the 24th July, 1896, agreeing, on behalf of the government, to furnish the necessary funds for the services referred to;

That the Attorney General of Manitoba placed the work of securing the necessary evidence and conducting the prosecutions for the offences referred to, in the hands of H. M. Howell, Q.C., who had been for many years the standing counsel of the Manitoba government in important Crown prosecutions, and Mr. Howell had entire charge thereof, and, upon the conclusion thereof, furnished the accounts and vouchers for disbursements, fees and expenses in connection therewith;

That the sums of \$3,000 and \$1,000 were paid to Mr. Howell, and the sum of \$6,964.41 was, upon the report of Sir Oliver Mowat, directed to be paid to the Minister of the Interior. The said last-mentioned sum of \$6,964.41 was deposited by the Finance Minister to the credit of the Minister of the Interior in special account, and was by him paid out by two cheques to retire drafts made upon him for accounts in connection with the said prosecutions. The said accounts had been certified by Mr. Howell to be correct, and the Minister of the Interior, upon Mr. Howell's certificate, accepted and paid the said drafts;

That, subsequently, the whole of the accounts and vouchers were submitted to the Department of Justice, taxed by said department at the sum of \$12,906.40;

That the officers of the Department of Justice have been examined as to the taxation of the said accounts, and such examination shows that the fees allowed were reasonable and upon a scale which was not higher than that usually allowed by the department in cases where similar work has been performed;

That the book-keeper of Mr. Howell has been examined, and produced his vouchers, and satisfactorily accounted for the disbursements charged;

That the said sum of \$10,964.41, paid by the government of Canada, has been fully and satisfactorily accounted for, and there remains, over and above the said

amounts, a balance in respect of the said accounts, amounting to \$1,941.99, which has not been paid by the government of Canada, but which would be payable by the government, if demanded, in pursuance of the terms of the letter of the Prime Minister above quoted;

That the said prosecutions resulted in the conviction of one Saunders, a duly appointed deputy returning officer, of the offence of illegally substituting ballots at a poll held in the electoral district of Macdonald, in the general elections, in the month of June, 1896;

That the evidence laid before the committee conclusively proves that there was an organized system of tampering with the ballots in the said election in the said district;

That, in the opinion of your committee, the circumstances referred to amply justified the expenditure of the sums disbursed by the government, and the government was acting in the public interests in the course which it has pursued in regard thereto.

#### CAMERON LAKE CLAIMS FOR DAMAGES FOR FLOODED LANDS.

2. The committee having had under its consideration accounts for legal services rendered in connection with claims for damages arising from the flooding of lands around Cameron Lake, along course of Trent Valley Canal;

Charges having been made by Mr. Hughes, M.P., that R. J. McLaughlin, of Lindsay, extracted from the farmers around Cameron Lake 20 per cent of the sums paid them for damages to their land through flooding, such sums being out of the treasury of the Dominion of Canada, and, in addition to the above sum, had been paid his legal fees for his connection with the settlement of these claims; and further, that he canvassed the parties having these claims, and, on account of being the political candidate in support of the present government at the last general election, he used his political influence to hold up the parties having claims aforesaid, for the purpose of extracting from them the 20 per cent aforesaid; and further, that Mr. McLaughlin endeavoured to buldoze and persuade the valuator to force the price up to a point 20 per cent in excess of the actual damage sustained: And, in connection therewith, have examined witnesses under oath, and the evidence reported; and, upon consideration of the whole matter, the committee beg to report:

That the charges were entirely without foundation, and in no wise sustained by the evidence.

#### CASE OF W. J. CHRISTIE.

3. The committee having had under its consideration the dismissal of W. J. Christie, lately an officer in the Inland Revenue Department, at Winnipeg, beg leave to report as follows:—

That the Minister of Inland Revenue was justified in recommending the dismissal of Mr. W. J. Christie, after the receipt of his letter of the 25th June, 1898, addressed by him to the said minister;

And further, that Mr. W. J. Christie has failed to prove the charges preferred by him against two of the officers of the Inland Revenue Department, at Winnipeg, Messrs. C. S. Gosnell and W. W. Watson, and said W. J. Christie has illegally appropriated the sum of \$25, money belonging to the Dominion of Canada, and has failed to return the same;

That, in view of all the facts and circumstances, and the ability and previous good conduct, the Minister of Inland Revenue was justified in the action taken by him, in connection with the removal of Mr. Costigan, and giving him another chance, as he had done with seven or eight other officers in his department.

# Public Accounts Committee.

## PAYMENTS TO COLONEL DOMVILLE.

4. The committee having had under further consideration the payment of \$300 to Col. Domville, for J. Milton Barnes, beg leave to report as follows:—

That there is nothing in the evidence that reflects upon Col. Domville, either as an officer or a gentleman, or which conflicts with his duties as a member of parliament.

## TRIPS OF CHIEF ENGINEER OF PUBLIC WORKS.

5. The committee, having had under consideration the papers respecting trips of chief engineer of Public Works Department to Yukon and to England, report as follows:—

That the trip of the said chief engineer to Yukon was on government business, and was paid for by the government; and that the trip to England was made by said chief engineer during leave of absence granted, and his expenses on said trip were not paid by the government.

## FISHING BOUNTIES IN PRINCE EDWARD ISLAND.

6. The committee having had under consideration payment of fishing bounties in Prince Edward Island, report as follows:—

That the only evidence submitted to committee was as to rules of department governing distribution of said bounties.

All which is respectfully submitted, together with the minutes of evidence, all the exhibits, and the minutes of the proceedings of the committee on the said sixth report.

D. C. FRASER,  
Chairman.

## MINUTES OF PROCEEDINGS

## HAD ON THE SIXTH REPORT OF THE COMMITTEE.

COMMITTEE ROOM,

THURSDAY, 3rd August, 1899.

The committee met.

PRESENT:—Mr. Fraser (Guysboro'), in the chair; Messrs. Britton, Clancy, Cochrane, Cowan, Domville, Fielding, Flint, Foster, Frost, Holmes, Hughes, Landerkin Macdonald (Huron), Macdonell, McCarthy, McCleary, McGregor, McIsaac, McMullen, Mulock, Oliver, Rinfret, Somerville, Sutherland, Taylor, and Wood.

The chairman having declared all the inquiries closed,

Mr. Foster moved, That the evidence taken and the exhibits filed in connection with each inquiry before the committee, be reported to the House.

Mr. Cowan moved an amendment thereto, That the following draft report (which he read) be submitted to the House as the report of the committee.

After debate,

The said motion and amendment thereto were, with leave of the committee, withdrawn.

Mr. Sutherland moved, That a sub-committee of five members be appointed to draft a report to be submitted to the standing committee for consideration;

Said sub-committee to consist of Messrs. Clancy, Cowan, Flint, Wallace, and the mover.

Motion agreed to.

Committee then again adjourned to the call of the chair.

COMMITTEE ROOM,

MONDAY, 7th August, 1899.

The committee met.

PRESENT:—Mr. Fraser (Guysboro'), in the chair; Messrs. Bergeron, Campbell, Clancy, Costigan, Cowan, Domville, Fielding, Flint, Foster, Haggart, Holmes, Johnston, Landerkin, Macdonell, McCarthy, McClure, McGregor, McIsaac, McMullen, Oliver, Paterson, Rinfret, Somerville, Sproule, Sutherland, Wallace, Wilson, and Wood.

Mr. Cowan, from the sub-committee appointed to draft a report for the consideration of the committee, moved, seconded by Mr. Landerkin, That the following report be adopted as the report of this committee:—(For this report see the sixth report of this committee, prefixed hereto.)

## Public Accounts Committee.

Mr. Wallace moved, in amendment thereto, seconded by Mr. Clancy, That the said report be not adopted, but that the following be reported to the House as the report of this committee:—

### CASE OF MR. W. J. CHRISTIE.

The following facts were proved before your committee by uncontradicted evidence:—

1st. On the 27th January, 1897, Mr. H. A. Costigan, then collector of Inland Revenue at Winnipeg, received from the messenger of the office, Girard, a registered letter, containing a remittance of \$93.20 from the Inland Revenue officer at Virden, for which he initialled his receipt in the registered letter receipt book, kept in the office for that purpose. On the same day, Mr. Costigan left the office, without accounting for or paying over any of the money so received, and he remained absent until the 15th day of February. In the meantime, he denied having received this money, and abstracted from the office the messenger's receipt book, which contained the evidence that he had received it.

This book was eventually recovered from Mr. Costigan by Mr. W. J. Christie, the deputy collector, at the General Hospital, in Winnipeg. During his absence from the office, Mr. Costigan indulged to excess in intoxicating liquors. The sum of \$93.20 was repaid to the department by Mr. Costigan about the 15th or 16th of February, 1898.

2nd. About the 30th of July, 1897, Mr. Costigan left his office, without leave, and remained absent until the 21st of September, 1897. During the greater part of this time his whereabouts was unknown, and he was not in communication with the department or its officers. It is alleged, in his defence, that during this period, or some portion thereof, he was again indulging in the excessive use of intoxicating liquor. Before leaving, on this occasion, he received, as collector, two sums of \$20 each for license fees for excise bonding warehouse. These sums were not accounted for or paid over by him until after his return, in September. Mr. Costigan, in a letter to the department, claimed that on this occasion he was absent in the United States on official business. No satisfactory evidence was produced before the committee in support of that statement, and Mr. Costigan did not offer himself as a witness. About 17th September, 1897, a letter was received in Winnipeg from him, stating that he was then working on a farm, and with a threshing gang, at Grand Forks, on the Northern Pacific Railway, and that he would return to Winnipeg, if his position was all right, and if his friends would make up enough to meet his shortage.

3rd. On the 27th November, 1897, Mr. Costigan received, as collector, a cheque for \$209.64 from the city of Winnipeg for two drums of methylated spirits. Instead of depositing it in the Merchants Bank of Canada for account of the Receiver General, as he should have done, Mr. Costigan endorsed and cashed the cheque, and used the proceeds for his own purpose. He absented himself from his office, without leave, from the 27th of November, 1897, until the 21st day of December, 1897. During this period his whereabouts was unknown, although every effort was made to locate him. The sum of \$209.64, appropriated to his own use by Mr. Costigan, was made good to the department by his friends on the 29th December, 1897.

4th. On the 18th December, 1897, the minister suspended Mr. Costigan, and he remained suspended until the 1st April, 1898, when he was appointed collector of Inland Revenue at Ottawa, in place of Mr. Battle, who was superannuated.

5th. The minister also appointed the collector at Calgary to be collector at Winnipeg, and appointed Mr. W. J. Christie, the deputy collector at Winnipeg, to be collector at Calgary, and appointed a Liberal worker, by the name of Watson, to be deputy collector at Winnipeg.

6th. Mr. Christie was a very able, faithful and efficient officer, possessing great technical knowledge, against whom there had not been a bad mark in eighteen years of service.

7th. Mr. Watson, the present deputy collector at Winnipeg, was appointed at the age of fifty-five, solely for political considerations. He had no experience whatever; he possesses no technical knowledge or skill, and he is quite incompetent to protect the revenue in the numerous cases in which such knowledge and skill are necessary.

The committee are of opinion:

1. That the transfer of Mr. W. J. Christie from the deputy collectorship of Winnipeg to the collectorship at Calgary was not really promotion, and was not in the public interest, and that no reasonable excuse existed for the transfer;

2. That the appointment to the deputy collectorship at Winnipeg of Mr. Watson, who did not possess, in the slightest degree, the necessary experience or technical knowledge, was made solely for political considerations, and without a due regard to the public interest;

3. That it was not in the public interest that Mr. Costigan, after being suspended, should have been appointed collector at Ottawa, without a thorough investigation into the circumstances under which, on three occasions within a period of eleven months, he absented himself, without leave, from his duties for three months and upwards, and appropriated to his own use moneys of the Crown, amounting in all to \$342.84, besides being guilty of grave irregularities in connection with cheques forwarded to him on account of contingencies.

As to the seizure on the information furnished by Mr. Davis, it has been suggested that Mr. Christie's action in retaining the sum of \$25, paid to him by Mr. Costigan, was blameworthy, and that this sum was intended for the informer. It was proved, and not contradicted, that the informer told Mr. Christie, through whom the information had been communicated to the department, that he did not wish to receive the money. Mr. Costigan told Mr. Christie to do what he liked with this sum of \$25, which was paid to Christie by Costigan's personal cheque; and Costigan himself retained for his own use, out of the money received for the informer, a sum which appears to have been larger than that which Christie received.

PAYMENTS TO COLONEL DOMVILLE.

It appears from the evidence:

1. That on June 1st, 1897, Jas. Domville, M.P., presented the following bill:—

HAMPTON, KING'S Co., 31st May, 1897.

The Department of Militia and Defence,  
Canada.

To J. MILTON BARNES, Dr.

|                                                          |          |
|----------------------------------------------------------|----------|
| March, 1893,—To one year's rent of hall, for armoury.... | \$ 60 00 |
| “ 1894 “ “ “ .....                                       | 60 00    |
| “ 1895 “ “ “ .....                                       | 60 00    |
| “ 1896 “ “ “ .....                                       | 60 00    |
| “ 1897 “ “ “ .....                                       | 60 00    |
|                                                          | \$300 00 |

to the Deputy Minister of Militia, and demanded payment. The deputy refused to pay, on the ground that the bill was not authorized by any department, and not certified. Shortly after, the bill was brought back to the deputy with the crosswriting, “Correct. R. J. C.,” and, considering this to be the authorized signature of the acting minister, Sir Richard Cartwright, the deputy issued the following cheque:—

## Public Accounts Committee.

### OFFICIAL CHEQUE, CANADA.

\$300.00.

Pay to Lt.-Col. Domville, for J. Milton Barnes, Hampton, N.B., or order, the sum of three hundred dollars, being for rent of armoury for 8th Hussars from March, 1892, to March, 1897, and charge the same to this department.

C. EUG. PANET, Col.,

Deputy Minister of Militia and Defence.

C. HERBERT O'MEARA,

Accountant.

To the Bank of Montreal, Ottawa.

and received therefor the following receipt:—

\$300.

CERTIFICATE No. 244A.

Received from the Department of Militia and Defence the sum of three hundred dollars, being the amount due for rent of armoury for 8th Hussars from March, '92, to March, '97 (five years), as per account hereto annexed.

Dated at Ottawa, this 2nd day of June, 1897.

JAMES DOMVILLE, Lt.-Col.,

Commanding 8th Hussars.

On the 3rd June, this cheque, endorsed solely by James Domville, was cashed at the Bank of Montreal, and this money was never paid to J. Milton Barnes, and was retained and used by James Domville, M.P.

2. That the captains of the troops of the 8th Hussars had formerly been the custodians and caretakers of the arms of their own troops, and for storage and care of them each of them had received \$60 per year, as a regimental allowance. For certain reasons, a change was made about the year 1890, and thereafter the arms, &c., were consigned to the care of an officer, appointed regimentally, who was to store and care for them, and to receive therefor the \$60 formerly allowed to each troop. The first caretaker, under this system, was Major Otty, who, from the time of his appointment to his death, provided storeroom, and cared for the arms, and received \$60 per troop for his services, and no more. After his death, a successor had to be appointed, and on August 29th, 1891, on instructions of the colonel commanding, the following order was issued:—

Regimental orders by Lt.-Col. Domville, commanding 8th Princess Louise, New Brunswick, Regiment of Cavalry:

“ROTHSAY, 29th August, 1891.

“1. Captain Wedderburn, adjutant, is hereby appointed regimental storekeeper, *vice* Major R. W. Otty, storekeeper, deceased; such appointment is to be temporary, pending the appointment of a permanent officer. He will at once take over in charge the arms, accoutrements and equipment of A, B, C, D, E, F, G troops (7), and provide a safe and proper place for keeping them. Attention is called to paragraphs 298, 299, 300, 305, 306, R. & O., 1897.

“2. A board of officers, to be composed of Captain Wedderburn, adjutant and acting storekeeper; Lieut. J. W. Domville, G troop, is hereby appointed. They will take an inventory of the arms, accoutrements, equipment and stores of the regiment, and report in writing on the condition of the same; they will examine the store ledger and note any deficiencies, naming the troop.

\* "3. The acting regimental storekeeper, Captain F. Wedderburn, will issue stores to A, E, F and G troops for the camp to be held at Sussex, 22nd September, 1891, in terms of regimental order dated 28th August, 1891.

"By order,

"F. V. WEDDERBURN,

"Captain and Adjutant."

On March 1, 1892, Major Wedderburn leased from J. Milton Barnes his hall at Hampton, at the rate of \$60 per year, and thereafter kept the arms of the 8th Hussars in this hall, in accordance with the order above mentioned. From time to time, Major Wedderburn paid the stipulated rent to J. Milton Barnes, obtaining his receipts therefor, and on March 11, 1897, the accrued rental had all been paid or satisfactorily arranged for by Mr. Wedderburn. No bill was ever rendered by J. Milton Barnes against the department, and Mr. Barnes had been paid by the lessee, to whom alone he looked.

The bill "A," or one corresponding to it, purporting to be made out by J. Milton Barnes, was not made out by him, and was not authorized or seen by him, but was made out by Major Wedderburn, in the office of Fraser & Wallace, in St. John, on the 31st May, and sent to Jas. Domville, M.P., at Ottawa, in answer to a telegram from said Domville to Wedderburn, as follows:—"Send account at once." On June 1st, a letter was sent to the acting Minister of Militia by Jas. Domville, asking payment of "the claim of J. Milton Barnes for rent of armoury of the 8th Hussars." On June 2nd, the payment of this alleged claim was demanded in person by the said Jas. Domville, was refused by the deputy, was taken to the acting minister, paid by order of the deputy, and cashed on sole endorsement of Jas. Domville, M.P.

On one or two occasions, previously to 1897, Major Wedderburn had, in conjunction with the colonel commanding, endeavoured to obtain from the department a grant for rent of the armoury, over and above the annual allowance for rent of arms lent, but had not succeeded in having the claim recognized. The matter, therefore, followed the general rule, as stated by Major-General Gascoigne in his letter, contained on page 54 of the printed evidence, from which the following is an extract:—

"Where an officer draws the annual allowance for care of arms, the arrangements for a building are left entirely to his responsibility, provided always, that the accommodation is found suitable by the proper officer.

"In this case, I should not have recommended the issue of this cheque in question, as it would have appeared to me to be precluded, under the regulations and orders."

On August 24, 1897, the Auditor General called attention to the irregular nature of the payment, in the following letter:—

AUDITOR GENERAL'S OFFICE, CANADA,

OTTAWA, 24th August, 1897.

The Deputy Minister Militia and Defence.

SIR,—I have to call your attention to cheque No. 244a, charged to military properties, works and buildings, 1896-97.

The account on which payment was made, is as follows:—

31st May, 1897.

Department of Militia and Defence,

Dr. to J. MILTON BARNES, Hampton, N.B.

|                                                          |    |    |    |
|----------------------------------------------------------|----|----|----|
| March, 1893,—To one year's rent of hall, for armoury.... | \$ | 60 | 00 |
| " 1894                                                   | "  | 60 | 00 |
| " 1895                                                   | "  | 60 | 00 |
| " 1896                                                   | "  | 60 | 00 |
| " 1897                                                   | "  | 60 | 00 |

\$300 00

## Public Accounts Committee.

Please send me a statement of the reasons for not paying the rent as it accrued, as well as a certificate by the proper official, that the building was used for the purpose of an armoury.

The cheque by which payment was made, was drawn on 2nd June, in favour of Lieut.-Colonel Domville, for J. Milton Barnes, and cashed by the former at Ottawa on 3rd June, on his sole endorsement, and it does not bear any evidence that Mr. Barnes received the money claimed to be due him. Why was not payment made by your department to the actual creditor?

In this connection, I might point out, that the 8th Hussars have received the annual care of arms allowances for the period of time that the claim of Mr. Barnes for rent covers.

I am, sir, your obedient servant,

J. L. McDOUGALL,

Auditor General.

The department, failing to get any receipt from James Domville, M.P., that Barnes had received this money drawn by him, then requested the Commanding Officer of the 8th Hussars, then Lt.-Col. Markham, to get a receipt for the \$300 paid to James Domville, M.P., on June 2nd; and on November 3rd, 1897, J. Milton Barnes, in compliance with said request, sent us a receipt from Wedderburn for rent of hall, every dollar of which had been paid to him by the lessee, Mr. Wedderburn, before Mr. Domville had presented the unauthorized bill and received the money therefor.

The proper method of procedure for the payment of all such accounts is through the Lt.-Col. Commanding to the District Officer Commanding, through him to the General Officer Commanding, and thence to the Deputy Minister.

Your committee, in view of the evidence, beg to submit: That on May 31st, 1897, the Department of Militia owed nothing to J. Milton Barnes; that the bill purporting to be made out by J. Milton Barnes, dated "Hampton," and signed "31st May, 1897," and presented by Jas. Domville, M.P., was not made out by said Barnes and not authorized by him, but was made out by Major Wedderburn in the office of Fraser & Wallace, St. John, N.B., in response to a telegram from Jas. Domville, M.P., to "send account at once;" that the bill, when presented to the Deputy Minister of Militia, was refused, as unauthorized and out of the regular course; that it was, nevertheless, ordered paid by the acting minister; that instead of being made payable to J. Milton Barnes, the alleged claimant, the cheque was made payable to Jas. Domville for J. Milton Barnes; that this cheque was cashed on the sole endorsement of Jas. Domville and without the endorsement of J. Milton Barnes, and that the money was retained and used by the said Jas. Domville, M.P., and was not paid to J. Milton Barnes.

In the opinion of the committee, the transaction savours of misrepresentation, shows irregularity and carelessness on the part of the department, and is reprehensible to the parties concerned therein.

### RE CAMERON LAKE CLAIMS FOR DAMAGES FOR FLOODED LANDS.

Your committee finds that while the question does not, perhaps, come regularly within the purview of this committee, yet from the evidence of Messrs. R. J. McLaughlin, Geo. Pope, F. D. Moore and S. Hughes, M.P., we find that:

Mr. R. J. McLaughlin, holding the political patronage of the riding, told the farmers that his charge would not exceed 20 per cent (page 63); and again, "each party was to contribute according to what he received, the costs being borne pro rata" (page 69); and that "it would not exceed 20 per cent" (page 69); while Mr. Pope, government valuator, swore (page 76) that "one man complained that the price I was giving him would not allow him to pay Mr. McLaughlin his fee and leave him anything;" and (page 76) he said, "he had agreed to give Mr. McLaughlin 20

per cent." Mr. McLaughlin also billed for 20 per cent of the gross amount from some of the farmers (page 63.).

Mr. R. J. McLaughlin received, as his pro rata share of \$1,895, the sum of \$365 (page 64); that is, the farmers received \$1,530, while Mr. McLaughlin's \$365 forms more than 23 per cent of the amount paid them.

He acted both as government agent and as advocate for the farmers in at least one case, Mr. J. Sackett, while it would appear there was at least one other claim not yet reported to the Auditor General's Office.

Mr. McLaughlin endeavoured to get Mr. Pope to raise the value for damages, he telling Mr. Pope (page 77) that "this is not money enough." Mr. Pope further says (page 76): "I thought he pushed their claims as much as possible." This Mr. Hughes swore (page 69), was regarded by him and some of the others as trying to bulldoze the government servants.

It was proved by Mr. F. D. Moore (page 78) that in about 150 claims in the same locality which he, as agent under the late government, had had, involving tens of thousands of dollars, the farmers altogether, all told, had less than \$20 of fees (page 78); while in the few Cameron Lake claims, involving only \$1,895, in addition to the fees to Messrs. Barron & Steers, government agents, of more than \$700 (page 65), and one case to Mr. McLaughlin \$24.95 more from the government, Mr. McLaughlin took from the farmers, pro rata, \$365 (page 64).

Mr. Pope further testified that he had fixed the amounts for damages without knowing anything about Mr. McLaughlin (page 74), without in any way being influenced by him (page 74), without Mr. McLaughlin in the slightest affecting his judgment (page 75), and without in any way assisting him, except to help the farmers to sign the paper (page 77).

Your committee, therefore, finds:

(1.) That Mr. McLaughlin had the political patronage of the riding of North Victoria. (2.) That he offered his services to at least a number of the claimants for damages at Cameron Lake. (3.) That he was to receive 20 per cent of the sums paid by the government to those claimants. (4.) That he attempted to influence the government valuator, Mr. Pope, to increase the sums that Mr. Pope had arrived at as proper remuneration after fully investigating each case. (5.) That he was interested in having the amounts fixed by Mr. Pope increased, as he would not only receive 20 per cent of the amounts fixed by Mr. Pope as proper remuneration, but would also receive 20 per cent of any further sums that he could induce Mr. Pope to award the claimants. (6.) That most of the cheques payable to the parties appear to have passed to the banks through the legal firm of Messrs. McLaughlin & McDermid, and not directly to the claimants. (7.) We find that Mr. Hughes, under all the circumstances, was fairly justified in calling the attention of the House to this matter in the way he did.

#### ELECTION FRAUDS IN MANITOBA.

Respecting the prosecutions for alleged election frauds in the province of Manitoba, your committee beg to report as follows:—

The instructions to investigate these matters were given by Mr. Sifton to Mr. Howell, a barrister of Winnipeg, on the 26th June, 1896, while Sir Charles Tupper's government were still in power, and Pinkerton's detectives were employed by Mr. Howell in what he calls the work of fishing for evidence, on the 27th June, 1896. Mr. Howell began work at once, and on the 17th July, 1896, Mr. Sifton wrote to the Hon. Mr. Laurier, then Prime Minister, asking that the government of Canada should undertake the work of carrying on the prosecutions. On the 24th July, 1896, the Prime Minister wrote a reply, in which he said: "We will most willingly furnish the necessary funds for the service, in order to carry on the work in which you are engaged." A large number of solicitors and counsel were, therefore, retained, and a large number

## Public Accounts Committee.

of prosecutions were instituted, in none of which, with one exception, was any conviction obtained.

Election petitions were being carried on in Manitoba at the same time against Conservative members of parliament, and your committee are satisfied that the prosecutions were either instituted, or made use of, for the purpose of procuring, if possible, evidence in support of such petitions.

Parliament was not informed, in the subsequent session of 1896, nor in the session of 1897, that the government of Canada had assumed liability for the cost of these prosecutions.

The Department of Justice did not have the usual control of, and supervision over, the services of the solicitors and counsel engaged, and none of the accounts paid were taxed before payment. For example, Mr. W. E. Perdue rendered an account for \$541.15, and drew upon the Minister of the Interior for that amount by draft dated 27th March, 1897. This draft was accepted by the Hon. Mr. Sifton, and fell due on the 30th June, 1897, and was paid in full by Mr. Sifton on the 2nd July, 1897, out of moneys advanced to him by order in council for that purpose out of an amount voted for miscellaneous justice. Mr. Perdue's account was subsequently taxed down to the sum of \$313.15. Accounts amounting to \$17,640.65, as rendered, were taxed down by the officers of the Department of Justice to \$12,906.40, and even for the disbursements very imperfect vouchers were produced in many instances.

The Minister of Justice has stated, over his signature, that the expenses of criminal prosecutions should be borne by the respective provinces, and not by Canada.

The committee are of opinion that the government deserves censure:

1st. For withholding from parliament, during two sessions, all information respecting the undertaking and carrying out these prosecutions.

2nd. For paying any portion of the cost thereof before any vote for the purpose had been obtained.

3rd. For paying the accounts of solicitors and counsel before the same were taxed.

4th. For undertaking, without due inquiry or information, secretly to pay the cost of these prosecutions.

5th. For secretly allowing these prosecutions to be carried on without the usual control and supervision of the officers of the Department of Justice.

6th. For undertaking, without the knowledge of parliament, and without informing parliament at the first opportunity, to pay the cost of prosecutions which, in the ordinary course, should have been borne by the government of Manitoba.

The question being put on the amendment, it was negatived, on division.

And the question being put on the main motion,

Mr. Landerkin moved, That the following words be added to the finding of the sub-committee respecting the case of Mr. W. J. Christie, viz.:—"And said W. J. Christie has illegally appropriated the sum of \$25, money belonging to the Dominion of Canada, and has failed to return the same.

"That in view of all the facts and circumstances, and the ability and previous good conduct, the Minister of Inland Revenue was justified in the action taken by him in connection with the removal of Mr. Costigan, and giving him another chance, as he had done to seven or eight other officers in his department."

The question being put on the amendment of Mr. Landerkin, it was agreed to.

And the question being then put on the main motion, as amended, it was agreed to.

Committee then adjourned until to-morrow at 10 a.m.

## COMMITTEE ROOM,

TUESDAY, 8th August, 1899.

The committee met.

PRESENT:—Mr. Fraser (Guysboro'), in the chair; Messieurs Britton, Campbell, Clancy, Cochrane, Costigan, Cowan, Domville, Fielding, Hughes, Landerkin, Macdonell, McClure, McIsaac, Mulock, Rinfret, Somerville, Sproule, Sutherland, Taylor, Wallace, and Wood.

A statement, showing the approximate cost of the various inquiries held by the committee, was laid on the table.

On motion of Mr. Landerkin, seconded by Mr. McClure, it was

Resolved, That the evidence, all the exhibits, the minutes of the proceedings of the committee had on the sixth report, motions, and the report proposed in amendment by Mr. Wallace to the report proposed by Mr. Cowan, and the statement showing the approximate cost of the various inquiries held by the committee, be submitted to the House with the sixth report of the committee.

Attest,

N. ROBIDOUX,

Clerk of Committee.

STATEMENT showing the approximate cost of inquiry respecting certain prosecutions for election frauds in Manitoba:

1898.

|                                     |          |           |
|-------------------------------------|----------|-----------|
| Reporting evidence.....             | \$300 00 |           |
| Printing of evidence (English)..... | 384 00   |           |
| Witness fees.....                   | 120 00   |           |
|                                     | <hr/>    | \$ 804 00 |

1899.

|                                                            |          |          |
|------------------------------------------------------------|----------|----------|
| Reporting evidence.....                                    | \$160 00 |          |
| Printing evidence (English).....                           | 96 00    |          |
| Witness fees.....                                          | 555 00   |          |
| Papers obtained from Attorney General of<br>Manitoba ..... | 857 64   |          |
|                                                            | <hr/>    | 1,668 64 |

Total.....\$2,472 64

APPROXIMATE cost of inquiry respecting the case of Mr. W. J. Christie, lately an officer in the Inland Revenue Department at Winnipeg.

|                                     |            |
|-------------------------------------|------------|
| Reporting evidence.....             | \$ 240 00  |
| Witness fees.....                   | 600 00     |
| Printing of evidence (English)..... | 214 00     |
|                                     | <hr/>      |
|                                     | \$1,054 00 |

## Public Accounts Committee.

APPROXIMATE cost of inquiry respecting payment of \$300 to Colonel Domville for  
J. Milton Barnes:

1898.

|                                     |          |          |
|-------------------------------------|----------|----------|
| Reporting evidence.....             | \$130 00 |          |
| Printing of evidence (English)..... | 135 00   |          |
| Witnesses' fees.....                | 100 00   |          |
|                                     |          | \$365 00 |

1899.

|                         |         |          |
|-------------------------|---------|----------|
| Reporting evidence..... | \$ 6 30 | 6 30     |
| Total.....              |         | \$371 30 |

APPROXIMATE cost of inquiry respecting "Land and Damage, Trent Canal":

|                         |          |          |
|-------------------------|----------|----------|
| Witnesses' fees.....    | \$ 67 00 |          |
| Reporting evidence..... | 80 00    |          |
|                         |          | \$147 00 |

APPROXIMATE cost of inquiry respecting item: \$9,809, fishing bounty, P.E.I.:

|                         |         |  |
|-------------------------|---------|--|
| Reporting evidence..... | \$12 00 |  |
|-------------------------|---------|--|

APPROXIMATE cost of inquiry respecting trip of the Chief Engineer of the Public  
Works Department to the Yukon and to London:

|                         |        |  |
|-------------------------|--------|--|
| Reporting evidence..... | \$6 00 |  |
|-------------------------|--------|--|

### SUMMARY OF COSTS TO DATE.

|                                                  |            |            |
|--------------------------------------------------|------------|------------|
| Election frauds in Manitoba (1898 and 1899)..... | \$2,472 64 |            |
| Case of W. J. Christie.....                      | 1,054 00   |            |
| Trent Canal.....                                 | 147 00     |            |
| Case of Col. Domville (1898 and 1899).....       | 371 30     |            |
| Fishing bounty.....                              | 12 00      |            |
| Trip of Mr. Coste to the Yukon.....              | 6 00       |            |
|                                                  |            | \$4,062 94 |

August 5th, 1899.

## MINUTES OF PROCEEDINGS

REGARDING THE WITNESSES, RESOLUTIONS, ETC., IN THE MATTER  
OF THE INQUIRY *RE* CERTAIN PROSECUTIONS FOR ELECTION  
FRAUDS IN MANITOBA.

COMMITTEE ROOM,

FRIDAY, 19th May, 1899.

The committee met, Mr. FRASER (Guysboro') in the chair.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That a transcript of the court stenographer's notes of the several trials, including evidence taken at the preliminary investigation in connection with the prosecutions for election frauds in Manitoba, referred to on page 115 of the printed report of the Public Accounts Committee (ninth report, 3rd June, 1898, Appendix No. 2c), be applied for, and procured, and laid before this committee at the earliest possible date; and

That a certified copy of the record at each trial in connection with the prosecution for the election frauds in Manitoba, together with the names of the jurors and a copy of the general panel be requested from the proper authorities, to be laid before this committee at the earliest opportunity; and

That all documents and records, and records showing challenges, both peremptory and for cause, on each trial for alleged election frauds in Manitoba be procured, if possible, from the proper authorities for the use of this committee.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That Mr. Shanks, formerly clerk of Mr. Howell, Q.C., be requested to attend before this committee, and to bring with him all letters, books, papers and documents, relating to the prosecution in Manitoba for election frauds, including the statement book referred to by Mr. Howell on page 27 of the printed evidence (ninth report of this committee, 1898); the ledger referred to on the same page; the blotter referred to on page 29; copies of letters to Pinkerton & Co. in this matter; books showing payments to Freeborn, pages 42-43; vouchers referred to on pages 42-43; copies of letters from Mr. Howell to Mr. Sifton, page 44; other letters and papers referred to on pages 44-45; the separate accounts mentioned on pages 65-66; the other accounts for disbursements referred to on pages 66-67; names of parties to whom witness fees were paid, and amounts to each, page 67; memoranda *re* do., page 67; affidavits referred to on page 75; memo. of expenses referred to on page 87; receipts referred to on page 109.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That the proper officer of the Justice Department be directed to secure for, and produce to, this committee, at its next meeting, the letter of Sir Oliver Mowat referred to on pages 12, 14 and 21 of the printed evidence of the Public Accounts Committee of 1898, ninth report, Appendix No. 2, respecting the prosecution for election frauds in Manitoba.

Sir Charles Hibbert Tupper moved, That His Honour, Sir Oliver Mowat, K.C. M.G., the Lieutenant-Governor of Ontario, be requested to appear before this com-

## Public Accounts Committee.

mittee in connection with the prosecution for election frauds in Manitoba, on a day to be arranged by the chairman of this committee, and convenient for His Honour; and That N. F. Hagel, Q.C., of Vancouver, who was prisoner's counsel in the trials for alleged election frauds in Manitoba, be directed to attend as a witness before this committee.

Ordered, That further consideration of these proposed motions be postponed until the next meeting.

Committee adjourned.

*(Letters and Summons sent by the Clerk of the Committee.)*

OTTAWA, 19th May, 1899.

The Attorney General of Manitoba,  
Winnipeg.

SIR,—I am directed by the Public Accounts Committee of the House of Commons to request that you will cause to be prepared, as soon as possible, and forward to me for their use:

1. A transcript of the court stenographer's notes of the various trials, including evidence taken at the preliminary investigation in connection with the prosecutions for election frauds in Manitoba, referred to on page 115 of the printed evidence taken in 1898 by the committee (a copy of which is sent herewith).

2. That a certified copy of the record at each trial in connection with the prosecution for the election frauds in Manitoba, together with the names of the jurors and a copy of the general panel.

3. All documents and records, and records showing challenges, both peremptory and for cause, on each trial for alleged election frauds in Manitoba.

I am also directed by the chairman to say, that any necessary expense incurred in the preparation of these documents will be paid, on your forwarding vouchers for the same.

I inclose, for your information, a copy of the printed evidence taken in 1898 by the committee.

I have the honour to be, sir, your obedient servant,

N. ROBIDOUX,  
Clerk of Committee.

HOUSE OF COMMONS OF CANADA,

OTTAWA, 19th May, 1899.

### SUMMONS.

To Mr. SHANKS, Clerk,  
Winnipeg, Man.

TAKE NOTICE, that you are summoned and required to appear at Ottawa forthwith, in Committee Room No. 49 of the House of Commons, and give evidence before the Select Standing Committee on Public Accounts, and that you bring with you and then and there produce all letters, books, papers and documents relating to the prosecution in Manitoba for election frauds, including the statement book referred to by Mr. Howell on page 27 of the printed evidence—ninth report of this committee, 1898—(a copy of which is inclosed); the ledger referred to on the same page; the blotter referred to on page 29; copies of letters to Pinkerton & Co. in this matter; books showing payments to Freeborn, pages 42-43; vouchers referred to on pages 42-43; copies of letters from Mr. Howell to Mr. Sifton, page 44; other letters and papers referred to on pages 44-45; the separate accounts mentioned on pages 65-66; the other accounts for disbursements referred to on pages 66-67; names of parties to whom witness fees were paid, and amounts to each, page 67; memoranda *re do.*, page 67;

affidavits referred to on page 75; memo. of expenses referred to on page 87; receipts referred to on page 109; and further, that you do remain in attendance until duly discharged.

By order of the committee.

N. ROBIDOUX,  
Clerk of Committee.

OTTAWA, 20th May, 1899.

The Deputy Minister,  
Department of Justice,  
Ottawa.

SIR,—I am directed to transmit to you an order passed yesterday by the Public Accounts Committee, viz.:

“That the proper officer of the Justice Department be directed to secure for, and produce to, this committee, at its next meeting, the letter of Sir Oliver Mowat referred to on pages 12, 14 and 21 of the printed evidence of the Public Accounts Committee of 1898, ninth report, Appendix No. 2, respecting the prosecution for election frauds in Manitoba.”

The next meeting of the committee will be held next Thursday at 11 a.m.

Your obedient servant,

N. ROBIDOUX,  
Clerk of the Committee.

*(Replies to above.)*

(Telegram.)

WINNIPEG, 29th May, 1899.

Illness in family. Cannot leave for two or three days.

R. H. SHANKS.

(Letter.)

WINNIPEG, 23rd May, 1899.

N. ROBIDOUX, Esq.,  
Clerk, Public Accounts Committee,  
Ottawa, Ont.

SIR,—I beg to acknowledge receipt of yours of the 19th of May, and, in reply, would say, that the material you wish will be furnished as soon as it can be done.

I may say the transcribing of the stenographer's notes will take a considerable time.

I have the honour to be, sir, your obedient servant,

J. W. CAMERON,  
Attorney General.

COMMITTEE ROOM,  
THURSDAY, 25th May, 1899.

The committee met, Hon. Mr. FIELDING in the chair.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That N. F. Hagel, Q.C., of Vancouver, who was prisoner's counsel in the trials for alleged election frauds in Manitoba, be directed to attend as a witness before this committee; and

## Public Accounts Committee.

That Mr. Colin Campbell, Q.C., of Winnipeg, referred to on page 94 of the evidence, in Appendix No. 2c, ninth report of this committee, 1898, be directed to attend before this committee for examination; and

That the Right Honourable Sir Wilfrid Laurier, G.C.M.G., be requested to attend before this committee, for examination respecting prosecutions for election frauds in Manitoba, and to bring with him all papers, letters, books and documents in any way relating to and including the letter of Mr. Sifton of July 17th, 1896, his reply of 24th July, 1896, and the subject of the said correspondence on pages 152 and 153 of the evidence, ninth report of the committee, 1898.

On motion of Mr. Flint, it was

Ordered, That Mr. W. H. Howell, Q.C., of Winnipeg, be subpoenaed in the usual form to appear before this committee, with books, papers, &c., to give evidence in the matter now being inquired of by the committee, viz., the prosecution and in the alleged ballot-box stuffing cases in Manitoba;—the said Howell being a material witness in the matter.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That the secretary of this committee be instructed to take all reasonable steps to secure the attendance before this committee of the witness, J. A. Freeborn, referred to in the ninth report of this committee, respecting the election frauds in Manitoba, at the earliest possible date.

COMMITTEE ROOM,  
FRIDAY, 26th May, 1899.

The committee met, Mr. FLINT in the chair.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That Mr. Gregory Barrett, barrister, &c., of Carberry, be directed to attend before this committee respecting the inquiry into the prosecutions for election frauds in Manitoba.

COMMITTEE ROOM,  
TUESDAY, 30th May, 1899.

The committee met, Mr. FRASER (Guysboro') in the chair.

On motion of Sir Charles Hibbert Tupper, it was

Ordered, That Mr. N. F. Hagel, of Vancouver, and Mr. Colin Campbell, of Winnipeg, be summoned to appear forthwith before the committee.

On motion of Sir Charles Hibbert Tupper, it was

Resolved, That the minutes of proceedings of this committee regarding the witnesses moved for in the matter of the inquiry *re* certain prosecutions for election frauds in Manitoba, be incorporated in the minutes of the evidence.

*(Summonses sent by the Clerk of the Committee.)*

(Telegram.)

To N. F. HAGEL, Q.C., Vancouver.

OTTAWA, 30th May, 1899.

Take notice, that you are hereby summoned and required to appear at Ottawa forthwith, and give evidence before Public Accounts Committee, House of Commons, respecting certain prosecutions for election frauds in Manitoba. Wire, stating when you will likely reach Ottawa.

N. ROBIDOUX,  
Clerk Public Accounts Committee.

HOUSE OF COMMONS,  
OTTAWA, 30th May, 1899.

SUMMONS.

To COLIN CAMPBELL, Esq., Q.C.,

Winnipeg, Man.

TAKE NOTICE, that you are hereby summoned and required to appear at Ottawa forthwith, and give evidence before the Select Standing Committee of the House of Commons of Canada on Public Accounts, respecting certain prosecutions for election frauds in Manitoba, in the House of Commons Committee Room No. 49; and to remain in attendance until duly discharged.

By order of the committee,

N. ROBIDOUX,  
Clerk of Committee.

*(Reply to above.)*

(Telegram.)

VANCOUVER, 30th May, 1899.

Summons received. Will arrange appointments, and wire within day or two when can arrive.

N. F. HAGEL.

COMMITTEE ROOM,

WEDNESDAY, 31st May, 1899.

The committee met, Mr. FRASER (Guysboro') in the chair.

Sir Charles Hibbert Tupper moved, That His Honour, Sir Oliver Mowat, K.C. M.G., the Lieutenant-Governor of Ontario, be requested to appear before this committee, in connection with the prosecution for election frauds in Manitoba, on a day to be arranged by the chairman of this committee, and convenient for His Honour.

Resolved, That further consideration of this proposed motion be postponed until the next meeting.

On motion of Sir Charles Hibbert Tupper, it was

Resolved, That the resolutions moved in the matter of the Manitoba prosecutions, and the letters and telegrams sent, or received, by the chairman or secretary in connection therewith, do form part of the shorthand report of the proceedings.

*(Letter sent by the Chairman.)*

The Right Honourable

Sir WILFRID LAURIER, G.C.M.G., M.P.

OTTAWA, 31st May, 1899.

SIR,—I have the honour to transmit to you the following resolution, passed by the Public Accounts Committee, on Thursday, 25th May, instant :—

## Public Accounts Committee

“That the Right Honourable Sir Wilfrid Laurier, G.C.M.G., be requested to attend before this committee, for examination respecting prosecutions for election frauds in Manitoba, and to bring with him all papers, letters, books and documents in any way relating to, and including, the letter of Mr. Sifton of July 17th, 1896, his reply of 24th July, 1896, and the subject of the said correspondence on pages 152 and 153 of the evidence, ninth report of the committee, 1898.”

The committee desire me to add, that your examination will be proceeded with at the time most suitable to your convenience, and to ask if you will kindly state what date will be most convenient for you to appear before them.

D. C. FRASER,  
Chairman.

COMMITTEE ROOM,  
FRIDAY, 2nd June, 1899.

The committee met, Mr. FRASER (Guysboro') in the chair.

On motion of Sir Charles Hibbert Tupper, it was

Resolved, That the return to an order of the House of Commons dated the 30th March, 1898, for copies of all correspondence, instructions, reports, bills of costs, and accounts, together with a statement of all moneys paid by the Dominion government in connection with the prosecutions arising out of the Dominion general elections of 1896, in the province of Manitoba, be filed as Exhibit 1.

*(Telegrams received.)*

WINNIPEG, 1st June, 1899.

To N. ROBIDOUX,  
Clerk Public Accounts Committee.  
Gosnell and I will arrive in Ottawa Monday next.

J. R. BARRETT.

To N. ROBIDOUX,  
Clerk Public Accounts Committee.  
Will be in Ottawa by 10th or 12th inst.

VANCOUVER, 1st June, 1899.

N. F. HAGEL.

WINNIPEG, 1st June, 1899.

To N. ROBIDOUX,  
Clerk Public Accounts Committee, H. of C.  
Will reach Ottawa on June 5th.

WM. J. TUPPER.

WINNIPEG, 1st June, 1899.

To Sir CHAS. H. TUPPER,  
House of Commons.  
Subpoena for me not yet arrived. If I am to go, have wire sent.

COLIN H. CAMPBELL.

*(Telegram sent by the Clerk of the Committee.)*

OTTAWA, 1st June, 1899.

To COLIN H. CAMPBELL, Q.C.,  
Winnipeg.

Come at once. Summons mailed to you Tuesday last.

N. ROBIDOUX,  
Clerk Public Accounts Committee.

*(Letter received by the Chairman.)*

OTTAWA, 2nd June, 1899.

D. C. FRASER, Esq., M.P.,  
House of Commons, Ottawa.

MY DEAR FRASER,—In answer to your letter of the 31st May last, received yesterday, I beg to say, that I will be at the disposal of the Public Accounts Committee at its next sitting. Please let me know at what date and hour it will take place.

Believe me, yours very sincerely,  
WILFRID LAURIER.

BELLEVILLE, ONT., 9th June, 1899.

Clerk Public Accounts Committee,  
Ottawa.

Will arrive in Ottawa to-morrow morning, and report myself.

N. F. HAGEL.

*(Telegram sent by the Clerk of the Committee.)*

OTTAWA, 21st June, 1899.

To the Attorney General of Manitoba,  
Winnipeg.

Stenographer's notes, asked for in my letter of 19th May last, urgently required. When may Public Accounts Committee expect to have them? Please wire answer.

N. ROBIDOUX,  
Clerk of Committee.

*(Reply to above Telegram.)*

WINNIPEG, MAN., 21st June, 1899.

Mr. ROBIDOUX,  
Clerk Public Accounts Committee.

Stenographer's notes of all assize cases, except second trial Clark, about one thousand pages, will be forwarded to-morrow, together with copies of evidence before magistrates in preliminary trials, and other particulars asked for by your letter, 19th May; evidence second trial Clark will be forwarded not later than Monday next. Stenographers working continuously since notified, and physically impossible to have material prepared sooner.

J. D. CAMERON,  
Attorney General.

COMMITTEE ROOM,

SATURDAY, 29th July, 1899.

The committee met, Mr. FRASER (Guysboro') in the chair.

Mr. Borden (Halifax) stated, that he had received from Sir Hibbert Tupper a letter, in which the latter gentleman asked that Mr. Gregory Barrett, barrister, of Carberry, be summoned to appear and give evidence before the committee.

Resolved, That owing to the late period of the session, Mr. Barrett's examination be dispensed with.

# Public Accounts Committee.

## MINUTES OF EVIDENCE AND PROCEEDINGS

### RESPECTING CERTAIN PROSECUTIONS FOR ELECTION FRAUDS IN THE PROVINCE OF MANITOBA.

COMMITTEE ROOM,

FRIDAY, 19th May, 1899.

The Select Standing Committee on Public Accounts met this morning, Mr. FRASER (Guysboro') in the chair.

On a motion by Sir Charles Hibbert Tupper, that a summons should issue for the attendance of Sir Oliver Mowat, in connection with the prosecutions in the Manitoba election frauds, the Auditor General said: "It will be quite within the recollection of this committee that last year I said, when these papers reached me, there was a private letter from Sir Oliver Mowat to the Minister of the Interior in, and that I handed that letter to Mr. Sifton."

COMMITTEE ROOM,

WEDNESDAY, 31st May, 1899.

The Committee on Public Accounts met this morning, the Chairman, Mr. FRASER, presiding.

Mr. E. L. NEWCOMBE, being called, testified as follows:—

*By Sir Charles Hibbert Tupper :*

Q. Mr. Hodgins was examined in this case last session about a letter from Sir Oliver Mowat to Mr. Sifton, criticising the bills in this Manitoba prosecution matter, and he says in his evidence that he saw one on file, and then later on, speaking from memory, either you or he, perhaps both, intimated that he would look up the files or records to ascertain whether it was possible to find that letter. Do you know whether anything was done since that time?—A. I directed a search to be made for the letter but it was not found.

Mr. FITZPATRICK.—Has not that matter been settled by the statement made by the Auditor General at one of the last meetings to the effect that he took the letter and handed it back to Mr. Sifton?

*By Sir Charles Hibbert Tupper :*

Q. No, that was a private letter and the one referred to by Mr. Hodgins was not. Mr. McDougall said it was marked private.

The AUDITOR GENERAL (Mr. McDougall)—No, I said it was not marked private.

*By Sir Charles Hibbert Tupper:*

Q. Now, there was one other subject here I think you said also on another question—while here I might ask you about that—that you thought if there had been any instructions in this matter from your minister, Sir Oliver Mowat, you would have known of them. In your evidence last session you said: “Q. Can you not say positively that in the year 1896 your department gave no instructions, as official instructions, to incur these items?—A. Well that is my belief. Of course, at that time I was in England.

“Q. In June 1896?—A. Yes, in June, 1896.

“Q. Will you be good enough to ascertain whether there are any instructions, official instructions, in connection with these accounts and bring them to the committee?—A. I will.” Now the point is this: My object is in referring to Newcombe’s evidence of last session. “Will you be good enough to ascertain whether there are any official instructions, and bring them to the committee?” Are you able to say anything about these instructions now, Mr. Newcombe?—A. I think Mr. Hodgins attended after that and gave testimony and he was directed to make a search for any such instructions and he didn’t find any, and I am under the impression that he testified to that here. At all events none were found.

Q. None have been found. When did you last see that letter of Sir Oliver Mowat’s referring to these accounts and criticising them?—A. Well, I cannot say, I haven’t seen it for a long time.

Q. Was it on the file when you saw it, the official file?—A. Yes, it was on the file we had there.

Q. Was its disappearance drawn to your attention, the fact of its disappearance?—A. Mr. Hodgins mentioned it to me after he gave evidence here.

*By Sir Louis Davies:*

Q. Were you present, Mr. Newcombe, at the last meeting of the Public Accounts Committee, when the Auditor General made a statement that the file had been handed to him with this letter on it and he handed it to Mr. Sifton?—A. I do not think so. I was only here once when this matter was proceeding. I came up here once when another matter was on and I was told I would be sent for but I was not sent for.

Q. As a matter of fact, the Auditor General made a statement and said the file was in his hands and he noticed the letter from Sir Oliver Mowat having relation to these accounts and he took it off because it struck him it was a private letter and handed it to Mr. Sifton?—A. I do not think I heard that.

Q. Is that correct Mr. McDougall?

THE AUDITOR GENERAL—I did.

*By Mr. Fitzpatrick:*

Q. It does happen that private letters from ministers get on file occasionally?—A. Yes.

Q. And are taken off?—A. Yes.

Q. That is nothing unusual?—A. Yes.

Q. It happens constantly?—A. Yes.

Witness retired.

SIR CHARLES HIBBERT TUPPER.—I want to call the Auditor General.

AUDITOR GENERAL called.

*By Sir Charles Hibbert Tupper:*

Q. Mr. McDougall, is the letter you saw of Sir Oliver Mowat the letter referred to in Mr. Howell’s letter touching these accounts?—A. I do not know. I do not

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remember the contents of the letter, but I remember he spoke something about the letter.

Q. Do you remember enough about that letter to say whether it is the letter inclosed by Mr. Sifton to Mr. Howell and returned back by Mr. Howell with comments?—A. Well, I do not really recollect the description that Mr. Howell gave of the letter.

Q. Do you remember enough about that letter to explain this or say whether it is this letter? I will read the letter, it is at page 139 of Appendix No. 2 E (of 1898), and is dated Winnipeg, Man., 18th May, 1898, *re* Ballot Box Cases.

“MY DEAR MR. SIFTON,—I was surprised to get your letter of the 12th inclosing letter from Sir Oliver Mowat complaining of Richard & Bradshaw’s bill and also of ours.” Was it that letter?—A. I do not remember anything about Richard & Bradshaw’s letter, but before I go any further—

Q. One moment, please, you are not able to say it is that letter?—A. Not from that description of it.

Q. Perhaps the rest of the letter will help you. “The former is made out on exactly the same rates as all the other bills, and in conformity with a consultation of all—they charged exactly the rates which the Dominion government allow for their case here, exactly the rates charged by Martin & Walker, if Richards & Bradshaw’s bills are excessive, then all the others are the same.” He goes on to answer apparently the criticism of Sir Oliver Mowat as to their bills. Will that assist you at all; are you able to say that is the letter?—A. No, I am not.

Q. Not able to say?—A. Of course, I may as well say to the committee that my opinion has always been that, not only should private letters or information of that kind not remain on the file, but, when I have been asked, as I was some time ago, to give information of a private nature, I am not going to do it. I am not saying whether it is right for me to do this, but I did it in 1891. I am only mentioning that so the committee will know what my position is.

Q. Would you call it a private letter and one that ought to be put off the files if you found a letter from the Minister of Justice to a colleague criticising bills that had been sent to the department for taxation and pointing out how excessive they are, and the letter which would be sent to the party dealing with the department calling their attention again to the excessive charges, would you call a letter of that description, a private letter?—A. I may say this, that if it was a letter, for instance, written by one minister to another minister saying: “My dear Sifton” or whatever it was, I would think that it was; it is *prima facie* evidence that it was private.

Q. Regardless of the contents?—A. Regardless of the contents, except this: If it was to be part of the whole evidence I would feel a little unpleasant to see it taken away to supply evidence that would be supplied in no way else probably. But I really retained very little of anything that was contained in that letter.

Q. But if you put your mind away from the letter itself, of which you remember very little, if you assume that the letter was criticising the bill of Richards & Bradshaw, and H. M. Howell, and that it was written from the Minister of Justice to Mr. Sifton, would you rule that it was a private letter?—A. Yes, of course I would consider it was, on the ground of “My dear Sifton” being to it, or if it was marked “private.” I would say this, that if the Minister of Justice himself was the taxing officer and had taxed something, I would certainly say that I would be sorry to take that off the file even if it were private, but if he did not tax it I would say I did not need to destroy the privacy of it.

Q. You have referred to the beginning of the letter. We will assume that it began “My dear Sir” or “My dear Sifton” and then criticised Richards & Bradshaw’s bill and Howell’s, as exorbitant, and not proper bills to be paid, would you consider that a private letter?—A. On the face of it I would consider it was not in the ordinary course.

Q. These bills you know were sent by these parties to Mr. Sifton to be sent to Sir Oliver Mowat, you know that the correspondence reads that way?—A. I know now, but did not know it before, that Mr. Sifton had been the means of paying these bills, or some of them, with private money.

Q. Did not the correspondence show you that these bills came to Mr. Sifton and from Mr. Sifton to Sir Oliver Mowat? Do you remember the correspondence sufficiently to know that?—A. I certainly knew that Mr. Sifton had apparently a good deal to do with the matter.

*By Mr. Foster :*

Q. Sir Oliver was Minister of Justice, in whose department this should have been undertaken. In proper course he could authorize the prosecutions and tax the bills. But it was another minister who carried the matter through and, for some reason or other, gentlemen in Winnipeg who were carrying on legal processes found it to their interest or deemed it their duty to send their bills to Mr. Sifton to be by him, presumably, forwarded to the proper department, the Minister of Justice's department. Mr. Sifton, we say, forwarded these bills to the taxing department, the head of which, Sir Oliver Mowat, writes to Mr. Sifton as he only could write from the reception of these two accounts and Mr. Sifton wrote to Howell criticising the bills that Mr. Sifton had forwarded; by what process do you say that was a private letter?—A. As far as that is concerned Sir Oliver Mowat never taxed one of those bills.

Q. But his is the taxing department?—A. It is the taxing department, I know, if you view it in that way. So far as certain accounts are concerned they are all determined, as Sir Charles Hibbert Tupper must know, by the clerks, Mr. Newcombe, of course, giving general directions to the clerks.

*By Sir Charles Hibbert Tupper :*

Q. In this very case you can't help knowing that Sir Oliver Mowat did deal with these bills?—A. That is to say Mr. Newcombe probably discussed these things with Sir Oliver but Mr. Newcombe determines the whole rates that are given. Mr. Newcombe determines these rates altogether.

*By Sir Louis Davies :*

Q. We all understand the Minister of Justice can be criticised in Parliament for wrong taxing or insufficient taxing or not taxing at all, but he does not perform the actual work of taxing.

*By Sir Charles Hibbert Tupper :*

Q. But the minister, of course, is responsible for his department, and in this case interfered. But you don't remember that the whole communication between Mr. Howell and Mr. Sifton was as regards these bills? You have forgotten that part of it?—A. I certainly do not charge my mind with all these particulars.

Q. Here are 120 pages of printed evidence; here is a report by Mr. Sifton, inclosing the bills, and discussing particular transactions; here is the correspondence between Mr. Sifton and Mr. Howell in which Mr. Sifton appears, by Mr. Howell's letter, to have inclosed the bills to Sir Oliver Mowat. You have forgotten these things were done in this way?—A. I understand that criticism was made because this business was not done through the Department of Justice. I am not dealing with that but with the case of taxation of costs. The minister has nothing to do with that.

Q. That is not an answer to my question. I am not asking you that. But I am asking if you had forgotten that matter so much that you did not recollect that

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feature of it, that the correspondence was between Mr. Howell and Mr. Sifton and between Mr. Sifton and Sir Oliver Mowat?—A. I did not forget, I remember that.

*By Mr. Borden (Halifax):*

Q. Mr. McDougall, how did this file come to you?—A. It came from the Department of Justice.

Q. To whom did you send it back?—A. I sent it to the House; it was asked for; there was an order of the Public Accounts Committee for it.

Q. The file after coming from the Department of Justice remained in your custody and you took this letter off?—A. Yes.

Q. Did you understand at the time that these bills had come from Mr. Sifton to the Department of Justice?—A. Yes, I think I did.

Q. Well, did you understand that this letter was written by the Minister of Justice, with respect to the amount of these bills?—A. In determining in connection with these accounts—

Q. I am not asking you about the determining of the accounts; I simply ask you whether you know that this letter contained a reference by the Minister of Justice to the amount of these bills?—A. I think I do—yes.

Q. Well, did you understand that Sir Oliver Mowat was writing that as Minister of Justice?—A. I thought he was writing it as a colleague to the Minister of the Interior.

Q. Did you understand he was writing as the Minister of Justice, the head of the department charged with the taxing of these accounts?—A. I thought he was writing as a colleague of Mr. Sifton.

Q. Did you know he was writing as the Minister of Justice?—A. If that is what you mean—as the Minister of Justice—yes.

Q. You understand he is the head of the department charged with taxing accounts?—A. Yes, I do.

Q. Then your ground for considering it private must have been exclusively the informal way in which it commenced?—A. That was a certain part of it.

Q. What else was there?—A. Well, what I thought indicated it was private.

Q. Well, what is that?—A. I decline to state that unless the chairman or committee say I am to do so.

*By Sir Charles Hibbert Tupper:*

Q. You object unless you understand that you have to?—A. I am not objecting at all; I will tell all I know if I am allowed.

*By Mr. Borden:*

Q. I have asked a very plain question, which is as to the ground on which you believe that it was a private letter. You have given one reason, the informal way in which it began—which does not satisfy me—and I ask you what further grounds you have for considering it a private letter?—A. I just tell you all I recollect about the letter. I do not object to saying anything; understand it is not an objection, but I want to go on the same grounds in any case that comes up. I must have the responsibility of doing it fixed and then I will do it. If it is right, as I say, I will do it, but if it is not, I won't. I want general action; it is not because it pleases one or other members of the committee that I should do this. I do not see very well now. I am to keep the privacy of letters. If I say this was private the privacy is real no matter how much or how little; that is how I understand it now.

*By Sir Charles Hibbert Tupper:*

Q. The question is not answered yet?—A. I know, but I do not want to do it unless it is the right thing to do always.

*By Mr. Borden :*

Q. I will put my question again and have the committee rule on it. You have said that one ground on which you considered this letter private was on the ground that it began informally—"My dear Sifton" or "My dear Mr. Sifton." Have you any other ground or reason for believing that letter was a private letter and what was it?

The Solicitor General objected.

*By Sir Louis Davies :*

Q. Mr. McDougall says he does not remember the contents of the letter.

THE AUDITOR GENERAL.—I did not say I did not remember anything in it.

After further discussion by the committee the Auditor General said :—I will try to tell you why I acted in this way. It seems to me, notwithstanding the intelligence displayed in the discussion of this thing, that it is perfectly absurd to expect me to keep off private letters, and to have it then determined afterwards whether certain letters I should have kept off if I acted on a certain principle. I do not receive private letters from ministers often, but when a letter is written "My dear McDougall" I take that to be a private letter, ordinarily. That is my supposition, unless there is something in the letter that would indicate that it was not a private letter.

*By Sir Charles Hibbert Tupper :*

Q. To whom did you return this letter ?—A. To Mr. Sifton. It was a letter to Mr. Sifton, and I thought it was Mr. Sifton's letter.

THE CHAIRMAN.—Sir Oliver Mowat is to be called, the writer of the letter, and Mr. Sifton is here the custodian of the letter. Now, I think it would be very unfair when both can be got at (I am now only deciding in the meantime) that we should ask this man through whose hands the letter passed, and who decided the letter was a private letter, to say what was the contents of the letter.

THE AUDITOR GENERAL.—I have no objection to saying the general nature of the contents.

THE CHAIRMAN.—I think that for the present—I am only deciding for the present—that this witness should not be asked that question, because he would have to give the contents of that letter.

SIR CHARLES HIBBERT TUPPER.—Do you rule it out?

THE CHAIRMAN.—Yes.

SIR CHARLES HIBBERT TUPPER.—I appeal from that decision, and I want it put to the committee, and the names called as to whether that shall be put or your ruling be sustained.

THE CHAIRMAN.—I say I do not think we have arrived at the point where that question should be put. If Mr. McDougall is willing to answer that question, I have no objection.

Sir Louis Davies objected to witness answering question.

The Solicitor General stated his objection in the following form :—I object to any answer being given to this question by the witness which will include a statement of the contents of the letter.

THE CHAIRMAN.—I rule against the question unless the objection is removed, and for this reason, that the question can only be answered by Mr. McDougall giving his impression of the letter by the words or otherwise. When the letter is in Mr. Sifton's hands or a copy in Sir Oliver Mowat's hands that can be got at, that question should not be put now.

THE AUDITOR GENERAL.—I think, Mr. Chairman, without taking too much time I might be allowed to draw attention to this fact—

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SIR CHARLES HIBBERT TUPPER.—I don't think when we are settling here, as members of this committee, whether a question is to be put or not that the witness is to be heard. Mr. McDougall is not here as the Auditor General; he was asked to give evidence.

THE CHAIRMAN.—I have decided that that question is not admissible.

SIR CHARLES HIBBERT TUPPER.—From that I appeal. We press to put that question without conditions.

THE CHAIRMAN.—I wish to state again, and I say that as a matter of law, you cannot go into the question when he was willing to go into the contents of that letter—to say what his judgment of those contents was—without taking the other and better method of getting the letter.

After further argument the Solicitor General withdrew his objection.

The question was again read to the witness as follows:—"You have said that one ground on which you considered this letter private, was on the ground that it began informally—'My dear Sifton,' or 'My dear Mr. Sifton.' Have you any other ground or reason for believing that letter was a private letter, and what was it?"—A. Nothing except the nature of the contents.

*By Sir Charles Hibbert Tupper:*

Q. Was the letter confined to the subject of these bills, the Manitoba bills? Question objected to by Mr. Fitzpatrick.

THE CHAIRMAN.—That is the contents of the letter. I would rule that out. Sir Charles Hibbert Tupper appealed from the ruling of the Chair.

The Chair was sustained on a vote of 13 to 10.

Mr. Borden, of Halifax, asked the ground of the ruling.

THE CHAIRMAN.—On the ground that it is a private letter and this witness while giving his impression might be all wrong when his statement is compared with the original. I rule that the question is inadmissible.

*By Sir Charles Hibbert Tupper:*

Q. What was the informal beginning of this letter?—A. "My dear Sifton" was my recollection of what it was.

Q. How strong are you in your recollection? Will you undertake to say it was "My dear Sifton," not "My dear Mr. Sifton."—A. I will. My recollection is it was "My dear Sifton."

Q. Would you be positive that it was not "My dear Mr. Sifton."—A. As positive as a recollection can be. I saw the letter once, and my recollection was, it was "My dear Sifton."

Q. Are you not any surer than that?—A. No.

Q. Do you remember the day?—A. No.

Q. The month?—A. No.

Q. The year?—A. It was in 1897. The business was going on.

Q. Did you take this personally to Mr. Sifton, this letter?—A. I showed it to Mr. Sifton.

Q. In his office?—A. In my office.

Q. In your office?—A. Yes.

Q. Did he go to see you about it?—A. He came to see me about it.

Q. Were you aware that you received that from the Justice Department and on the Justice file?—A. Yes.

Q. Did you consult that department as to whether you could take the letter off the file?—A. I consulted Mr. Mills, the minister.

Q. Before you saw Mr. Sifton?—A. No, after.

Q. After you had given him the letter?—A. No.

Q. Before?—A. Yes.

Q. You consulted him as to whether you were justified in giving the letter to Mr. Sifton?—A. I consulted him as to the letter.

Q. Did you show Mr. Mills this letter?—A. I think I did.

Q. Mr. Mills was the successor of Sir Oliver Mowat?—A. Yes.

Q. You never consulted Sir Oliver Mowat on the subject?—A. No.

Q. He left the department at that time?—A. Yes.

*By Mr. Foster :*

Q. Was your action on that letter of your own initiative or was it the initiative of Mr. Sifton?—A. Mr. Sifton, when he saw that letter, said "it is my property."

*By Sir Charles Hibbert Tupper :*

Q. How did Mr. Sifton know about it?—A. I brought it to his attention.

*By the Solicitor General :*

Q. One of the employees in the audit office drew attention to this private letter that ought not to be there?—A. He said that letter ought not to be there.

Q. Thereupon you notified Mr. Sifton that the letter was there, and before you gave it up you consulted Mr. Mills?—A. Yes.

Q. Did Mr. Mills agree as to its character?—A. Yes.

Q. And he agreed it was private?—A. Yes.

*By Sir Charles Hibbert Tupper :*

Q. What was the name of your officer who drew your attention to the letter?—  
A. Mr. Kearns.

Q. Was this after the accounts had been audited or before?—A. Practically, as far as we were concerned, it was merely an audit of the Department of Justice.

Q. But they went to your department for the purpose of being examined?—  
A. Yes.

Q. They went there?—A. Certainly.

Q. Had they been examined when this letter was handed back?—A. Yes, they were seen.

Q. It was when this matter was concluded?—A. Yes.

The witness then withdrew.

# Public Accounts Committee.

COMMITTEE ROOM,

TUESDAY, 13th June, 1899.

The committee met, Mr. FRASER (Guysborough) in the chair.

Mr. COLIN CAMPBELL, Q.C., Winnipeg, was called, sworn and testified as follows :—

*By Sir Charles Hibbert Tupper :*

Q. You are a barrister, residing in the city of Winnipeg ?—A. I am.

Q. How long have you been practising at the bar there ?—A. Seventeen and a half years.

Q. You know Mr. Howell ?—A. Yes.

Q. You know him very well ?—A. Quite well.

Q. You were engaged in the election petitions of the Dominion elections in 1896, were you not ?—A. I was the attorney and counsel for the respondent in the Macdonald election.

Q. Who was acting for Mr. Boyd ?—A. I was acting for Mr. Boyd.

Q. Throughout ?—A. Throughout.

Q. Were any other counsel acting for him ?—A. None.

Q. Had Mr. Stewart Tupper anything to do with it ?—A. No.

Q. Do you remember when the trial came on ?—A. I do.

Q. Do you remember the month ?—A. January, 1896.

Q. 1897 ?—A. It was 1897.

Q. What happened at the trial ?—A. Prior to the trial Mr. Howell and I had arranged the terms.

*By Sir Louis Davies :*

Q. Had arranged the terms ; what terms ?

A. The terms upon which the election petition should be disposed of, and we carried out those terms at the trial.

*By Sir Charles Hibbert Tupper :*

Q. Had Mr. Tupper anything to do with the arrangement of these terms ?—A. None whatever.

Q. Were these terms settled by correspondence with Mr. Howell ?—A. After one or two interviews it was settled by letter of mine to Mr. Howell.

Q. Have you that letter ?—A. I have a copy of it.

Q. That's what I mean.

Sir LOUIS DAVIES.—A copy of what ?

*By Sir Charles Hibbert Tupper :*

A copy of that letter you sent to Mr. Howell ?—A. Yes, a copy of the letter.

Q. What is the date of it ?—A. December 26th, 1896.

Q. Would you produce that, please. (Exhibit 3.)

Sir LOUIS DAVIES.—Have you asked for that letter itself ?

Sir CHARLES HIBBERT TUPPER.—No. You're going to call Mr. Howell, I presume, and he has that letter.

Sir Louis Davies objected that the original should be filed, as Mr. Howell might not have received it.

*By Sir Charles Hibbert Tupper :*

Q. Have you no doubt Mr. Howell received that letter ?—A. He got the letter, and he spoke to me afterwards about it, and the terms of that arrangement were carried out.

Q. Mr. Howell seems to have connected Mr. Tupper with this case. Have you any way of accounting for his doing that ?—A. I have no way whatever.

Q. Is Mr. Howell an excitable man in these matters, sometimes ?

Sir Louis Davies objected that it was going to far to ask counsel's opinions on these matters.

Sir CHARLES HIBBERT TUPPER.—Not at all. Here is a man who acted as counsel in the case, and knows all about it, and it is only an act of kindness to try and account for this man's blunders in connecting people's names with the case who had nothing to do with it.

*By Sir Charles Hibbert Tupper :*

Q. When the preliminary objections came on to be heard, who argued them ?—A. I did.

Q. For Mr. Boyd ?—A. For Mr. Boyd.

Q. Where was he ?—A. At Ottawa.

Q. When were these objections heard ?—A. In September, 1896.

Q. And there was an appeal pending from Mr. Justice Killem's decision in that connection, was there not, to the Supreme Court ?—A. To the Supreme Court, which was afterwards heard.

Q. Mr. Justice Killem was one of the justices who tried the case ?—A. He tried the election petition.

Q. And he stayed the judgment on the election petition until after the decision on that appeal ?—A. He did.

Q. Who acted on that appeal as counsel for you ?—A. I was away at the time ; I was not in the country. Mr. Boyd arranged that, I think, at Ottawa.

Q. Do you know who acted there for him ?—A. I cannot say.

Q. In October, 1896, you made a motion similar to the motion that had been made in King and Roche, for the dismissal of the petition, and the court thought it was an abuse of the process of the court ?—A. I did.

Q. And the evidence of the petitioner was taken ?—A. Yes.

Q. When that motion came on to be heard before the full court in 1896, was there an arrangement between Howell and yourself ?—A. Yes.

Q. And that was that the same argument addressed to the court in King and Roche should be applicable to the case of Snider and Boyd ?—A. The same argument.

Q. On that occasion who acted for Boyd ?—A. I acted for him.

Q. Altogether ?—A. Altogether.

Q. The judgment of the court distinguished the case of Boyd's from that of King and Roche ?—A. Yes.

Q. Well, the order for particulars in Snider and Boyd was granted on the 10th of December, wasn't it, now ?—A. Yes.

Q. And was returnable on the 22nd ?—A. Yes.

Q. And the particulars were not filed until late, until a few minutes before the closing of the court on the 22nd of December ?—A. Yes.

Q. Were these particulars published in the *Winnipeg Tribune* ?—A. Yes, the same day.

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Q. Prior to your being served with them?—A. Yes.

Q. And the judgment of the court was given on—?—A. On the 23rd, the day following.

Q. The 23rd of December?—A. Yes.

Q. Now, Mr. Howell was examined in connection with the unseating of Mr. Boyd, and in connection with that petition at one place in his evidence upon which I have been examining you, he seemed to think that Stewart Tupper was acting for Boyd. That you explained to be a mistake?—A. Yes.

Q. In another place he says, page 94 of the printed evidence of last year, as to the person on record, that it was either Willie Tupper or Colin Campbell. Had William Tupper anything to do with the case?—A. Nothing whatever.

Q. Then he says he doesn't remember whether Willie Tupper or Colin Campbell was on record. I wouldn't say which; who was on record?—A. I was on the record.

Q. Then, if you read the evidence farther on in connection with who supplied Howell with evidence after that agreement to unseat Boyd, or has your attention been called to the evidence?—A. It has.

Q. What is the fact in regard to that? Who did supply him with evidence to unseat Boyd?—A. Howell and I arranged it after we got to Portage la Prairie. Our judges had, in the provincial election, ruled that consent of counsel was sufficient to annul the election without any evidence, but they decided, as far as the Dominion elections was concerned, there must be evidence of some one act, and that was arranged after we got to Portage la Prairie.

Q. Was Barrett there?—A. He was not.

Q. Gregory Barrett was not there at all; well, what case was selected?—A. The case of John Munroe, I think.

Q. Now, Mr. Campbell, on page 94 of Mr. Howell's evidence of last year, he refers to you and an article that appeared in the *Tribune*; have you read this account of Mr. Howell's at pages 94 and 95?—A. I have.

Q. Well, I want to ask you a question or two about that. That article in the *Winnipeg Tribune* appeared on the 19th of January; it is so stated there; that is correct, is it not?—A. I think so.

Q. Now, when was your attention called to that?—A. My attention was called either that day or the day following.

Q. That would be the 20th?—A. The 20th.

Q. And what did you do?—A. I had two or three copies of the *Tribune* purchased by my clerk.

Q. For what purpose?—A. In order that I might have, if I desired to proceed upon it, the necessary evidence of publication.

Q. Did you also prepare a notice under the Libel Act?—A. I did, but I never served it.

Q. You have the notice here on the 2nd February, 1897?—A. But I wish to say I did not serve that.

Q. But you prepared a notice anyway on that day—there must be a mistake here; you are referring to an article of 19th January, and the draft notice says the 2nd of February?—A. Excuse me, it is the 20th of January.

Q. On the 20th of January you drafted a notice under the Libel Act for the *Tribune*?—A. Yes.

Q. To be served on the *Tribune* Publishing Co.?—A. I would like to make an explanation, Mr. Tupper. I did not serve it, and I came to the conclusion that, if I saw Mr. Richardson and convinced him that the article was incorrect he would make an investigation; and that night or the night following I saw Mr. Richardson.

Q. That is the member?—A. Yes. I saw him and agreed to investigate and if the article was incorrect he would make a correction.

Q. What connection had he with the *Tribune*?—A. He was proprietor.

Q. What did he say ?—A. He said he would investigate and if it was incorrect he would make the correction.

Q. And did he ?—A. He did so.

Q. Is that item which appeared afterwards in the paper the result of that interview to your belief ?—A. Yes, he told me so.

*By Sir Louis Davies :*

Q. Is the alleged correction in as an exhibit ?—A. It is on page 95 (of evidence of last year).

*By Sir Charles Hibbert Tupper :*

Q. Now, I want to draw your attention to this statement of Mr. Howell's ?—A. Mr. Tupper, if you will allow me, Mr. Richardson explained to me how he came to make the charge.

Q. Well state that ?—A. That it was from information received from the Attorney General.

Q. Who was the Attorney General ?—A. Mr. Cameron—and that he afterwards saw Mr. Cameron and Mr. Howell and then made the correction.

Q. Was the statement in the *Winnipeg Tribune* of January 19th true in fact ?—A. It was absolutely untrue.

Q. Now, I want to draw your attention to a statement of Mr. Howell's on page 94 (of evidence of last year). He says:—

“Mr. Colin Campbell came to my office when these prosecutions were going on and while the election trial was going on and had a conversation with me. It was a conversation between two gentlemen and I am not in the habit of repeating these. After this conversation was had between us I went to the Attorney General, as I felt it my duty to do, and I reported to him what I thought Colin Campbell said, and, I may say, what I have no doubt he said and that was this: ‘If we disqualify Boyd will you stop these prosecutions?’ I thought he said that. I went straight from that conversation and reported it to the Attorney General and the Attorney General told me of course that we could not do that.”

Q. “Do you state on your oath that he said that to you ?—A. I state that I thought he said that.

“Q. I am asking you whether you are going to give us what you thought he said or whether you are willing to take the responsibility of saying that he did say so? Give us his actual language ?—A. It was so extraordinary that I went at once to the Attorney General and that is what I reported to the Attorney General. I supposed it was private conversation between us, and when it got into the newspaper Colin Campbell came to me. He was very much offended, and I was sorry that it had got into the newspaper and I said that I was perhaps mistaken.

“Q. When you said that you were perhaps mistaken was that a sincere statement ?—A. No, it was not. But Mr. Campbell said I was mistaken, and I make mistakes like other people.”

Q. Now, did you say that thing or anything of that character to Mr. Howell ?—A. None whatever; there is no foundation for any such statement by Mr. Howell.

Q. At any time ?—A. At any time, on any occasion, or in any way.

Q. At this time, as a matter of fact, had Mr. Boyd filed a petition in Snider & Boyd, denying personal charges and all knowledge of charges against agents ?—A. He had.

Q. And had you any instructions from Mr. Boyd to the contrary ?—A. None whatever. There was an appeal pending in the Supreme Court.

Q. What did Mr. Howell say to you, as a matter of fact, after the article appeared, I mean after the article of the 19th of January ?—A. I saw him immediately after, either on the night of the 20th or the 21st, and he said he must be mistaken when I

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said there was absolutely nothing of that kind took place between us, and that he would see the Attorney General and see Mr. Richardson and have a correction made.

Q. Did you, as a matter of fact, ever have any conversation with Mr. Howell about these prosecutions for election frauds in Manitoba?—A. None whatever; never discussed it with Mr. Howell.

Q. Had you anything to do with them?—A. None whatever.

Q. When Mr. Howell gave his evidence at Ottawa did you write a letter?—A. I did that day.

Q. Have you that letter with you?—A. I have a copy of it.

Q. To whom did you write?—A. The three newspapers in Winnipeg.

Q. That is last summer when this evidence was given?—A. Yes.

Q. Would you produce a copy of that letter written to the three newspapers when Mr. Howell made the statement?

Sir Louis Davies objected.

Sir CHARLES HIBBERT TUPPER.—To settle the question, I will put the question now and in this form, and then we will have the opinion of the committee or the chairman.

Question objected to by Sir Louis Davies.

Sir CHARLES HIBBERT TUPPER.—The question I put formally and in form and for the purpose of obtaining a ruling is this: I propose to ask this witness—

Sir Louis Davies again objected to the question.

Sir Charles Hibbert Tupper withdrew the question and asked that a note be made of the withdrawal.

*By Sir Charles Hibbert Tupper :*

Q. I ask you whether you wrote this letter to the three Winnipeg papers immediately on learning that Howell had given the evidence he had, to which I have called your attention, at the last session of this House :

### “*Re* MACDONALD ELECTION.

“To the Editor of—:

“DEAR SIR,—I notice by Mr. Howell's evidence, in Ottawa, he says that I approached him and offered, on behalf of Mr. Boyd, that if he would drop the criminal prosecutions that I would consent to Mr. Boyd's disqualification.

“When this statement was made in January, 1897, by the *Tribune*, I at once contradicted the same, and the charge was withdrawn after the *Tribune* had ascertained from myself and Mr. Howell that it was foundationless, and as it is now repeated by Mr. Howell, at a distance of 1,500 miles, I wish to say that no such conversation or offer was ever made by me to Mr. Howell, directly or indirectly, and I give the same an unqualified denial. There is not the semblance of truth in the statements of Mr. Howell. I never had any such instructions from my client, Mr. Boyd. In fact, at the time at which he says the alleged offer was made, Mr. Boyd had pledged his oath in an affidavit that the personal charges in the election petition were untrue, and further that he had no knowledge of any infractions of the Election Act by any of his agents. Kindly publish the above, and oblige,

“Yours truly.”

After further argument.

The CHAIRMAN.—I rule that as the objection is withdrawn by Mr. Sifton I let it in. What I was going to say was that as he put in the public papers, doing it at the time, that could go in but I do not think that the letter could go in.

*By Sir Charles Hibbert Tupper :*

Q. Then what is your answer to the question?—A. I did.

Q. Was it published?—A. It was published in the three Winnipeg papers.

Q. At the time?—A. At the time.

Q. Did you ever see any answer to it, by Mr. Howell, in any of the papers?—A. None ever given.

Q. Mr. Howell, who was prosecuting for the administration of justice in these Manitoba election fraud cases, was the Mr. Howell who was the attorney for the petitioner in the election case?—A. He was.

Q. In your experience in the province of Manitoba, which has been somewhat lengthy, do you remember a similar condition of things where the party prosecuting was the private counsel of parties connected with the prosecution?—A. I do not recollect of any.

Q. In your experience in the province of Manitoba can you call to mind a similar practice as that adopted in these prosecutions of selecting the magistrates for the preliminary hearing?—A. No.

*By the Solicitor General :*

Q. When you speak of selecting magistrates in this way what do you mean?—A. I mean by taking a magistrate say from Brandon to the electoral district of Macdonald and taking a magistrate from Winnipeg to the electoral district of Macdonald.

Q. You mean he took up magistrates because he thought they were inclined to be unfair?—A. I do not.

Q. What do you imply?—A. I do not imply anything unfair.

Q. Do you mean to say there is anything improper in it?—A. I say it was open to question.

Q. Do you say it was improper?—A. It was improper at the time.

Q. Do you swear it was improper?—A. I swear I thought it was improper.

Q. Do you make any comment upon it?—A. No public comment.

Q. Did you call the attention of the Attorney General to the fact?—A. No.

Q. Why?—A. Because the Attorney General seemed to be taking that course.

Q. Do you mean that Mr. Howell acted improperly?—A. No.

Q. What do you mean?—A. I say to my mind it was reprehensible to take magistrates from one district to another district to try men residing there.

*By Mr. Sifton :*

Q. Give me a case where a gentleman, Mr. Campbell, was taken from Brandon to Carberry; who was magistrate at Carberry?—A. There are several; Mr. William Logan is one, and there are others.

Is there a stipendiary there?—A. I do not think so.

Q. Have they experience in important cases?—A. Mr. Logan has.

Q. Are you sure of that?—A. I am pretty sure of it.

Q. Can you tell me of one case that you know Mr. Logan has ever tried?—A. Oh, yes.

Q. What is that?—A. I know of one or two cases he has tried.

Q. At Carberry?—A. At Carberry.

Q. Do you know the reason that was given, Mr. Campbell, why these stipendiary magistrates were taken and sent?—A. I do not know.

Q. You never heard of any reason being given?—A. I do not know.

Q. You never heard of these magistrates being sent because they were experienced and competent men, because, as you know and as all lawyers in Manitoba know, there is great difficulty in getting competent magistrates?—A. No.

*By the Solicitor General :*

Q. These magistrates brought out in that way were known to you?—A. Yes.

Q. They are competent men?—A. Yes.

Q. There is no objection to their character?—A. I never heard of anything.

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Q. Do you imply anything improper in anything they did?—A. I do not, only it gave occasion to have criticism passed.

Q. We won't deal with your opinion. Can you swear to anything these magistrates did that made you criticise them?—A. I can not

Q. The magistrates are under the control of the High Court judges?—A. No, they are appointed by the provincial government.

Q. When appointed are they not exercising their functions under the High Court judges?—A. Not that I know of except in quashing convictions.

Q. But are their proceedings not under them?—A. Not that I know of.

Q. Do you say that the courts have not a supervising power over the magistrates?—A. They never exercise it.

Q. As a matter of law have they not got it?—A. I do not know.

Q. I understood you to say that it is quite unusual for Mr. Howell, he being connected with the election petition, in the subsequent proceedings, to prosecute these men in the criminal court?—A. No, I do not say that at all; at that time it seemed strange for the lawyer prosecuting an election petition to be engaged in carrying on private prosecutions before the magistrates.

Q. Mr. Howell was Crown prosecutor at that time?—A. We have no Crown prosecutor.

Q. He has to act for the Attorney General?—A. Sometimes.

Q. And it would be his business to act in this case?—A. It would be the business of the Attorney General or his representative.

Q. And Mr. Howell being his representative it would not be unusual for him to act?—A. No.

Q. Nor would it be anything unusual for these magistrates to act?—A. It gave rise to considerable talk, and it was even in the newspapers as giving rise to street gossip.

*By Mr. Fitzpatrick :*

Q. You had no other reason except that he was there as a lawyer and professional man employed in these cases?—A. Simply that it would give rise to talk as to the Crown prosecutor being the same person as the solicitor for the petitioner.

Q. That is the only thing you can say?—A. That is all.

Q. Will you give, as a professional man, your opinion as to whether it is improper for a lawyer to be counsel for a petitioner and also Crown prosecutor?—A. I would say it is improper.

Q. That is to say that when a man has a civil case going on, if a criminal case arises out of it he should not carry on the prosecution?—A. When he has a case going on and there rises a criminal prosecution whereby the administration of justice may be considered to be interfered with it is improper.

Q. And you have never known it to have been done?—A. I cannot recollect.

Q. You don't know that it is done in Ontario?—A. I do not know.

Q. Now you spoke of this conversation with Mr. Howell. Did I understand you to deny absolutely that you had an interview with Mr. Howell such as he refers to on page 94 of evidence of last year with reference to what took place between you?—A. We had an interview.

Q. What about?—A. Mr. Howell came to my office and wished to arrange the terms of settlement of the election petition. On the night of the conversation or the morning after the conversation I had with Boyd, both in my office. Mr. Howell was in my office not in his office.

Q. What did he want to see you about, the settlements of the petitions offering to drop the petitions, was he?—A. Yes. He wished to see if I would consent to voiding the election.

Q. And—?—A. Made a proposition that we do it by consent.

Q. And—?—A. Then I made the proposition that it would not be done, that I had no instructions on the point, but would have to see Boyd and get my instructions. I got instructions and informed Mr. Howell that if the personal charges were withdrawn I would be willing to admit that an agent had been guilty of bribery and breach of the provisions of the Election Act and that it should be without costs.

Q. No reference to the prosecutions now going on?—A. None whatever.

Q. No reference direct or indirect?—A. Direct or indirect.

Q. You felt called upon after Mr. Howell's evidence to publish a letter in the newspapers?—A. I did.

Q. That had reference to this conversation you speak of now?—A. Yes.

Q. When the exhibit "X" was published (you will find it on page 152 of last year's evidence) did you feel called upon to publish a statement then?—A. I did. I saw Mr. Richardson and Mr. Richardson said he would make a correction.

Q. Did you publish a statement at that time denying what Mr. Howell had said?—A. I think the statement published by the *Tribune* was sufficient.

Q. Nothing else?—A. Nothing else.

Q. So that after that interview that you speak of through Mr. Howell, or in some way, the substance of the conversation became public?—A. I do not know that it did.

Q. It got into the newspapers?—A. Yes.

Q. That looks very much like publicity?—A. Yes.

Q. After it got into the newspapers you didn't feel called upon to do more, when everything was fresh in the minds of all concerned, than to insert this correction?—A. That is all.

Q. Why didn't you publish a letter then, as you did a year afterwards?—A. Because I considered that the correction was—

Was equivalent?—A. Was equivalent.

Q. Do you know if the Attorney General of Manitoba was spoken to at the time of this suggested settlement?—A. I do not know.

Q. It never came to your knowledge?—A. Never. And I was surprised to know that the information came from the Attorney General.

Q. Did you make inquiries from the Attorney General as to the source of the information?—A. Mr. Richardson informed me of the source.

Q. Did you make inquiries from the Attorney General?—A. No.

Q. Why didn't you?—A. I do not know any particular reason.

Q. That was quite as important as the statement made here by Mr. Howell, wasn't it?—A. I do not think so.

Q. What is the difference between the two statements published in the newspapers at Winnipeg and in the Public Accounts Committee here?—A. Mr. Howell had pledged his oath as to the correctness of the interview.

Q. And published there, it was a simple statement from the Attorney General?—A. It was not given as a statement from the Attorney General. Mr. Richardson informed me he got his information from the Attorney General.

Q. So far as you were aware, the information came from the Attorney General?—A. I had no interview with him.

Q. You didn't challenge the statement of the Attorney General?—A. I didn't challenge the Attorney General for making the statement public, because of the correction made by the *Winnipeg Tribune*, which published the statement.

Q. All these occurrences are alleged to have taken place in Winnipeg?—A. Yes.

Q. The best way to test the accuracy of the statements was in Winnipeg?—A. Yes.

Q. Why didn't you test the accuracy of the statement in Winnipeg?—A. Whose statement?

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Q. This statement published in the newspapers, by authority of the Attorney General?—A. The only redress I had was on the *Winnipeg Tribune*, and the *Winnipeg Tribune* very kindly made a correction.

*By Sir Louis Davies :*

Q. Has he given in that correction?—A. It is at page 95.

*By Mr. Taylor :*

Q. I understand you to say you had prepared to bring an action against the editor of the *Winnipeg Tribune*?—A. Yes, but there was never any communication to Mr. Richardson that there was any intention of bringing such a libel suit.

*By Sir Charles Hibbert Tupper :*

Q. Are you, Mr. Campbell, sufficiently familiar with these magistrates to say whether they were, as a matter of fact, strong partisans or not?—A. I would not care to say that.

Q. They were appointed by whom?—A. I cannot say that.

Q. You told Mr. Fitzpatrick that it was Mr. Howell's business from the Attorney General to prosecute "cases of this sort," where you referred to cases in connection with the Dominion elections, those for ballot irregularities on the part of returning officers, and so on?—A. We never had any prosecutions prior to that.

Q. When you use the expression "cases of this sort," you mean criminal cases?—A. Criminal cases.

Q. Within the ordinary meaning of the term as understood?—A. It is part of the duty of the Attorney General to prosecute criminal cases.

*By Mr. Borden (Halifax) :*

Q. Mr. Fitzpatrick referred to statements having been made on the authority of the Attorney General of Manitoba. As I understand it, the statements in the *Winnipeg Tribune* did not purport to be made on the authority of the Attorney General?—A. The statement will speak for itself.

Witness discharged.

## COMMITTEE ROOM,

THURSDAY, 15th June, 1899.

Committee on Public Accounts met, Mr. FRASER (Guysboro') in the chair.

Mr. N. F. HAGEL, Q.C., was called, sworn and examined :

*By Sir Charles Hibbert Tupper :*

Q. Mr. Hagel, you are a member of the Ontario, Winnipeg and British Columbia bars, I believe?—A. Yes.

Q. You practised for some time at Toronto?—A. Yes, Sir Hibbert.

Q. Some years there?—A. Some ten or twelve years.

Q. Is it right to say that you had an extensive practice in criminal courts in Toronto?—A. For my age, yes, I would think so; perhaps for my age at the time, probably it would be safe to say so.

Q. And in Winnipeg or Manitoba afterwards?—A. Yes, rather more than the average there.

Q. You were engaged in the prosecution for alleged ballot frauds, so-called, in Manitoba in 1897 or 1898, were you not?—A. In the spring of 1897 I was retained for the defence.

Q. In all of them?—A. I was generally retained; yes, a general retainer for the defence, although I took—

Q. And in the trials in the assizes in these cases do you remember in which you personally conducted the defence?—A. Every one of them, except perhaps the Saunders case, in which the large part of it was taken by Mr. Cooper. May I explain that I had not been retained before the magistrates in any instance.

Q. You were aware of the procedure adopted before the magistrates in so far as there were special magistrates told off to conduct the preliminary inquiries?—A. I became aware of that from the proceedings laid before me.

Q. In your experience in Manitoba had that practice been adopted on any other occasion in criminal prosecutions?—A. I know of no instance in which a magistrate ever went out of his locality, except one, and I know there was a strong feeling against such a thing being done.

Q. Did you know the magistrates that were concerned in these cases?—A. Some of them I knew, some of them I did not.

Q. Those whom you knew, can you say by whom they were appointed, by what government?—A. By the Liberal government of Manitoba, by Mr. Greenway's government.

Q. Are you able to say whether these were men of pronounced Liberal feelings?—A. I think that is safe to say, but by that I speak of the only one I have in my mind, Mr. Dawson. I think he was of strong Liberal leanings, but an extremely fair-minded man, I am bound to say. However, I do not remember the other magistrates unless their names were given me.

Q. Who conducted the prosecution, who acted for the Crown in these cases?—A. At the assizes?

Q. Yes?—A. Mr. Howell, with the assistance of Mr. Wade.

Q. Well, who was leading counsel?—A. Mr. Howell was the leader.

Q. He had acted on many occasions for the Crown before, had he not, in criminal prosecutions?—A. Yes, for many years.

Q. And you had acted for the prisoners on many occasions when he was acting for the Crown?—A. Very frequently.

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Q. Did he press these cases in any manner so as to compare with his conduct in other criminal prosecutions in which you were engaged ?

The Solicitor General objected on the ground that it was not proper for the committee to investigate the conduct of counsel or ask a witness to give his appreciation of such conduct.

After argument the Chairman sustained the objection.

Sir Charles Hibbert Tupper appealed from the ruling.

The ruling of the Chair was sustained.

Q. Well, Mr. Hagel, was every effort that you can fancy made by Mr. Howell to secure convictions in these cases ?

The SOLICITOR GENERAL.—I take it for granted that that question applies within the limits of professional conduct.

Q. Certainly. Well, Mr. Hagel, were extraordinary efforts made on the part of the Crown to secure convictions ?

The CHAIRMAN.—That is the same ; you can ask what he did.

The question was ruled out.

Q. Well, now, in obtaining juries in these cases, was there anything that occurred that was peculiar in the prosecution by the Crown for a criminal case ?

The Solicitor General objected to the form of the question.

The CHAIRMAN.—Don't you think you must assume that all the officers connected with empanelling the jury did their work properly ? I do not think you can ask this man the broad question, because that would be to impeach the officials whose particular business it is to empanel juries.

The ruling was sustained.

Sir Charles Hibbert Tupper appealed from this ruling.

Q. Did the Crown, represented by Mr. Howell, exercise all of its privileges on these trials in regard to challenges and ordering jurors to stand aside when called on the panel ?

Mr. Morrison objected.

The CHAIRMAN.—I think Sir Hibbert Tupper can ask this question : "If they exercised their privilege to the exclusion of jurors to the full extent of the law." I think that is all right.

*By Sir Charles Hibbert Tupper :*

Q. Did he exercise the right to the full extent, the right of challenging and the right of asking to stand aside ?

The CHAIRMAN.—I think he can ask the question, for example, if when the witness was present, the Crown Prosecutor used his privilege as the law allowed.—A. As to standing aside, he did exercise it to a very large extent, so much so as to exhaust the panel in one or two instances, and as to challenging, he exercised that privilege to the fullest extent also.

Q. Are you able to say what the result was in these instances, so far as the jury empaneled was concerned, where these rights were exercised by the Crown ?

Question objected to by Mr. Fitzpatrick.

The CHAIRMAN.—I think it would open up interminable argument, and I therefore rule the question out.

Sir Charles Hibbert Tupper appealed from the Chair.

The Chair was sustained.

Q. Are you able to say what the political complexion was in the case of MacWhinney, in the case of Queen and MacWhinney ?

Question objected to by Mr. Fitzpatrick.

The CHAIRMAN.—I think that question might be allowed for that reason that his opinion is not worth anything, because he is not an expert in this matter.

Q. What do you say ?—A. The Liberals predominated on that jury, as I understand. I knew many of them ; the foreman was a Liberal and a very fine man.

Q. And what was the result in this case ?—A. Acquittal.

*By Sir Louis Davies :*

Q. You have the usual rule requiring unanimity ?—A. In criminal matters, sir, not in civil. But of course this being a criminal matter—

*By Sir Charles Hibbert Tupper :*

Q. From your experience in this connection does the standing of the jury, that is, their relative vote, not infrequently come to be known after the trial ?

Question objected to by Mr. Fitzpatrick.

Question ruled out by the Chairman.

Q. I want to follow the next question, which will have the same result. I will ask him whether it was not a matter of notoriety in the other cases that the majority of the jurymen were for acquittal ?

Question objected to by Mr. Fitzpatrick.

The question ruled out by the Chairman.

Sir CHARLES HIBBERT TUPPER.—Consider I have appealed and been overruled again.

*By Sir Charles Hibbert Tupper :*

Q. Then, there is the case of Queen and Anderson. Do you remember that case ?—A. Yes, I remember it, not as distinguishing it from the others, you see.

Q. Well, Mr. Howell, if I read his evidence correctly, made these distinctions, and I want to ask you about it. There was a distinction that he drew there. That was the one case (I will put it briefly, and Mr. Sifton may correct me if I make a mistake), that was the case that the Manitoba government had sole charge of. He says : “I got the Attorney General’s Department to take that up themselves, and am pretty sure the deputy took that.” Was there any distinction, so far as you are aware, between that case and the others ? A. That would be the Queen and Anderson.

Question objected to by Mr. Fitzpatrick on the same ground.

Q. What I mean is, was there any distinction apparent from the proceedings between the Queen and Anderson and the other cases ? A. You are speaking of Queen and Anderson ; it must have meant the Anderson in Winnipeg, in which I have no concern. I was only concerned in the defence in the Macdonald election.

Q. Then you know nothing of Queen and Anderson ?—A. Nothing, except what I heard. There was an Anderson in Macdonald, it was that of which I spoke when I said I knew something.

Q. Did you tell me in regard to the magistrates whether you know them all ?—A. I did not know them all.

Q. Then how many did you know ?—A. The only one I knew that I can recall without looking at the list is Mr. Dawson.

Q. Did you know Mr. Campbell ?—A. I did not.

Q. Mr. Kelly ?—A. I know of these men, but personally I don’t remember ever having met them.

Q. Do you know Mr. F. G. Hay ?—A. Yes, I have been before him frequently, I know him.

Q. And Mr. Dawson you said you knew ?—A. Yes.

Q. Now, do you know the whereabouts of Mr. Freeborn ?—A. I do not—that is the informer man. I presume you mean him.

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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).

Q. Did the jurymen believe him? He says the Conservative jurymen did not believe him. Is there any means of telling what jurymen believed him and how?

Question objected to by the Solicitor General.

Mr. HAGEL.—I think it is fair to the Liberals who were jurymen to say that we believed we were as safe with them as with the others, with the exception of five or six whom we feared were prejudiced. But the others we felt safe with, and it so turned out at the trial. They gave us a fair trial.

*By Sir Charles Hibbert Tupper :*

Q. Yes, and Mr. Howell said, I observe, on page 61, that there were Conservatives on the jury that convicted?—A. There were, without doubt.

Q. In the case of conviction?—A. There were, and they convicted without hesitation and without question. We were not in doubt very long, and I think with very good reason.

Q. Were you ; of course no one would be present with the Grand Jury, only Mr. Howell, the counsel, and who, on page 61, happens to make this remark and I draw your attention to it: "The Grand Jury found the bill?" and he says, "yes, after a big struggle." Was there any matter outside the Grand Jury room that in your opinion would warrant that statement?—A. It became a matter of general notoriety that Howell had gone in and wrestled with the jury, as it were, to get his bill.

Q. And it was an extraordinary thing that a Crown Counsel——?—A. Mr. Howell—of course I hope I do not do wrong, I do not mean to go beyond my limit, but when I said that I understood that Mr. Howell had made that statement——

*By Mr. Morrison :*

Q. That was in the Saunders case, wasn't it?—A. I do not think it was.

Q. On page 61, the evidence refers to the Saunders case?—A. He had more difficulty in the others. I was connected with the Saunders but not with the George Anderson case which was tried in Winnipeg, and was about another constituency. I know nothing about that except incidentally.

*By Sir Louis Davies :*

Q. But Howell's statement had reference to the Saunders case. He appeared before the Grand Jury in that case?—A. I should think that statement rather extravagant, but I should think he must have had a struggle later on with others.

Q. He said the difficulty was a legal one?—A. Oh, just so.

Q. He especially says that?—A. Well, there was not much difficulty legally.

*By Sir Charles Hibbert Tupper :*

Q. In speaking of the difficulties which Howell suggests met him in all these cases (page 113) he says there was the difficulty of getting men to go there after the election was over to swear how they voted, because they do not want to see any man get into trouble ; that the difficulty, the chief difficulty, in connection with this was with the witnesses in this regard. He speaks of men not wanting to get neighbours into trouble after the election was over. What was the chief thing the defence had to fear?—A. I don't know if I go too far, but it seemed to me that every fellow wanted to be on the winning side after the election. I do not say that every man wanted to be, but many did.

*By Mr. Fitzpatrick :*

Q. Do you say they perjured themselves?—A. They said at first they had voted on the other side, but when they were asked to make written statements then——

## Public Accounts Committee.

Q. Then what?—A. Then the consequence easily follows that usually follows from men starting out on the wrong line; it led to the web being somewhat tangled.

Q. Use the word then, say the word?—A. Well, the jury, I am satisfied, did not believe all the witnesses that swore that way.

Q. And you say they perjured themselves; swore to what was untrue?—A. I think they went farther than they intended. The jury seemed to think so. Many of them in their evidence were confused; many of them wavered upon the question of how they had voted; they wavered very much.

Q. Now, Mr. Howell says another thing: "I could not shut my eyes to the fact that certain classes of jurymen associated in one place, and certain other classes associated in another place," and on the next page, 114, he goes on to explain that there was a regular Liberal camp and a Conservative camp in the lives of the jurymen while the trial was going on; that the Liberals congregated there and the Conservatives there and therefore there was this marked line of politics on the jury; are you able to corroborate that statement?—A. I saw no sign of it, I did not become aware of it.

Q. On page 114 Mr. Howell says: "I know this, that the jurymen were divided into two camps," and again, "the Conservative jurymen went in one pack, and the Liberal jurymen in the other pack." Now, if that has been the case, is it possible that you would not have noticed it?—A. I think I would have become aware of it, but I never learned that or supposed it was so.

Q. Had it become a matter of comment or notoriety?—A. I heard no remark upon it.

Q. Never heard it remarked upon?—A. No.

Q. From your experience in these cases, acting for the defence, would you be surprised to learn that on the 17th of July, 1896, as appears in Mr. Sifton's letter to Sir Wilfrid Laurier, that he had in his possession on that day "conclusive evidence of an organized system of tampering with ballots"; on the 17th of July, 1896, would you be surprised to learn that Mr. Sifton so wrote?

The Solicitor General objected.

Q. I ask him from his experience in regard to matters that came out in these trials that on the 17th of July, 1896, Mr. Sifton had in his possession "conclusive evidence of an organized system of tampering with ballots."

The CHAIRMAN.—If it is only a question as to the checking of this witness I must allow it. If it is a question of opinion this man is not an expert.

The question was read over.

The CHAIRMAN.—Clearly that question is objectionable and it is ruled out.

### *By the Solicitor General:*

Q. These trials were presided over by Chief Justice Taylor, were they not?—  
A. Yes.

Q. Is he looked upon in Manitoba as a competent judge?—A. Yes.

Q. Having some knowledge as to the way in which criminal trials should be conducted?—A. Oh, certainly.

Q. Did he ever make any complaint as to the manner in which Mr. Howell behaved himself?—A. Oh, I think occasionally we had the usual questions raised as to the conduct of the case and sometimes may be there were rulings against Mr. Howell, but no general complaint of misconduct.

Q. No suggestion of professional misconduct?—A. Oh, no.

Q. Nothing of that kind?—A. Oh, no.

Q. Nor do you offer any against Mr. Howell?—A. Of professional misconduct? Certainly not.

Q. You spoke of Freeborn, didn't you?—A. I was asked about the matter.

Q. You do know that Chief Justice Taylor charged in every instance?—A. In each case he charged.

Q. Do you know that in this case he charged as follows :

“Now you saw Freeborn and heard him give his evidence, and I must say there is nothing about his character to be commended. The only thing about it is that he frankly owned up to having been engaged in crooked work and in a number of transactions which were far from creditable to himself. But he tells you that he was a Conservative; that he acted for the Conservative party and that he was engaged in crooked work. That is what he says in giving his evidence, that he was engaged in crooked work in connection with elections, and then he said that after the election was over, not having been paid certain expenses that he thought he was entitled to, he thought that he would get the better of the candidate for whom he was working; that he would be avenged on him, and have Mr. Boyd unseated, and he went and disclosed to the opposite party what he professed to have been engaged in, for the purpose of having an election protest, and he tells you that ever since then he has been engaged working up evidence in connection with that matter, but that he did not expect criminal prosecutions in connection with it, but that—an election petition and the unseating of Mr. Boyd would be the result. Now it is very often necessary to use such persons in connection with such matters. Frequently criminals who have been engaged in such matters and who split on their associates come forward, and the Crown has to use them for the purpose of bringing other criminals to justice. As the saying is : When knaves fall out honest men get their own. Now, you see the way that he gave this evidence. He was subjected to a close and strict cross-examination, but he did not contradict himself. He told a straight story, whether true or not is for you to say.” Do you remember if in effect the judge charged in the terms here given ?—A. That was the first trial that took place. I have no doubt that was correct. I have no doubt that is a correct report of the charge if you have read it all. I think he modified his views as to the straightness of the man later.

Q. I am asking you if that is the charge ?—A. I think so.

Q. Have you any reason to doubt it ?—A. Not a particle.

Q. And as a result Saunders was convicted ?—A. He was convicted not as a result.

Q. Anyway as a sequel to the charge ?—A. He was convicted on that occasion.

Q. You say that Mr. Howell wrestled with the jury, with the Grand Jury (page 61 of last year's evidence). Was there anything improper or unusual in the fact that the Crown prosecutor attends before the Grand Jury ?—A. I think it is improper for a Crown counsel to be struggling with the jury to bring in a conviction, but to present evidence is not improper.

Q. I am not asking you that. Is it improper to attend before the jury ?—A. No.

Q. Is it a fact that Boyd, who got the benefit of these frauds, had his brother as foreman of the Grand Jury ?—A. You say “had his brother as foreman,” it is a debatable question. He did not “have his brother,” but I believe Hugh Boyd was on the jury. I do not know that he was ever foreman of it.

Q. Was he a member ?—A. He was a member of the Grand Jury.

Q. He being a brother of Nathaniel Boyd who was supposed to have the benefit of these frauds ?—A. Whether benefit or not, I do not know ; he was on the jury and it would be for the members of the committee to say whether being a brother it would be for his benefit or not. He was a juror.

Q. He was a juror ?—A. A grand juror of the whole panel.

Q. You say that you knew the magistrates Dawson and Hay ?—A. And Hay personally.

Q. And know of Campbell and Corry ?—A. I had heard of them, but do not think I had ever met them.

Q. Can you point to any one of these as being an incompetent magistrate or a man not qualified to hear evidence on these cases ?—A. Mr. Dawson is undoubtedly competent ; he is a barrister and a man of even mind. Mr. Hay is a layman, but he has had good experience as a magistrate. The other I cannot speak of.

## Public Accounts Committee.

*By Sir Charles Hibbert Tupper :*

Q. In the case of Saunders ; Saunders went into the box and gave evidence on his own behalf ?—A. He did.

Q. And made an important statement, didn't he ?—A. He made a statement which I think led very largely to his conviction.

Q. What was that ?—A. He admitted that he had conspired with Freeborn to enable Freeborn to extract money from Boyd or his committee.

*By Mr. Fitzpatrick :*

Q. He denied that he had been guilty of these practices, didn't he ?—A. Yes.

Q. And didn't he give as a reason why he resisted Freeborn's request— ?—  
A. That his fingers were too short.

Q. He said that he was not expert in slight-of-hand. His hands were too small ?  
—A. What came to my mind was that his fingers were too short.

Witness discharged.

## COMMITTEE ROOM,

WEDNESDAY, 21st June, 1899.

The Select Standing Committee on Public Accounts met this morning with Mr. FRASER, Guysboro', in the Chair.

Mr. Fitzpatrick asked leave to submit to the Committee the following documents in connection with the Manitoba Election Fraud Prosecutions:—The judge's charge in the case of the Queen vs. William Clarke, first and second trials. Queen vs. George B. Anderson, first and second trials. Queen vs. Anderson and Queen vs. Mawhinney, six papers.

Sir CHARLES HIBBERT TUPPER said:—I would like it entered on the record that as we have ordered—these are parts of the notes; they can only be got from the Attorney General of Manitoba, and I think it would be unfair that those should go in at present. We have asked for the full notes.

Mr. FITZPATRICK.—I agree; that is fair. I offer these papers.

## COMMITTEE ROOM,

WEDNESDAY, 21st June, 1899.

By consent of the Public Accounts Committee, given this day, Mr. Fraser (Guysboro'), Chairman of the Committee, the Solicitor General, and Sir Charles Hibbert Tupper met.

Mr. R. H. SHANKS, Winnipeg, was called and examined:—

*By Sir Charles Hibbert Tupper:*

Q. Have you the subpoena that was sent you, with you?—A. Yes, I produce it. It is dated Ottawa, 19th of May, 1899. (Marked as Exhibit No. 4.)

Q. Now, what papers and documents have you been able to procure in obedience to that summons, Mr. Shanks?—A. Pretty near everything you asked for, Sir Charles.

Q. Would you kindly state from the headings or give an abstract of what you brought; you have them endorsed, I suppose?—A. Yes, roughly.

Q. Would you give us the first?—A. Copy of a letter from Archibald and Howell to C. M. Weber, dated 16th of August, 1896.

Q. Mr. Weber is Pinkerton's superintendent?—A. Yes, at St. Paul. (Tendered as Exhibit No. 5.)

Q. What is the next document you have?—A. The memo. referred to by Mr. Howell on page 87 of the printed evidence of last year, used by him when he appeared before the Ministers at Ottawa.

Q. You call it a memo., but there is correspondence attached?—A. I attached these; they should not go in really; the memo. is all he had.

Q. But these refer to it?—A. Yes.

Q. And the memo. in front is an abstract of what the papers show?—A. Yes, I think they are all there except Wade's; Wade's is not there. Before he came down he asked for an abstract or summary of the expenses incurred to show the Ministers.

## Public Accounts Committee.

Q. Well, you produce an abstract in the face of certain letters and accounts of Richards & Bradshaw, Perdue, O. H. Clarke, Metcalfe, and Wade ; constables and magistrates, and H. M. Howell ; is that correct ?—A. Yes, that is correct. (Tendered as Exhibits Nos. 6 to 10, inclusive.)

Q. And what after that, Mr. Shanks ?—A. A telegram from Hon. Mr. Sifton to Archibald & Howell, dated the 20th of March, 1897. (Tendered as Exhibit No. 11.)

Q. Next ?—A. Telegram from Hon. Sir Wilfrid Laurier to Archibald & Howell, dated 5th April, 1897. (Tendered as Exhibit No. 12.)

Q. And the next ?—A. Copy of letter, Archibald & Howell to Hon. Wilfrid Laurier, dated 5th April, 1897. (Tendered as Exhibit No. 13.)

*By the Solicitor General :*

Q. Here is a letter marked private ?—A. That is a copy.

Q. You are not going to produce copies of private correspondence, are you ? I take exception to the production of this, but I do not press it for the present.

*By Sir Charles Hibbert Tupper :*

Q. What is the next paper ?—A. Copy of a letter from Archibald & Howell to Hon. Wilfrid Laurier, dated 7th April, 1897. (Tendered as Exhibit No. 14.)

Sir CHARLES HIBBERT TUPPER.—This is marked "private" also ; a letter from Archibald & Howell to Hon. Mr. Laurier, dated 7th April, 1897.

The Solicitor General took formal exception to its production.

*By Sir Charles Hibbert Tupper :*

Q. Next one ?—A. I brought a copy of a letter from Mr. Howell to Hon. Mr. Sifton, but that was in evidence last year, and you do not need it. It is dated 27th of March, 1897.

Being already in evidence as Exhibit "A," this letter was not required.

Q. Now, the next one ?—A. Copy of account for disbursements, dated 27th March, 1897 ; amount, \$6,315.08. (Tendered as Exhibit No. 15.)

Q. Next ?—A. Well, now, Sir Hibbert, here are the details of that : that is in lump ; this is in detail, and here are the vouchers. Mr. Howell had them last year, and I produce them again now.

Q. You yourself have verified these vouchers ?—A. Yes.

Q. You say yourself you have verified them ?—A. They are all verified, except three or four marked "no voucher." Some of these are our own cheques, you know.

Q. They are your own cheques, and what are the rest ?—A. Receipts where we paid cash.

Q. Vouched by Archibald & Howell's cheque or by receipt ?—A. Yes.

(These receipts and cheques are not produced, by consent.)

Q. What is the next ?—A. You have a copy of the details of the \$5,000 entry here in evidence now.

Q. This is a copy of the account that was in evidence, beginning 26th June, 1896 ?—A. Yes.

Q. That is taken from a book ?—A. It is in evidence now as Exhibit "C," on page 134, except that in the original no amounts are extended, and there is no heading to the account.

Q. And this is taken from what ?—A. Mr. Howell dictated that to the stenographer from a memo. pad he kept on his desk, not a book ; one of these blotter diaries, two or three days to the week.

Q. When was this dictated to the stenographer ?—A. At the the conclusion of the cases, I think.

Q. Of all the cases?—A. Of all the cases, but I have an impression that he went up to a certain point and finished the last page at a second dictation.

Q. But it was not in a book?—A. So far as I know; I didn't see him do it.

Q. Well, are you aware of any entries of this character in the books of Archibald & Howell or Mr. Howell?—A. No, sir, for this reason, that Mr. Howell never made any docket entries.

Q. So that this statement is made up from brief memoranda in Mr. Howell's private blotter?—A. That is right.

Q. And made up by himself?—A. Made up by himself.

Q. Did you assist him in making it up?—A. Not at all.

(Tendered as Exhibit No. 17.)

Q. Are you familiar with the ledger of Archibald & Howell?—A. Yes, sir.

Q. Are you able to say whether that is entered in the ledger?—A. Not in detail.

Q. Well, I mean in that form?—A. No, sir; it is not.

Q. Do you know what is entered referring to that in the ledger?—A. On 31st December, at the close of the financial year, I spoke to Mr. Howell and suggested that a charge should be made on account for book-keeping purposes. He said, "Oh, charge up \$1,500." He made an entry in the day book, a two-line entry.

Q. Have you that?—A. Yes, sir.

Q. Will you read that?—A. The entry reads as follows:—"Secret service, to fees and attendance, on account, \$1,500."

Q. What date?—A. 31st December.

Q. What year?—A. 1896. I see it is 1897 in the book by mistake of Mr. Archibald in heading the page.

Q. It should be 31st December, 1896?—A. Yes.

Q. What is that book you have just quoted from?—A. Our day book.

Q. Is there any other entry in the ledger?—A. There is another entry in the day book yet.

Q. Please give us that?—A. On 31st May, 1897, an entry reads as follows:—"Secret service, to charges for 1897, \$3,500." If you want it exact, the entry is: "Secret service, to Chgs. for 1897, \$3,500." Both entries are in Mr. Howell's handwriting.

Q. What is chgs.?—A. An abbreviation for charges.

Q. Now, what entry have you in the ledger?—A. These two entries are posted in the ledger.

Q. To what account?—A. To an account I have headed "election cases."

Q. That is what is in the ledger?—A. Yes.

Q. Who told you to charge it in that way?—A. I may say the account had no heading whatever.

*By the Solicitor General :*

Q. Is that all your answer?—A. No, I am going to give an explanation of it. At the time when the transaction first commenced, I asked Mr. Howell how I should open an account, and he told me simply to keep track of the affair till it finished, and he would let me know then. I then opened an account in the ledger without heading, treating it as a suspense account, and told him the page of the ledger it was on, so that he could have access to it when he wished; but no heading was ever placed on the page of the ledger till after Mr. Howell's return from Ottawa, last year.

*By Sir Charles Hibbert Tupper :*

Q. That was in 1898?—A. Yes.

Q. After he had been examined here?—A. Yes.

## Public Accounts Committee.

Q. And what heading was then placed on it?—A. "Election cases;" without instructions from him, because he was not a member of the firm; had nothing to do with it since 1st Nov., 1897.

Q. Did you at any time discuss with Mr. Howell the peculiarity of there being no debtor?—A. Not at all, no.

Q. Did he ever, at any time, give you a reason for charging these to secret service?—A. No.

Q. And when did the charges first occur on what appears here?—A. June, 1896. That is, so far as I am concerned; that was the cash entry; I had no knowledge of the details at that time.

Q. When did your first charge occur; when did you first have knowledge of any charge being entered of cash?—A. The first payment of cash was 26th June, 1896.

Q. When was that paid?—A. \$10 paid to A. Robinson.

Q. For what?—A. I cannot tell you.

Q. To whom did you pay that?—A. To Mr. A. Robinson.

Q. Who was he?—A. Some man Mr. Howell had there hunting up evidence; I do not know anything about him.

Q. You asked no questions?—A. No.

Q. He told you to pay it?—A. Yes.

Q. Did he tell you what account?—A. No.

Q. Just to charge it to cash?—A. I asked him to whom I should charge the amount, and he told me to keep track of it till finished and he would tell me; he gave me no information.

Q. Did you, as a matter of fact, know what these charges were about?—A. I did not for some considerable length of time.

Q. You had no idea that they were in connection with Dominion elections?—A. I knew they had something to do with election matters.

Q. It was not your business to press him as to particulars?—A. Oh, no, Mr. Howell told me to keep the account that way.

Q. What was your next charge in the cash book?—A. "July 13th, 1896. Cash paid J. H. Shoemaker, \$400." He was a Pinkerton detective.

Q. What is the next in the cash book?—A. 6th July; they are not posted here in order; that is how they come here.

Q. You are reading from the ledger?—A. Yes.

Q. Would you, then, just give us the account as it appears in the ledger from the start; "Election cases" is the heading?—A. Yes. This account is set forth on page 151 of the evidence (of last year).

Q. Then, on page 151 of the printed evidence, Exhibit "V," "memo. of disbursements, etc.; election irregularities," the entries are as they appear in the ledger of Archibald & Howell, but they are headed "Election cases"?—A. And the heading was put on, as I explained, by myself.

Q. Before you put that heading on there was no heading?—A. There was no heading.

Q. And the balance of the account was \$5.19?—A. Yes, as appears in the printed evidence (of last year), and that is the balance that starts the 1897 account filed here to-day as Exhibit No. 16.

Q. Now, what is the next document or paper you produce?—A. In that detailed statement of mine there appears a large item of witness fees paid at Portage la Prairie assizes, \$3,533.20; I produce a declaration of Mr. Howell's as to the payment of these witness fees at Portage assizes, together with a lot of exhibits.

Q. This is a declaration made on the 3rd of June, A.D. 1899?—A. Yes, sir.

Q. Until that time are you aware whether any similar declarations had been made by him?—A. Not that I am aware of.

Q. Do you know how he came to make this?—A. I was asked to produce the vouchers and I asked him to give me the vouchers.

Q. After receiving the summons you called his attention to these documents being required?—A. Yes.

Q. And he produced this?—A. Yes. (Tendered as Exhibit No. 18.)

Q. What is the next document you have?—A. A lead pencil memorandum of Mr. Howell's which he had at the Portage la Prairie assizes; it is on this he bases the declaration. That is the original copy, covering all the witness fees.

Q. He produced this for you as a pencil memorandum which he had at the assizes and on which he based his declaration?—A. Yes, sir. I know from the handwriting that with the exception of one or two foot notes the entire document is in his writing. (Tendered as Exhibit No. 19.)

Q. Did he tell you that this (Exhibit No. 19) was made by himself from his own information or information supplied to him?—A. The memorandum was made at the Portage assizes each night; when the work of the day was over he would go over the accounts with Mr. Walker, who acted generally for him there.

Q. He disbursed for him?—A. Yes.

Q. Who was this gentleman?—A. Mr. G. H. Walker.

Q. A bailiff?—A. No, the prothonotary of the court.

Q. That is, you understood that the prothonotary of the court disbursed the money and each night at the assizes he gave Mr. Howell a memo. and he made this memo. from the accounts given to him by Mr. Walker?—A. That is right. Mr. Howell, in a letter to me, says that the amounts make up the amount of \$3,533.20, with the exception of \$4.65.

Q. Have you that letter here?—A. That is a private letter, but in a second letter. I have no objection to this going in. (Producing a letter.)

Q. This is the letter you refer to?—A. No, that is a subsequent letter.

Q. Well, have you the letter you just referred to?—A. I have, Sir Hibbert.

Q. Will you produce it?—A. There is nothing in it that I have any objection to being seen.

(Tendered as Exhibit 20.)

Q. Have you produced all the inclosures that were in that letter?—A. No, Sir.

Q. Have you them there?—A. First, the declaration already put in; second, Exhibits "A" to "G," inclusive, referred to in the declaration and attached thereto; third, receipts for \$50 and \$40 which were attached to Exhibit "F"; fourth, my pencil memo. of these disbursements at Portage la Prairie, already put in; fifth, schedule made up by Mr. Walker with the names of witnesses; sixth, "some figures of mine pinned together on hotel paper."

*By the Solicitor General :*

Q. Are they in; the schedule and these figures referred to?—A. They were not inclosed in the envelope; these were not inclosed by Mr. Howell. That is all that is referred to in this letter in the way of exhibits and papers.

*By Sir Charles Hibbert Tupper :*

Q. What is the next?—A. Well, Mr. Howell sent me by express since I came a lot of papers that he does not mention in any letter—typewritten copies of evidence before magistrates, declarations, etc.; a good many of them are duplicates one of the other.

Q. You have some correspondence in your hand relating to accounts that were rendered to you by different parties in connection with the ballot box cases and to the amounts which you allowed on their accounts?—A. Yes, sir.

*By the Chairman :*

Q. Of what date?—A. Various dates.

## Public Accounts Committee.

*By Sir Charles Hibbert Tupper :*

Q. May and April, 1897 ?—A. Yes, sir.

Q. This correspondence refers to the taxing of the accounts on the same basis that all government accounts are allowed on; now, what is your explanation of that taxation ?—A. After the assizes were over, in March, 1897, Mr. Howell asked me to go over the accounts with him before paying the same, and I suggested calling in to our assistance M. W. W. Cory.

*By the Solicitor General :*

Q. Why ?—A. He being for some years clerk in the office of the Attorney General of the province of Manitoba and conversant with such work. We then, with his assistance, taxed all the accounts on the same basis that the provincial government allowed for similar work and paid the accounts as taxed.

*By Sir Charles Hibbert Tupper :*

Q. That is the sum and substance of this little batch of correspondence ?—A. Yes, sir.

(Tendered as Exhibit No. 22.)

Q. What further documents have you ?—A. Nothing further except this further letter to myself, dated 6th June, from Mr. Howell, explaining the payment of \$6 to Sheriff McLean, of Portage la Prairie, for a special trip in the night to serve A. Regulus, a witness in the Anderson case, this explanation accounting for the shortage of \$4.65 mentioned in his declaration. (Exhibit No. 18.)

(Tendered as Exhibit No. 21.)

Q. Is this case of the Queen and Anderson the case that the Manitoba government took particular charge of ?—A. I have no knowledge of the case in the legal sense.

Q. Did you see at any time a letter from Sir Oliver Mowat to Mr. Sifton which was inclosed in a letter, according to the evidence here, by Mr. Sifton to Mr. Howell ?—A. No, sir.

Q. Were you aware that objections were taken by him to the accounts that were rendered by Mr. Howell ?—A. I never heard anything of it.

Q. You say that you have no other documents ?—A. No other documents.

Q. What have you to say in regard to this statement made by Mr. Howell when referring to the account on page 134, beginning 26th June, 1896, on page 29 of the printed evidence of last year : "Q. I understand though that these entries are taken from a blotter or memo. of your own?—A. But my own words would be something like 'Sifton two hours *re* ballot boxes.' Q. So this represents the ingenuity of your clerk?—A. To a certain extent. What is the name of your clerk?—A. Mr Shanks." What have you to say to that?—A. I have no knowledge of the blotter; I never saw it. The words of Mr. Howell you refer to may be the words as he had them on his original pad, but he probably enlarged on them when dictating his statement.

Q. Mr. Howell, at page 67 of the printed evidence, refers to the disbursements that he was called upon to account for personally and states that his book will show these; do you know that book?—A. No, sir.

Q. I was just giving the substance of the evidence as it appears here, but I will give you the actual words : "Q. These are the disbursements you are called upon to account for personally which your book will show?—A. Yes." Do you know of any books of Mr. Howell's which will show the disbursements of these Manitoba prosecutions?—A. No, sir. You want to get back to the bottom of page 66.

Q. My purpose, you see, is sufficiently shown in that question, but I have no objection to going back. It all shows that he has been examined as to disbursements

and then there is this question by Mr. Sifton—these questions are all by Mr. Sifton—“Q. Then you presented other accounts for disbursements?—A. Yes. Q. Which made the total disbursements up to the amount that you have just mentioned there in your letter?—A. Yes. But, Mr. Sifton, pardon me; I don't want it understood that that was the whole disbursements. Q. These are the disbursements you are called upon to account for personally which your book will show?—A. Yes.” Now, I ask you, do you know of any book that will show these disbursements?—A. Only our own book of account here which shows all the disbursements of our firm. Mr. Howell has evidently made a difference between the disbursements of our firm and those made by Wade, Clarke and the other lawyers.

Q. You have all the books here that show the disbursements made by your firm?—A. This is my cash book and these entries are posted into the ledger and become Exhibit “V.”

Q. These are the only ones you know of?—A. Yes.

Q. And they are carried into Exhibit “V”?—A. Yes.

Q. And outside of these you know of no other books?—A. No.

Q. Do you know anything about the affidavit that Mr. Howell refers to on page 75 of the printed evidence of last year: “they were affidavits I caused to be procured before the magistrates' case went on. I sent out canvassers to get them”?—A. I think you will find them in a bundle of papers I have produced, not yet in evidence.

Q. Outside of that you know of none?—A. None.

Q. I understand, when you said you had no other papers, that you brought no others to Ottawa?—A. No, I brought no others.

Q. Now, Mr. Shanks, in the usual course, if affidavits were got by Mr. Howell in the usual course of the business of his office, would there not be an entry for these affidavits?—A. Not in criminal matters, because I understand these were got by Wade, Clarke and the other men engaged in the cases.

Q. At any rate you know nothing about them?—A. No, sir.

Q. Have you entered any credits in these books, cash received?—A. Yes.

Q. Did you keep an account of the notes that were discounted or the drafts that were drawn?—A. No, sir.

Q. These were not communicated to you?—A. No.

Q. You merely entered the cash received?—A. Yes, sir.

Q. Did you know where the cash was coming from?—A. No, sir, except from Mr. Howell.

Q. Mr. Howell did not give you the particulars of the source from which he was getting cash from time to time?—A. No.

Q. Can you state briefly what the books show as to the cash received; would it take any time?—A. No.

Q. You might just give me the first entries as to cash paid and the dates?—A. 23rd October, 1896, \$3,000; 2nd February, 1897, \$995.30; 27th March, 1897, \$411.55; same date, \$2,115.08; 15th July, 1897, \$4,987.50.

Q. How much does that total up?—A. \$11,509.43.

Q. These documents did not show according to you all that Mr. Howell had received?—A. No, sir.

Q. Are you aware that \$3,000 was paid to him in December?—A. No, sir.

Q. There is no entry of \$3,000 received in December in any year?—A. No, but there is in October.

Q. Were you aware that \$19,000 have been received on account of these prosecutions before March, 1898, or before 27th March?—A. I know roughly of expenditures that had amounted to that.

Q. Did you understand that the men had been paid?—A. Yes.

Q. You did not know where it came from?—A. No, sir.

Q. Would that be paid to Mr. Howell direct and through him to the other counsel?—A. No, I understood that the other counsel drew.

## Public Accounts Committee.

Q. And you mean that when you say you understood \$19,000 have been paid that it was paid to the different counsel engaged?—A. Yes, sir.

Q. But not entered in your books?—A. No, sir. I understood they would make up their accounts and Mr. Howell would O. K. them, and then they would draw on somebody, but I don't know who.

Q. And you understood that from Mr. Howell?—A. Yes, sir.

Q. Did you know of any financing going on in connection with this account at the bank, any discounting of notes?—A. I merely assumed, I did not know.

Q. What did you assume?—A. I knew he did not have the amount he was handing out in his own pocket.

Q. Did you know, as book-keeper or in any capacity, that notes were being discounted?—A. No, sir.

Q. Did you ever hear that Mr. Cameron or Mr. Sifton, either together or with others, had discounted a note to raise money in a bank at Winnipeg?—A. No, sir.

Q. You were not aware of that?—A. No, sir.

Q. You knew that drafts were being drawn on Mr. Sifton?—A. Only our own drafts of \$5,000.

Q. Do you know of Mr. Sifton drawing on Archibald or Howell?—A. Yes, he drew on us when it became due and we accepted it to oblige him.

Q. But you were not aware of any notes?—A. I was only aware of his draft for \$5,000 and subsequent renewals but no notes.

Q. Did you learn at any time, Mr. Shanks, that some of the \$19,000 was paid back by the different solicitors or counsel engaged?—A. I never heard of it.

Q. Never heard of it?—A. No, I know our firm paid nothing back.

Q. Did you know that Mr. Howell had been asked to pay something back?—A. No.

Q. You didn't learn that?—A. No, sir.

Q. Did you include in the statement put in to-day the amounts paid out for bailiffs' charges?—A. Yes, sir.

Q. All that you were aware of?—A. Yes, sir.

Q. Have you accounts for these bailiffs' trips?—A. Yes.

Q. How did you verify a man's costs; how did you settle the amount due?—A. As I said before, with Mr. Cory.

Q. Therefore you estimated that a certain amount of work was done and consulted with Mr. Cory as to what was a fair charge for that work?—A. Yes, the accounts came in first to Mr. Howell from the different solicitors, certified by them as having been done under their supervision.

Q. Did you ever know of a consolidated memorandum of disbursements paid out being prepared. In other words is it that document you put in to-day?—A. That is the only document I know of.

Q. That is the only document you know of?—A. Yes.

Q. I refer to page 120 where Mr. Howell says he incloses with this letter a consolidated memorandum of the disbursements paid out by me from moneys raised by Mr. Cameron and myself on discounted paper?—A. That would be the one put in as Exhibit No. 15.

Q. You know of no other?—A. No, sir.

Q. And you say you never heard of raising money on discounted paper by Mr. Howell and Mr. Cameron?—A. No; with this exception that when Mr. Howell went to Portage I am aware of him discounting then.

Q. How did he discount then? What did he discount?—A. He wanted to take \$4,000 or \$5,000 there with him knowing that he would have to expend a large amount of money. I told him the firm could not advance that amount, and he told me he would arrange it by discounting a draft with Mr. Cameron. On his return he told me he had taken \$4,200 to Portage la Prairie, and he accounted for that to me, showing a balance left in his hands of \$411.55 which he turned into the office.

Q. Mr. Cameron was Attorney General of Manitoba at the time?—A. Yes.

Q. Mr. Howell refers, on page 64, to \$3,000 being received on 23rd of October, 1896, have you any knowledge of that?—A. Yes, sir.

Q. Was that in the list you gave?—A. Yes, sir, the first item.

Q. He says that \$1,000 was paid, to be exact "while I was away at court somewhere there was a pressing need of \$1,000 and Mr. Cameron handed into my office \$1,000 in my absence." Do you know anything of that?—A. I see here an entry of \$995.30 on 2nd February, 1897.

Q. It was probably this to which he refers?—A. I think so.

Q. Because he states: "I credited that in my account;" is there any other item that would refer to it?—A. No, sir. I think Mr. Howell was mistaken in saying it was while he was at Portage; I think he was down here at Ottawa.

Q. He does not say that. He says it was while he was away somewhere at court?—A. Oh, that is all right, at the Supreme Court.

Q. On page 65 Mr. Howell says in answer to this question, as follows:—"Q. Did you render a statement of these disbursements? A. Yes. Q. Have you got it there? A. The first rendering was the \$3,000, you know. Q. But I understand that that was in a separate account? A. Yes." Can you add anything to the statement in explanation about that separate account?—A. I know of no account being rendered only the one which is in evidence as Exhibit "V" in the printed evidence last year.

*By Mr. Fitzpatrick :*

Q. You were the book-keeper for the firm of Archibald & Howell?—A. Yes, sir.

Q. On through the years 1895-96-97?—A. Yes, sir.

Q. Will you look at page 138 of the minutes of evidence of last year, and especially at that portion on which is to be found the amount for disbursements paid out, \$7,315.08; can you say whether or not the document produced as Exhibit No. 15 shows the details or the summary of the disbursements?—A. It does.

Q. And then the document, Exhibit 16, is the detail of Exhibit 15?—A. Yes, sir.

Q. So that you produced detailed statements of all these disbursements verified by vouchers?—A. Yes, sir.

Q. And you have now in your possession the vouchers to show that every dollar of that amount was expended with the exception of \$3 or \$4 you have spoken about?—A. Yes, sir.

Q. When you came here, you brought with you all the documents and papers of every description that you had in your possession or that Mr. Howell had in his possession with respect to the prosecutions?—A. Yes, with the exception of some that followed me.

Q. You brought them or they were sent to you afterwards?—A. Yes, sir.

Q. What is Mr. Howell's position at the Winnipeg bar?—A. I would claim he was the leader.

Q. Is he much employed there?—A. Yes, sir; he is very busily employed.

Q. Are you in a position to give us any information as to the fees which Mr. Howell is in the habit of charging for his per diem allowance?—A. Yes.

Q. What is his usual charge for attendance at court per diem?—A. In some cases \$100 per day.

Q. Had he been heretofore employed by the Manitoba government?—A. He has for many years, as Crown prosecutor.

Q. What fees are allowed him per diem by the Manitoba government?—A. His fees are by arrangement \$70 per day.

Q. Is there an arrangement to that effect?—A. There was an arrangement with the Attorney General's Department.

Q. Which has been in existence for many years past?—A. Since the Greenway government came into power. Before that he got larger fees.

## Public Accounts Committee.

Q. Before that, under the Norquay administration?—A. Under the Norquay administration.

Q. What fees did he get under the Norquay administration?—A. He had no special tariff, but charged according to the merit of the case.

Q. But did the fees amount to a larger sum under the Norquay administration than he has received since?—A. In all cases, to my recollection.

Q. So that under the Greenway administration by special arrangement he received \$70 per day?—A. Yes, sir.

Q. At what figure did you estimate his services per diem when you made up the account for services rendered in this case?—A. I did not fix the amount. Mr. Howell fixed the charge.

Q. Have you any knowledge of the amount charged?—A. No, in all criminal matters Mr. Howell is accustomed to simply charge a lump sum. I can give you one example in the case of Burke, which was an extradition case arising out of the Cronin murder at Chicago some years ago. Mr. Howell acted for the authorities in Chicago in securing the extradition of the prisoner. He spent a large amount of his time spreading over, I should say, three months, and charged the lump fee of \$2,000.

Q. How would that have compared with the fee that he charged in this case in view of the time occupied?—A. I should think the fee of \$5,000 in this case was small as compared with the other.

Q. How long have you been book-keeper for the old firm of Archibald & Howell?—A. Since 1st January, 1883, with the exception of part of 1884 and 1885.

Q. During all that time have you had occasion to keep a memo. of the charges and disbursements of the firm?—A. I have kept the books of account in that time.

Q. What has been Mr. Howell's custom or practice with reference to details in so far as charges were concerned in criminal matters?—A. He keeps them entirely to himself, merely charging a lump fee at the finish of the case.

Q. That has been the practice in all cases with him?—A. Yes, sir.

Q. When Mr. Howell came to Ottawa in February, 1897, do you remember if he brought with him any information to enable him to advise the government as to the expenses incurred up to that time in connection with the Manitoba prosecutions?—A. He handed me, to produce in evidence here under Exhibits Nos. 6 to 10, inclusive, a memo. on Russell House paper of the total disbursements up to that time, amounting to, roughly, \$10,000.

Q. Is it to your knowledge the purport for which they had been prepared?—A. I have no knowledge of it beyond what I read in his own evidence last year. I know that prior to coming down he asked the solicitors for a memo. of the amount of expenses up to that time.

Q. That is, before coming to Ottawa he asked for a memo. of the services rendered to that date?—A. Yes.

Q. And since that time he has given you this memo. here used to explain the position to the government?—A. Yes.

Q. You recognize his handwriting?—A. That is his handwriting on that Russell House slip.

Q. Up to that time the cases had not got beyond the magistrates' courts?—A. No, sir.

Q. And it was subsequent to that that the cases were tried at the assizes?—A. Yes, the assizes were held in March.

Q. I see he charges as his fee up to that time \$3,500?—A. Yes, sir.

Q. Did Mr. Howell give much time to these cases?—A. A great deal of time.

Q. When did he begin?—A. In June.

Q. 1896?—A. 1896

Q. And they continued to?—A. Until after the assizes were finished.

Q. In March?—A. And the taxation of the accounts in April.

Q. 1897?—A. Yes.

Q. Now, from that date in June, 1896, did he devote much time each week to these cases?—A. He was at it more or less all the time.

Q. Any night work in connection with it?—A. Oh, yes.

Q. How about vacations? Was he away much?—A. He took no vacation during that interval, although he is usually off each summer for a month.

Q. The statements produced by him account for all disbursements?—A. At Portage la Prairie.

Q. That would be the item of \$3,533 in your books?—A. Yes, sir.

Q. At Portage la Prairie the disbursements were made by him and accounted for by him?—A. Yes, sir.

Q. Now, can you say whether or not the notes in pencil there help you to say whether or not the accounts were checked over by Mr. Howell?—A. This pencil memo. of Mr. Howell or these pencil memos. are in his own handwriting; at the bottom of each page they are initialed.

Q. At the bottom of each page?—A. Each page. They are marked "O. K., H.M.H."

Q. What does that mean?—A. That the list was correct, I should judge.

Q. Mr. Howell says in his evidence he checked over that list, didn't he?—A. Yes, sir.

Q. And each page, you say?—A. Is marked "O.K."

Q. Do you know of a payment of \$200 by Mr. Howell to Freeborn, which he did not mention in his evidence?—A. I only knew of it lately.

Q. How did you know of it?—A. In preparing his declaration he found among the papers a receipt signed by Freeborn, which is attached to his declaration as Exhibit "G." That payment was made from part of that \$3,533.

Q. Where were the vouchers for Exhibit "B" for 1896?—A. They were sent to Ottawa.

Q. By Mr. Howell?—A. By the firm. I sent them myself in the spring of 1897.

Q. Will you look at page 66 of the evidence of last year and see whether or not these vouchers have been produced?—A. I know I sent them to the Hon. Mr. Laurier; I think it was in March or April, 1897.

Q. And it is what is referred to on page 66 here by the Auditor General. You presented a statement first for \$3,000?—A. Yes.

Q. In the vouchers for 1897, and these you have produced?—A. Yes.

Q. And you verified by these vouchers every item you disbursed that year—A. Yes, as explained before.

Q. Will you produce this bundle of letters and correspondence in respect to the bills being taxed? That is the exhibit what?—A. I produced them. Exhibit No. 22.

Q. You said these disbursements and accounts were all taxed with the assistance of the Attorney General's clerk?—A. Yes, sir.

Q. They were taxed as carefully as if the services were rendered to the Manitoba government?—A. Yes, sir.

Q. During all the time you have been in the employ of Archibald & Howell has it been the practice to take receipts for witness fees?—A. I never knew of one being taken from a witness.

Q. You pay the amounts and get rid of it?—A. Yes, sir.

Q. The memoranda referred to by Mr. Howell, page 87 of the evidence in Ottawa, is the memoranda you have produced, and written on Russell House paper?—A. Yes, sir.

Q. Do you know what service Clarke rendered?—A. I only know of it by the account in the printed evidence of last year.

Q. And he worked from December 7th, or thereabouts, until February, 1897?—A. In the preliminary examinations.

Q. And this was all magistrates' work?—A. Yes, sir.

Q. His account is how much?—A. He rendered a bill of \$1,660.85.

## Public Accounts Committee.

Q. And he was allowed —?—A. \$1,178.35.

Q. And Mr. Howell's charges—?—A. \$5,000, and he was allowed \$2,000.

Q. And Mr. Howell worked from June to April before the magistrates and at the assizes?—A. Yes, sir.

Q. What principle of taxation was applied, or do you know?—A. It appears to me the taxing officer knew nothing whatever of the relative qualifications of the men themselves or the amount of work either of them had done.

Q. You spoke of some affidavits that were produced previous to the investigation before the magistrate?—A. Yes, sir.

Q. Will you look at the documents produced here in a bundle, and say whether these are the same affidavits?—A. I understand this bundle of affidavits were affidavits procured from parties stating that they had voted in a certain manner, and these were procured prior to the laying of the information.

Q. The affidavits you now produce in a bundle, and which are marked Exhibit No. 23, and which are 31 in number?—A. Yes. But you will notice the last one is signed by a large number and is not, properly speaking, an affidavit, but a declaration.

(Documents put in and marked Exhibit 23.)

Q. In this matter did Mr. Howell keep the details of the services rendered by him in the usual way when conducting cases of this description?—A. Yes, sir.

Q. He was not in the habit of making entries except on his memorandum pad in such cases?—No, never.

*By Sir Charles Hibbert Tupper :*

Q. Did you ever see Mr. Sifton in the office about this matter?—A. Never.

Q. When you say that you produced all the documents that Mr. Howell had in his possession, I assume you mean all that he told you he had?—A. All that he handed me.

Q. When you speak of \$100 a day allowed to him for his services you mean in short cases?—A. In single day cases.

Q. And as Crown prosecutor he got \$70 per day. Was that for long or short cases?—A. That was a straight charge, long or short.

Q. How long is the longest one you can remember where the charge was \$70 per day straight?—A. Nine days.

Q. Nine days the longest. Can you say what Mr. Howell's income was the year before this case began, in 1896? I mean about or approximately?—A. I should say, roughly, \$8,000.

Q. Roughly, \$8,000. When you refer to the practice of charging a lump sum in government cases in Manitoba, can you refer to an account in the book with a lump sum charged?—A. Yes, I have an account before my eyes now.

Q. Will you give it to us?—A. 31st March, 1894. Counsel fees, six days, \$450.

Q. No other particulars?—A. None other whatever. I see he charged \$75 there, and we had to make the rebate. He was only allowed \$70.

Q. Can you refer, having the ledger before you, to an entry, a case in which, with business of any other kind similar to this, not having any debtor?—A. No.

Q. When you say you sent the vouchers to Sir Wilfrid Laurier, are you referring to the letter which is put in evidence, or to some other request of Sir Wilfrid Laurier; how did you come to send them to him, when you told Mr. Fitzpatrick that you sent the vouchers to Sir Wilfrid Laurier?—A. I think it is Exhibit No. 12.

Q. In connection with one of the letters?—A. Yes.

Q. And you mean that Mr. Howell sent them east?—A. Yes, he told me to send them down.

Q. You know of no other correspondence between Sir Wilfrid Laurier and Mr. Howell?—A. None whatever.

Q. In regard to the practice in Manitoba with regard to witness fees, who, as a rule, makes the affidavit before the taxing master?—A. The clerk in the office.

Q. Where did you get this bundle of affidavits?—A. Mr. Howell sent them to me.

Q. Since you were here?—A. Yes.

Q. Did you ever hear of them before?—A. No.

Q. You do not know where he got them from?—A. No.

Q. He sent them to you since you came here on your subpoena?—A. Yes, sir.

*By the Solicitor General :*

Q. You said that you had no recollection of Mr. Sifton having been at the office; do you know whether there were frequent conferences between Mr. Howell and Mr. Sifton?—A. I do not know of my own knowledge. I know Mr. Howell was often up at the government offices. I know Mr. Sifton might have been in to see Mr. Howell without my knowledge.

The witness was discharged.

## Public Accounts Committee.

COMMITTEE ROOM,  
28th June, 1899.

The Public Accounts Committee met, Mr. FRASER (Guysboro') in the chair.

Mr. F. H. GIBBORNE was called, sworn and examined, as follows :—

*By the Solicitor General :*

Q. You are employed in the Department of Justice?—A. I am.

Q. A portion of your duties is to tax the accounts, the bills that are sent in from agents of the department, for services rendered?—A. From a portion of the territory of Canada.

Q. What portion do you deal with especially?—A. The province of Quebec, at the present time.

Q. With reference to the appointment of agents of the department, do you know if there is a rule applicable to the charges they are supposed to make?—A. Well, I do not exactly follow your question. We have a basis upon which we tax these bills. As to certain class of bills, we have the tariff; as to others, there is a sort of recognized practice in the department as to the range within which the fees will be allowed.

Q. What class of business does the tariff apply to?—A. It applies to summary prosecutions.

Q. That would be revenue prosecutions?—A. That is to say, ordinary prosecutions for offences under the Inland Revenue and the Customs Acts, adulteration of food and that sort of thing.

Q. Then you have a rule which is supposed to be general with reference to the charges they make for services rendered, per diem allowance, for instance?—A. Well, the per diem allowance in certain cases varies to a certain extent.

Q. What do you mean by that?—A. I mean that where the case is a special matter, extending over a number of days, we generally try to fix the fees at \$20 a day. In special cases of great importance more has been allowed.

Q. Do you issue a circular to your agents at the time you appoint them?—A. We do.

Q. Is there a reference in that to the per diem allowance?—A. I think not.

Q. Does the tariff in the department under you allow \$20 for work done in the magistrate's court, and \$30 for work at the assizes, to your agents?—A. There is no printed tariff to that effect.

Q. Is there any rule?—A. That is the usual rule, I think, that has been followed. That's true. That is true of this case and the case that the Solicitor General now spoke of—ordinary prosecutions. But as I am explaining where a case extends over a couple of days, that would be obviously unfair to the lawyer employed; and there he is allowed a per diem allowance.

*By Mr. Powell :*

Q. That is for short cases. It is cheaper to allow \$20 per day and expenses for a certain number of days?—A. Yes.

*By Mr. Fitzpatrick :*

Q. Have you with you the account rendered by Mr. Hall for services in connection with the prosecution of the case against St. Louis, arising out of the Curran bridge transaction?—A. I think I have. Yes, I have it here.

Q. What is the first item of that account; it is the 1st of October, 1894, isn't it?  
—A. 3rd October, 1894.

Q. That is an item of \$10?—A. An item of \$10, yes.

Q. For having perused a blue book?—A. Well, no, I think that is the next item?

Q. What is the first one?—A. "To taking communication of special letter and blue book with evidence before Public Accounts Committee re Lachine canal bridges received from D. M. J. with reference to prosecuting St. Louis for obtaining moneys by false pretenses in connection with pay lists in construction of Wellington and Grand Trunk bridges and Lock No. 1, \$10."

Q. The first item also refers to a blue-book, does it not?—A. Yes.

Q. And the charge is how much?—A. Ten dollars.

Q. And the next item is?—A. "Letter to the Deputy Minister of Justice acknowledging receipt of letter of instruction and blue-book and stating that the matter should be attended to forthwith."

Q. The charge for that?—A. None. That is coupled with the next item.

Q. The two items are together and there is one charge for it. Please give me the item?—A. "Letter to Deputy Minister of Justice acknowledging receipt of letter of instructions and blue-book and stating that the matter should be attended to forthwith. Examining and reading blue-book containing report and evidence before Public Accounts Committee and evidence before Exchequer Court, 650 pages, \$100." That is all one item.

Q. And then on the 8th of October there is the charge for writing a letter, how much?—A. "Letters suggesting conference with Deputy Minister of Justice and Mr. Hogg, 50 cents."

Q. On the 8th October?—A. 8th October, and there is a telegram "cancelling appointment, 50 cents."

Q. Is there an item of \$10?—A. "Special letter to Deputy Minister of Justice confirming telegrams and giving details of procedure, \$10."

Q. And on the 9th?—A. "Telegram to Deputy Minister of Justice that I was going to Ottawa."

Q. Is there an item of \$100?—A. No, that is 50 cents. There is an item "journey and attendance at Ottawa, long conference with Deputy Minister of Justice and Mr. Hogg, going into law and evidence and as to course to be pursued; interview with Mr. Hogg in afternoon, examining statements and judgments and notes in Exchequer Court, \$100."

Q. Then on the 11th is there another charge?—A. Yes. "Examining evidence before committee and statements to prepare to lay information, \$10."

Q. And then on the 12th and 13th is there another charge?—A. "Further information of statements examining evidence, collecting same, \$100." And "preparing information containing five counts to lay against St. Louis, \$25."

Q. That information was to be laid before the magistrate?—A. I suppose so; yes.

Q. You know the case; didn't you tax the bill?—A. Yes.

Q. Up to the time the information was laid before the magistrate, what do the charges amount to?—A. About \$352, roughly speaking.

*By Sir Louis Davies:*

Q. Whose bill is that?—A. Mr. John S. Hall, Q.C. It is \$356.50. That is as rendered, of course.

*By Mr. Fitzpatrick:*

Q. Well, how much did you take off?—A. It is a little difficult to say exactly what is taken off, because I see my first—at least I see that the deduction as first made was \$100.

## Public Accounts Committee.

Q. As you made the deductions originally you deducted \$101?—A. That is including a deduction for the next item over the page.

Q. No, I think up to that point that is the amount?—A. Well, in this item, "perusing letter from Mr. Hogg," there was a dollar taken off on the next item on the 16th.

Q. That will be \$101 you taxed off the original, or intended to tax off, rather?—A. Yes, \$100.

Q. Well, now, on the 13th of October, is there a charge of \$25 for drafting information?—A. That is just what I have been at. That is included in this.

Q. No?—A. It is included in my \$356.50.

Q. No?—A. Yes it is.

Q. On the 12th and 13th, is there a charge of \$100 there?—A. Yes.

Q. And a charge of \$25 for drafting the information on the 13th?—A. Yes, and that is included in the \$356.50.

Q. The \$356 includes the whole amount up to the time the information was drafted?—A. Yes.

Q. Well, on the 17th there is another charge of \$100?—A. That is "to examination and perusal of three volumes of evidence, exhibits, plans, &c., received from the commission, \$100."

Q. On the 16th is there a charge for \$5?—A. There is. "Perusing letter from Mr. Hogg giving information as to the documentary evidence in the case, and advising that he had forwarded the evidence taken before the commission and would forward pay lists and checks, and inclosing copy of information in the civil suit about to be taken against St. Louis, \$5."

Q. Is there another charge on the 18th of \$10?—A. On the 18th?

Q. On the 18th, of \$10?—A. "Perusing letter from Mr. Hogg inclosing statement prepared by Mr. McLeod and giving information generally as to the nature of the charges—examining statement, \$10."

Q. Look at the 22nd, and see if there is another charge of \$20?—A. "Further examination of the evidence and exhibits and report to the Deputy Minister of Justice as to other proceedings that might be taken, \$20."

Q. Would it be fair to say that substantially all the charges up to that time are for the examination of evidence and writing letters?—A. And drafting the information.

Q. Yes, and drafting the information?—A. I should think so.

Q. The charges up to that period would amount to \$440?

*By Mr. Powell :*

Q. And consultations with Mr. Hogg, going to Ottawa, and some days of service?—A. I beg your pardon, I did not catch the question.

*By Mr. Fitzpatrick :*

Q. The charges up to that period would amount to \$440?—A. \$420?

Q. \$440?—A. It would amount to more than that.

Q. Simply for perusing the evidence independently altogether of the letters?—A. I think so.

Q. About that?—A. About that, approximately so.

Mr. POWELL.—Is that taxed?

Mr. FITZPATRICK.—We cannot tell about the taxing until we get to the end of it.

Q. For reading a letter I see he charged on the 16th, \$5, for receiving this letter from Mr. Hogg, doesn't he ; you referred to that before?—A. It seems to cover a little more than that. He says "advising." Oh, yes, that is Mr. Hogg's letter.

Q. Have you got it there?—A. Yes, I think so. It is on the 18th, he charged \$10 for reading and receiving another letter from Mr. Hogg. Yes. No, that includes examining the statement whatever that may be.

Q. On the 20th, he received another letter and charges \$3, doesn't he?—A. Yes.

Q. Then he charges a dollar for receiving a telegram from the Deputy Minister? Now, from the 22nd of October to the 19th of November, will you see if there are several charges for perusing letters varying from two to ten dollars?—A. From what date?

Q. From the 22nd of October to the 19th of November, or the 9th, I think it is?—A. You say from two to three dollars?

Q. Two to ten dollars?—A. Up to what date?

Q. From the 22nd of October to the 19th of November. Simply, generally the different items on that account?—A. I do not see.

Q. You do not see any letters?—A. Oh, yes; I see two or three dollars, but I do not see ten dollars. I do not see anything over three dollars.

Q. The copy of the bill will speak for itself?—A. I do not see any.

Q. Up to what date?—A. Up to the 19th of November.

Q. Take the 22nd of November, sir. Is there a charge of ten dollars there for an interview with the Deputy Minister?—A. On the 22nd of November?

Q. Yes?—A. No, I do not see one on that date. Of ten dollars did you say?

Q. Well, look on the 22nd of October and see if it is on that?—A. Oh, I was looking at November.

Q. You see the date the 22nd?—A. Oh, there is there "long interview with Commissioner Sherwood, going through information with him, \$5." Perhaps it is earlier in the account.

Q. No, I have my dates correct. You cannot find any trace of it, that is all. Well, then, the information was made on the 9th of November. At least the witnesses were first examined on the information on the 19th of November, from the account what would appear to be the cost up to that time. The charges amount to how much?—A. \$643.50.

Q. \$643.50, that is right. Do you know if there was a man named Frigon who is a witness in that case?—A. I think so.

Q. Do you remember that he had been previously in the service of St. Louis & Co.?—A. I think he had been.

Q. He was the man who had stuffed the lists, or who had been connected with that?—A. My impression is, but I am not sure.

Q. There was a later communication from Mr. Hall to that effect, wasn't there?—A. I really cannot say from memory, but that is my impression.

Q. Do you know that there was a man named Frigon actually employed by Mr. Hall in connection with these prosecutions?—A. I think so.

Q. Well, but didn't I ask you to look into that matter, sir?—A. Yes, but I didn't know where to ascertain that at any rate.

Q. You have the letter in the department?—A. I think it probably is there.

Q. Can you say whether or not—have you a recollection of Frigon being employed for the purpose of working in this investigation?—A. I do not know.

Q. Don't you know that a letter was sent from Mr. Hall about it?—A. I am not sure.

Q. Did you or did you not in the last ten days, at my request, consult his letter?—A. No.

Q. There is a charge on 2nd November for writing a letter is there not?—A. 2nd November.

Q. Yes?—A. There is, and I have no doubt from that item that there is such a letter.

Q. Have you Mr. Hall's report of these proceedings there convenient?—A. I think I can find the report here.

Q. Take the file at page 19 of Mr. Hall's report; see if there is a reference there to Frigon?—A. Yes.

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Q. What does it say?—A. "As there is no doubt about the fraud, and if Mr. St. Louis is not guilty, the parties who increased or 'stuffed' the lists, apart from Frigon, were Messrs. Vileneuve and Michaud. They have denied this under oath, and there is no direct evidence of their having received the money."

Q. Now, that Frigon is the man who was employed?—A. Yes.

Q. Do you know how much his per diem allowance was; \$3, was it not?—A. From the account I have no doubt it was.

Q. Will you look now at the 19th of November; there is an attendance at the police court part of the day for which the charge of \$25 is made?—A. Yes.

Q. Is there any charge of \$25 on the same day for the examination of four witnesses?—A. Yes.

Q. Now, 20th November; have you that there?—A. Yes.

Q. Is there a charge of \$50 for an interview with Mr. Vanier?—A. Yes.

Q. Subsequently there is \$25 on the same day, an interview with Mr. Sherwood?—A. Yes.

Q. 21st November. "Attendance in police court all day, \$50"?—A. Yes.

Q. An interview with Mr. Macleod on 27th November, charged at \$50?—A. Yes.

*By Mr. Powell:*

Q. Were these allowed by you?—A. There were certain deductions.

*By the Solicitor General:*

Q. What did you deduct on the 19th November?—A. Twenty dollars, I think; \$10 off each.

Q. On 20th November?—A. I think on 20th November \$20 was allowed; the \$30 is struck out and \$20 is put in its place, and I am not sure which item governs.

*By Mr. Bennett:*

Q. What was allowed on the 20th?—A. I am not quite sure.

*By the Solicitor General:*

Q. On 21st November you reduced to \$20 that \$50?—A. It was reduced to \$30.

*By Mr. Powell:*

Q. Twenty dollars off?—A. Yes.

*By the Solicitor General:*

Q. On 27th November the item of \$50 apparently was first reduced to \$20 and then raised to \$30?—A. Yes, you are right.

*By Mr. Powell:*

Q. Twenty dollars off?—A. I am not sure whether the \$30 or \$20 was actually taken off.

*By the Solicitor General:*

Q. Then, in the same case, Mr. Bisailon is brought in on 4th December?—A. Yes.

Q. And he gets \$500 retainer and \$50 a day for attendance in the police court in the same matter?—A. Yes.

Q. Now, on the 5th December, "Attendance at the police court all day" is charged at \$50, and allowed at \$30?—A. Yes.

Q. On an average you allowed attendance at the police court for a full day at \$30?—A. That was the arrangement.

Q. That was the arrangement for Mr. Hall, independent of the question of letters, telegrams, and so forth?—A. Yes.

*By Mr. Bennett:*

Q. What was the other man allowed?—A. Mr. Bisailon, \$500 retainer and \$50 a day. I may explain that the \$30 was allowed because it was Mr. Sharp who was doing the work.

Mr. Sharp was junior in the firm?—A. Yes.

Q. Then, in addition to the \$30 per diem allowance, you allowed the letters and all the interviews and the witnesses, &c., as appears by the accounts?—A. Yes, subject to the reductions.

*By Mr. Powell:*

Q. Was that examination of witnesses on the same day or other days; how is that?—A. I don't understand your question.

Q. Do you make an allowance for the examination of witnesses and also \$30 per day on the same day or different days?—A. I think there may be some cases.

Q. Not that there may be; I am asking you for facts?—A. I think there are.

Q. Have you an instance in that bill in which \$30 were allowed for attendance before the magistrate and also a further allowance for examination of witnesses on the same day?—A. There is a half day on 21st January on which other charges were allowed.

Q. That is not allowed at \$30 a half day?—A. It is allowed at \$15.

Q. You never allowed \$30 more for being in court or examination of witnesses alone?—A. I do not quite understand your question; \$30 was the fee allowed Mr. Sharp every time for a full day in the police court.

Q. Where they had examination of witnesses?—A. No, that is exactly work in the police court.

Q. You have an allowance of \$15 there?—A. That is a half day.

Q. Do you ever allow a man more than \$30 for the same day, whether a whole day, a half day or a quarter day?—A. I do not think so.

Q. The fact I enforce is, he gets \$30 and then a similar fee for examining witnesses?—A. No, I certainly do not mean that. There may have been cases such as this, that he was engaged in the police court all day, which we allow at \$30.

Q. You have the account there; let us see what there was.

*By Mr. Fitzpatrick:*

Q. There is a charge of that description on the 21st of November; what is it?—A. "Interview with Mr. Lavery and Mr. McLeod, 9.30 to 10.30, \$5. Attendance at police court all day conducting case, \$50 (case adjourned till 26th instant). Further interview with Mr. McLeod and Commissioner Sherwood, 5 to 5.30, \$3." That appears to have been deducted entirely (\$3.00).

Q. Yes, that was thrown off entirely?—A. Yes. Then, there is a letter to Mr. Hogg on that day which is charged for, too.

Q. Take 25th January. Will you look over and see what the charge is for attendance at police court?—A. \$50.

Q. That was allowed, was it?—A. It was reduced to \$30.

Q. On the 25th?—A. On the 25th.

Q. On the 31st, attendance at library was charged \$10?

Mr. POWELL.—What day was that?

## Public Accounts Committee.

*By Mr. Fitzpatrick:*

Q. The 31st of January, isn't it?—A. That is the police court attendance.

Q. Is there not another item, attendance at the library?—A. That is on 1st February.

Q. Attendance at the library?—A. "Attendance at library, looking up authorities, &c., \$10."

Q. And there is a subsequent attendance at police court?—A. A subsequent attendance at police court, \$30.

Q. Allowed at \$15?—A. Which was allowed at \$15.

*By Mr. Powell:*

Q. What about the attendance at the library? Did you allow that?—A. Yes.

*By Mr. Fitzpatrick:*

Q. On the 21st of February, perusing evidence, \$20?—A. "Perusing evidence and making notes for preparation of factum, \$20."

Q. And for further perusal on the 22nd?—A. \$20.

Q. A further perusal on the 22nd, of \$20?—A. Yes.

Q. And a further perusal on the 25th?—A. Yes. That is two items of \$20 and one of \$10 for perusing evidence and collating same for the purposes of factum.

Q. That is \$50 in all?—A. Yes, on the 21st, 22nd and 25th.

Q. So that the sum of \$10 was taken off, and the three items were allowed at \$40?—A. It was allowed at \$40.

Q. On the 12th of March, preparing factum, \$20?—A. Yes.

Q. And on the 13th, the same item again, preparing factum?—A. Yes, \$30.

Q. And on the 14th, another item, preparing factum, \$25?—A. Yes.

Q. There were three items, \$20 the first, \$30 the second, and \$35 the third. There was \$25 taken off that?—A. I think there was \$35 taken off, but I am not sure which it was, \$45 or \$25.

Q. On 28th February he attended police court, for which the charge is \$5?—A.

\$3. On the 28th?

Q. Yes?—A. It is \$3.

Q. No, it is \$5?—A. No, \$3.

Q. Isn't there another on the 25th of February?—A. I have the wrong date. I am speaking of the 28th.

Q. Therefore, he went on the 28th, and attending the police court adjournment, I have it marked here at \$5?—A. That one of the 25th was charged at \$10 and allowed at \$5, apparently, and the next one was charged at \$3 and allowed at \$1.

Q. Now, on the 21st of March there is an item of \$20 for "reading factum of the other side and preparing the reply"?—A. On the 21st of March?

Q. Yes?—A. Yes.

Q. Then on the 2nd April, "reading and examining reply filed by counsel for St. Louis to my factum in this matter, \$10"?—A. Yes.

Q. The result, anyway, in the police office was that the charge was dismissed, was it not?—A. The case was dismissed; yes.

Q. Dismissed in the police office?—A. Yes.

Q. Then it was decided to take it before the grand jury?—A. Yes.

Q. On the 1st of June is there a charge for a retainer of \$500?—A. There is.

*By Mr. Powell:*

Q. For whom?—A. For Mr. Hall.

Q. Well, now, then, how did you arrange that, that charge of \$500; did you allow it?—A. It is deducted in the margin here.

Q. And how did you fix it up? Was anything allowed on it?—A. Yes; there was an allowance of six days at \$25 extra.

Q. I do not understand that?—A. It is practically allowing a retainer at \$150.

Q. As a fact, you did not allow him the retainer of \$500?—A. No.

Q. What did you allow him instead?—A. \$150.

Q. And that was allowed instead of the retainer, and did not represent actual services performed?—A. Well, it is hard to say that.

Q. You cannot say whether it represents services or not?—A. It represents the services for which any lawyer would receive a retainer.

*By Mr. Gibson:*

Q. How do you arrive at six days' work at \$25 a day?—A. I suppose it was arrived at by his saying he was occupied that time preparing to state the case before the jury.

*By Mr. Powell:*

Q. I cannot understand the services; the retainer is merely securing future services. Now, how do you come to give \$25 a day?—A. What the Solicitor General says, of course, is perfectly true. Speaking generally, no regular agent of the department is ever allowed a retainer.

Q. But this is a special case, and you allow him six days' work?—A. Yes.

Q. Retainer for trial before the petty jury and attending before the grand jury?—A. It never got to the petty jury.

*By Mr. Fitzpatrick:*

Q. On the 3rd of June there is an attendance before the Chief Justice as to appearing before grand jury, for which there is a charge of \$20, is there not?—A. Yes.

Q. And there was a remuneration that day of \$16 altogether?—A. Ten dollars was taken off that, apparently.

Q. The whole amount charged was \$27, and you allowed \$16?—A. \$16, yes.

Q. On the 4th of June there is an item "preparing case in office respecting issue of subpoenas and service of them," for which there is a charge of \$50, and he is allowed \$25?—A. Yes.

Q. On the 5th of June there are some more interviews, for which he charges \$50 and was allowed \$25?—A. Yes.

*By Mr. Powell:*

Q. What is the item; what appears in the account?—A. No; on the 4th of June there are four items here, all allowed at \$25.

*By Mr. Fitzpatrick:*

Q. On the 5th of June, will you say what there was?—A. \$50.

Q. On the 5th of June, how much is there?—A. \$50.

Q. Allowed at \$25?—A. Allowed at \$25.

Q. On the 6th there is attendance at court, \$50, allowed at \$25?—A. \$50, yes.

Q. Allowed at \$25?—No answer.

Q. On the 6th of June is there a charge on that day for services, \$50, allowed at \$25?—A. Yes.

Q. On the 7th of June is there a charge for attendance at court on rendering of judgment, and an interview with the Crown Prosecutor, and so forth, charged at \$50 and allowed at \$25?—A. You are taking it for granted that these taxations are all as made in the margin?

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Q. Yes?—A. These deductions represent the first taxation of the bill. At Mr. Hall's instance the taxation was revised, and where you see a pencil mark put through it, it means that Mr. Hall protested, and I think, as a matter of fact, he was allowed more than the amounts mentioned.

Q. On the 10th and 11th of June there is attendance at Court of Queen's Bench all the morning, and so on, for which \$50 was allowed?—A. Yes.

Q. On the 12th of June there is an item for attendance at the Court of Queen's Bench, for which \$50 was charged?—A. There are two telegrams and a letter in addition.

*By Mr. Powell:*

Q. And how many attendances?—A. When the Solicitor General says attendance, I understand that he means these three attendances.

*By Mr. Fitzpatrick:*

Q. Three attendances on the same day, on the same court and on the same case?—A. I would not put it that way, as a lawyer. I would include in that going back after lunch, and so on.

Q. On the 15th another item of \$50 was allowed on the same case before the same court?—A. On the 15th?

Q. No, the 13th, I think it is?—A. On the 13th, yes. There is attendance and a letter that day with a copy of the stenographer's notes.

*By Mr. Powell:*

Q. How much allowed for that?—A. \$50 apparently.

*By the Solicitor General:*

Q. This was for attendance at court while the bill was before the grand jury, because the case never got beyond the grand jury?—A. Yes.

Q. Do you know whether Mr. Hall did anything before the grand jury except to go in and explain the case; that he was not allowed to marshal the witnesses?—A. Yes.

Q. He was not allowed to marshal the witnesses?—A. Yes. I don't know whether he went before the grand jury.

Q. And the grand jury threw the bill out?—A. Yes.

Q. So that practically Mr. Hall was paid for standing around the doors \$50 a day?—A. Well, I do not think that was Mr. Hall's explanation of it.

Q. Now, would you tell me in a summary what the bill amounts to for this information laid before the grand jury and the preliminary investigation before the magistrate?—A. Well, I make out that Mr. Hall was paid \$4,535.75.

Q. For these services?—A. For these services, including a number of disbursements amounting to about—well, I am not sure of the exact amount, but they amount to about \$1,000 or thereabouts.

Q. Is it not \$703.10?—A. That is only part of them. There is another account for \$996.90 paid for disbursements.

Q. Can you tell me from the accounts now before you how much was paid to Hall, Cross, Brown and Sharp, for services rendered in connection with the information laid before the police magistrate and the subsequent proceedings before the grand jury?—A. That is Mr. Hall's entire bill.

Q. Let us get the whole bill and then take the disbursements?—A. Mr. Hall was paid, as I make it out, \$4,535.75. That included a certain amount of disbursements for stenographers' fees and things of that kind, amounting, I see here, to \$996.90, but I think in addition to that there was another bill of disbursements.

Q. But you cannot give me the details of disbursements?—A. I cannot, and I could not find the accounts. There is one item here of \$996.90, but my impression is there was another one of \$700, but I am not at all sure and could not authenticate that.

Q. You have no disbursement accounts in the office?—A. No, and I do not see any in these accounts you got from the Railway Department.

Q. Well, now, in addition to the amount paid to Mr. Hall for these services and disbursements in connection with the St. Louis case, how much was paid to Mr. Bisailon?—A. \$1,571.

Q. Now, would you take Mr. Bisailon's bill, which amounts to how much?—A. It amounts to \$1,726.

Q. And was taxed down by you?—A. \$225.

Q. That is to say you allowed him——?—A. \$1,571.

Q. At the rate of \$500 retainer and \$50 a day?—A. And \$50 a day. I may explain that this taxation—as his fee had been fixed beforehand—the only taxation it was possible for me to make, because I had nothing to do with the settlement of fees, was that in some cases he charged the full fee where I thought he should only get half or part of the day.

Q. Did you make a deduction for the 15th of June?—A. Yes.

Q. What did you deduct there?—A. \$40.

Q. And he claims how much?—A. \$50.

Q. Why did you deduct \$40?—A. There is a memo. on the page “only occupied half an hour or so.”

Q. You made the memo. yourself?—A. I did.

Q. Generally, can I say that as far as you are concerned you had nothing to do with employing solicitors or agents?—A. Nothing; I have nothing to do with the appointing of agents or fixing fees in that way.

*By Mr. Powell :*

Q. You gave us the total of the bill as \$1,726?—A. \$1,571 was allowed.

*By the Solicitor General :*

Q. Now, in connection with the same matter, was there an amount paid to Mr. Atwater for attendance before the commissioners who were appointed to investigate this?—A. There was.

Q. How much did he get?—A. Mr. Atwater's bill is \$3,816.

*By Mr. Gibson :*

Q. For the same services?—A. No, for appearing as counsel before the commission that investigated the Curran bridge charges. There was an engineering commission that examined the whole thing; this was Mr. Atwater's bill for appearing before them.

Q. As solicitor for the commission?—A. As solicitor for the Crown to assist the commissioners.

Q. And his bill was?—A. \$3,816.

*By the Solicitor General :*

Q. And he is allowed by you to charge forty-six days?—A. Well, I do not think he was allowed at the rate of forty-six days; it was estimated he was employed forty-six and he was allowed \$35 a day.

Q. And \$500 retainer?—A. Yes.

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*By Mr. Gibson :*

Q. So you reduced the bill by one-half?—A. More.

*By the Solicitor General :*

Q. Now, do you remember that when the charge was dismissed by the police magistrate it was decided to prosecute the case, notwithstanding the judgment of the police magistrate, before the grand jury?—A. It was.

Q. Do you remember that after the case came before the grand jury and was dismissed application was made on the part of St. Louis' counsel to have the costs connected with this case paid, the costs to which he had been put by the prosecution, holding that the government was liable for these costs?—A. The court held that Mr. Sherwood could not be held to represent the government, that therefore, as he appeared to prosecute the case, he was responsible for the costs and they must indemnify him.

Mr. FITZPATRICK.—Would you look at the judgment in the case? Take Justice Wurtele's judgment.

*By Sir Louis Davies :*

Q. What did you allow him; 46 days at how much?—A. \$35.

*By Mr. Fitzpatrick :*

Q. Will you look at the judgment by Chief Justice Lacoste at the time the information was laid? Read the decision where he decided what the position of the Crown is. What does he say?—A. He says: "Now, the Minister of Justice interfering—coming between and taking in hand the bill of indictment—the charge which was to have been presented by Sherwood, is he in a different position? The Minister of Justice in this case acts as he acts in the other courts; that is to say, the same as an individual plaintiff. Before any court of justice, when the federal government sues it pays the fees which are due to the local government for the administration of justice. This is the way it acts in the civil courts, and that is the way it acts before the courts of criminal justice, according to my information. Therefore I do not see why in the present case the federal government or the Minister of Justice could not act as it did in the other circumstances."

Q. Now, Mr. Gisborne, will you be good enough to give us a copy of Mr. Hall's bill certified by yourself with the amounts taxed off it?—A. I had better give you the original.

Q. No, I think not—a copy; also a copy of Judge Lacoste's notes?—A. That is these notes?

Q. Yes?—A. I will.

Q. Can you now tell what Mr. B. B. Osler's bill was in connection with the Connolly and McGreevy matter?

*By Mr. Powell :*

Q. I see he has charged retainer as paid by him to counsel, and the other man charged a retainer of \$500. Has he been twice paid?—A. No; it is his own retainer, and it was not allowed.

*By Mr. Fitzpatrick :*

Q. What was the fee paid to Mr. Osler in connection with the Connolly-McGreevy prosecution?—A. \$7,034.10.

Q. Altogether?—A. Altogether, as I make it.

Q. He, as a rule, does not give details in his bill. He just makes a lump charge?  
—A. He gives very insufficient details.

Mr. GIBSON.—And so you can't tax it in that way?

*By Mr. Fitzpatrick :*

Q. What retainer was he paid?—A. I do not think he charges a retainer as such.

Q. What is his per diem allowance? It varies substantially from \$100 to \$150 per day, does it not?—A. I think it runs about \$100, and when he comes to Ottawa he puts in a round \$50 for his expenses.

Q. Take the account, for instance, the trip to New York for the examination of O. E. Murphy. How much does that amount to?—A. \$2,250.

Q. And the result was that when Mr. Murphy was seen he said he would not allow himself to be examined, and so Mr. Osler came back?—A. This covers more than the trip to New York.

Q. Read it?—A. "Conferences, consultations and advising as to issue of commission for examination of O. E. Murphy, fee on motions before Chancellor and Falconbridge J., re order for commission, &c. Preparing and settling all papers, attendance in New York on consultation with and to retain counsel there. Correspondence and telegraphing throughout. Attending in New York for examination of Murphy, 13th to 16th September. Subsequent consultations with Mr. Kerr, Q.C., and counsel fee with brief at trial, and on preparation, including services of expert clerk, on preparation for trial and attendance thereat, and at Ottawa and New York re examination of Murphy, including expenses of self and expert clerk at New York and Ottawa, \$2,250."

Q. Murphy did not give any evidence?—A. I think not, but I am not sure of that.

Q. That is your recollection?—A. Yes.

*By Mr. Gibson :*

Q. Whose bill was that?—A. Mr. Osler's.

Q. Mr. B. B. Osler's?—A. Yes.

Q. In addition to the \$7,000?—A. No, part of it.

*By Mr. Fitzpatrick :*

Q. Can you tell how much was paid to O'Connor & Hogg?—A. \$3,972.66.

Q. How much to Christopher Robinson?—A. I haven't anything for Christopher Robinson in this case.

Q. Did you pay witness fees and expenses in connection with the Connolly-McGreavy matter?—A. It was a criminal proceeding, of course.

*By Mr. Powell :*

Q. But you are taking the \$250 as a separate item?—A. Of course, this account of Mr. Osler's, I think, to a certain extent, touched on the civil proceedings.

Q. I can tell you in one second. The civil proceedings were conducted in Quebec. I make it that for the criminal alone?—A. The civil and criminal were very closely connected, and the instructions were given at the same time. (Consulting record.) This is not complete as to charges in the civil cases. But there are some civil charges in it.

*By Mr. Fitzpatrick :*

Q. Have you an account of what was paid for witness fees and expenses?—A. The expenses paid to Mr. Sherwood for travelling expenses, witness fees, &c., including detective fees, are \$6,683.50.

## Public Accounts Committee.

Q: Did you refund to the county of Carleton the expenses connected with the summoning of the jury, &c.?—A: We did.

Q: And paid the county of Carleton \$1,153.90?—A: I am satisfied that is what it was. Here it is; \$1,153.90.

Q: So that in the case of McGreevy and Connolly the federal government assumed the responsibility for the proceedings before the police magistrate and before the assizes, and paid not only counsel but witnesses and the costs incurred by the county of Carleton in connection with the assizes?—A: Yes.

Q: In the St. Louis case all the expenses connected with the investigation were paid by the Dominion, and all the expenses paid of the proceedings in the assize court were paid by the government?—A: Yes.

Q: And for witnesses, counsel and witnesses?—A: I think so.

Q: And under the judgment of the court you were condemned to pay in addition to the fees of your own counsel the costs incurred by the other side?—A: To the amount of \$1,166.08.

Q: You could not pay anything for the jury there because it never reached the jury?—A: It was only before the grand jury.

*By Mr. Powell :*

Q: Hall's account, have you that here?—A: Yes.

Q: Just look at your copy, please. Hall's account for services was for \$3,978.15, the account that he rendered?—A: Yes.

Q: I am speaking of the account rendered, not as adjusted at all. \$3,978.15, off that was taxed what amount? \$1,227.40, was it not?—A: Yes.

Q: So that the account as taxed, the account for services as taxed, was what? Just take the difference. \$3,978.15 less \$1,227.40, that is \$2,750.75, wasn't it, for services? There is the item in your account?—A: Yes, but I cannot rely on that because the bill was so frequently changed.

Q: What is the amount you make it. \$2,750.75?—A: I make it that we allowed \$2,453.85.

Q: You allowed for services \$2,453.85?—A: Place a small amount here, \$296.85, for disbursements.

Q: In addition to a small account of \$2,530.85?—A: Yes.

Q: Now, that was the total paid him for services and the rest for cash disbursements in connection with the suit or proceedings; that is correct, is it not?—A: Well, you see, I am not an accountant and it does not fall to my lot, I am glad to say, to be responsible for the keeping of the accounts.

Q: Well, that is as near as you can come now?—A: That is as near as I can come now.

Q: That is what you believe correct?—A: Yes.

Q: Now, Mr. Hall's allowance for a day in court is \$30?—A: No. I can only answer that by making an explanation. At the start these proceedings were conducted by Mr. Sharp, Mr. Hall's junior partner, under the instructions and notice of Mr. Hall himself, so I am informed. During that time Mr. Sharp was paid at the rate of \$30 a day for a full day in the police court. When the case came before the Queen's Bench and was submitted before the grand jury, Mr. Hall himself personally had charge of the proceedings; Mr. Hall himself being a heavier counsel than Mr. Sharp, his junior counsel, was allowed then at the rate of \$50 for a full day before the court, or approximately so; that was the theory.

Q: That is, when the junior counsel is there, his junior partner rather, when he attended, he is allowed \$30, and when the senior partner attended, he, Mr. Hall, was allowed \$50?—A: Generally speaking, that is true.

Q: And from the account, as it appears here, taxations were made, but the exact taxations off you cannot give us; you can give us a summary of it, but you cannot

give us the exact taxation off individual items?—A. I can be certain in regard to specific items for this reason, that when the bill was first presented, I went over it; I taxed it after consultation with the deputy minister as to the rate per day. I made deductions all through the bill, which Mr. Hall positively refused to accept. Mr. Hall came to Ottawa several times and had consultations with us, in which some of the original deductions were disallowed and some were confirmed.

Q. Well, now you have got through that explanation. Now, the question I ask is this: The account, as you present it here, does not show the taxation of the individual items; all that you give us is an approximation to the sum total of the deductions that were made?—A. As to some of the items, I can give you the specific deductions, but not as to all, for the reason I have mentioned.

Q. And when you say \$50 was charged there, you are not satisfied that \$50 was paid, I suppose, or that the deduction was made from it, \$50 for a day's attendance?—A. I do not understand that question.

Q. Well, where you say that there was a specified charge of \$50 for attendance before the court?—A. If there is no deduction in the margin, I am satisfied it was paid; where there is a deduction in the margin, I think that probably the deduction was maintained.

Q. And you speak now of deductions as they appear in the original account?—A. As they appear pencilled in the margin of the original account.

Q. The Osler account, I understand, was sustained; you did not tax that?—A. Mr. Osler is in the habit of charging at the rate of \$100 a day.

Q. That is his ordinary charge; we will take that?—A. We did not cut Mr. Osler down more than once or twice in my experience.

Q. But I want to come to this: you said you had a schedule of rates; the arrangement between Mr. Osler and the minister was a private matter, and the ordinary schedule did not apply to him?—A. That is right. Our instructions are to pass Mr. Osler's accounts without question; I do not say we have instructions, but the practice is to pass certain lawyers' bills at their face. In one or two cases these lawyers have been asked to reconsider an account which is thought too high, and they generally do so.

*By Sir Louis Davies :*

Q. Who are the favoured ones?—A. Christopher Robinson, Mr. Osler, Hon. Edward Blake, on the few occasions on which we have retained him; Mr. McCarthy, I think, we had earlier; Mr. McCarthy was always in the House; I am sure Mr. McCarthy was never retained by our department; I do not remember.

*By the Solicitor General :*

Q. You talk about a schedule of rates; that is only applicable to agents?—A. We have no schedule, in the sense of a schedule drawn up and in writing, but it is for the guidance of the taxing officers; there is an understanding that a certain figure shall not be exceeded.

*By Mr. Powell :*

Q. I suppose Mr. Osler is only engaged in connection with large matters, important matters?—A. I have never known him engaged except in large matters.

Q. He was never engaged in small matters, as in Manitoba, as to whether men received a couple of dollars for their vote?—A. I do not think so.

The witness was discharged.

*Questions forwarded by order of the Public Accounts Committee to His Honour Sir Oliver Mowat.*

1. When and on what occasion did you first hear of the proposed prosecutions in Manitoba for election frauds?

## Public Accounts Committee.

2. What information was then before you?
3. Had you at any time the matter under your control or supervision; and if so, when and in what way?
4. Have you copies of letters written by you or by your direction on this subject; and if so, will you produce them?
5. If you have no copies of such letters, where would they be found?
6. With whom did you correspond, or to whom did you cause letters to be written, on this subject?
7. What was your opinion of the bills submitted to your department (of Justice) in this matter?
8. Did you communicate this opinion in writing to any one; if so, to whom?
9. Did you complain of Richards & Bradshaw's bill in this matter, and if so, why?
10. Did you complain of Mr. Howell's bill in this matter, and if so, why?
11. What instructions, if any, did you give in this matter to any one?
12. What instructions did you give to Mr. Howell, if any?
13. If you say you gave instructions in this matter to any one, was a record made, or directed to be made, of them, in your department, and if not, why not?
14. When did you first learn that the Dominion government had any connection with these prosecutions, and that the cost of them would be defrayed by the Dominion government?
15. What steps did you take, if any, to see that the conduct of these proceedings should be in proper hands, and conducted under your supervision or that of your officers, as Minister of Justice?
16. When did you, as Minister of Justice or Attorney General, cause any officer of your department to be instructed on the subject?
17. What is the name of the officer referred to, if any, in your last answer?
18. Can you name any other contentious matter in your department where such a course was followed as in this case, and if so, what is it, and when did it occur?
19. State all the occasions and the dates, if possible, when you discussed these cases with your colleagues?
20. Did you suppose that any letter of yours, criticising the bills of counsel in this matter, which was before your officers when the bills were taxed, and which went to the Auditor General on the official file, should be withdrawn at any time and treated as a private letter?
21. Did you ever request that such a course be taken respecting such a letter?
22. Did you know that Mr. Sifton was raising money upon his note, or notes, on which he was liable, to carry on these prosecutions?
23. Did you know on 30th June, 1897, when you signed an order in council (P. 6—evidence herewith), that the \$6,964.41 had already been paid? That this amount was to relieve Mr. Sifton from his personal liability in connection therewith?
24. On whose and what information did you so report to His Excellency the Governor General?
25. Did you, as the law officer of the Dominion government, consider it proper that the expenses attendant upon the prosecution by the Attorney General of Manitoba of persons charged with frauds in connection with the federal elections should be paid out of the Dominion treasury?
26. Was an arrangement made that the Dominion government should pay such expenses in the present case? If so, when was the arrangement made and how?
27. Did the Dominion government pay the expenses in connection with the prosecution of Connolly and McGreevy in 1891 and 1892, when you were Attorney General of Ontario?
28. Why were the arrangement and the proceedings thereunder not communicated to the officers of the Department of Justice?

29. Would you have considered it in the public interest to have communicated such information to the officers of the department before the prosecution had been instituted? If not, why not?

30. When executive action is decided upon by the Minister of Justice, is it an essential part of the duty of the Minister of Justice in all cases to communicate his decision to the officers of his department?

31. Whose business is it in such a case to decide whether the information should be communicated to the officers of the department?

32. Have you any doubt in your own mind as to the propriety of your action in this case in not advising the officers of your department of the action taken in the case of these prosecutions?

33. Is it not a fact that the actual conduct of these prosecutions was left in the hands of the law officer of the Manitoba government, subject to such consultation with you as might be considered desirable?

34. Is it correct that Mr. Howell, who had charge of these prosecutions, as Crown counsel, came to Ottawa and consulted with you as to the proceedings he had taken and as to his future proceedings?

35. Did you approve his proceedings as far as he then explained them to you?

36. What instructions did you give him as to his future proceedings?

37. Were you aware that Mr. Sifton was accepting drafts for the amount of the expenses incurred in these cases as certified by Mr. Howell?

38. Were these drafts accepted by Mr. Sifton with the knowledge and consent of his colleagues in the government?

39. Was there any arrangement as to the payment of these drafts?

40. If so, what was it?

41. Have you any correspondence upon this subject which you wish to place before the committee?

42. Is it to your knowledge that in prosecutions of a similar character conducted by the Crown in the right of the Dominion the taxing officers in the Department of Justice frequently allowed under the preceding government a per diem allowance varying from \$100 to \$45 for similar work?

43. Can you fix the first date when you considered it proper that the expenses attendant upon the prosecutions in question should be paid out of the Dominion treasury?

44. Are you aware that the prosecution of Connolly and McGreevy was by the direction of the House of Commons?

45. Do you know of any cases of criminal prosecutions, outside of those in question, where executive action decided on by or through the Minister of Justice was not promptly communicated to the officers of the Department of Justice? If so, please state them.

46. When and at what stage of the prosecutions in question did you first communicate to the officers of the Department of Justice the course the Dominion government had decided upon?

47. What law officer of the Manitoba government did you communicate with on the subject?

48. If with any, were the communications in writing, and if so, will you produce copies of the correspondence or state where they may be obtained?

49. What conversations on the subject had you with Mr. Howell—when and where, and what took place at each?

50. If you say you approved of his proceedings (in answer to a question of Mr. Fitzpatrick), please say what proceedings had then taken place, or to what you refer?

51. If you say you gave him instructions, were they in writing or was any record made of them? If yes, can you produce the instructions or indicate where they may be found?

## Public Accounts Committee.

52. Were you aware that Mr. Sifton's name was on a note in a bank in Winnipeg upon which counsel and others had obtained advances to carry on these prosecutions at an early stage and long anterior to any payment of the Dominion government?

53. Was this note signed by him at the request or with the knowledge of the members of the government?

54. Did you, as Attorney General of Ontario or Minister of Justice, ever give your private note or accept a private draft to raise funds for a criminal prosecution?

55. If you produce an arrangement in writing touching this matter (referred to by Mr. Fitzpatrick), please state why this was not made an official record?

56. Have you knowledge of letters or correspondence respecting these prosecutions which you have not produced or which are not on official files?

57. If you say you are aware of fees taxed by the Department of Justice of from \$100 to \$45 a day for similar work, please state the cases and the counsel involved?

58. If you say the course adopted in these cases (Manitoba prosecutions) was in your opinion justified and necessary in the public interest, do you not think the government should have pursued the same course in connection with recent elections in the province of Ontario for the Dominion House? If not, why not?

### *Answers of Sir Oliver Mowat to the Interrogatories of the Public Accounts Committee.*

To the first interrogatory I say:—

1. I cannot state exactly when first I heard of the criminal prosecutions in Manitoba for election frauds. I think it was in Council I first heard of them, and probably from the Premier, Sir Wilfrid Laurier. It was soon after his government had been formed.

2. The principal information before us was that received from Sir Wilfrid. There was a letter from Mr. Sifton, then Attorney General of Manitoba, to Sir Wilfrid; but whether this letter was read to us in Council or presented in Council, I do not remember.

3. I had not previously had the matter under my control or supervision. I exercised no control or supervision after we had determined to assume the expense and gave instructions to Mr. Howell at the meeting with him in Ottawa.

4. I have a copy of a letter written by me to Mr. Sifton after the close of the prosecutions. The letter had reference to some of the charges made in some of the bills claimed by some of the counsel and solicitors. My letter was strictly private as between colleagues in the government. I understand that, the letter being of that character and containing nothing material to the present inquiry, Mr. Sifton has declined producing it; but he has informed me that he has no other objection, and, in effect, leaves it to my own discretion whether to produce the copy I kept or not. The following is a copy of the letter.—

10th May, 1897.

MY DEAR COLLEAGUE,—I have your letter of the 8th instant, inclosing letter from Messrs. Archibald & Howell, of Winnipeg, covering bill of costs of Messrs. Richards & Bradshaw for their fees in connection with the ballot box prosecutions. Many of the fees charged seem to me, as an Ontario man, enormous, \$40 a day in most cases, \$10 an hour in some cases, &c.

Yours very truly,  
O. MOWAT.

The Honourable  
CLIFFORD SIFTON,  
Minister of the Interior.

I do not think I have copies of any other letters on the subject written either by me or by my direction.

5. If there were any other such letters I have no copies of them, and cannot say where they may be found. I am sure there were no such letters containing anything material with reference to the present inquiry.

6. The letter which I have set forth is the only correspondence I recollect having on the subject.

7. My opinion of the bills submitted to me was that, judging by what we used to pay for similar services in Ontario, some of the charges were too large.

8. I communicated this suggestion in writing to Mr. Sifton, from whom I had received the bills. The writing I refer to was the letter hereinbefore set forth.

9. I do not recollect whether Richards & Bradshaw's bill was one of those which I had received; probably it was. I made no other "complaint" except as stated in my letter to Mr. Sifton. It was hardly a complaint, as the Dominion had not paid the bills, and a lawyer's bill may honestly contain higher charges than would be taxable.

10. I complained of Mr. Howell's bill in this matter, on the ground already stated, that is to say, I thought some of the charges too large. I complained in the sense mentioned in my answer to the ninth interrogatory.

11. I gave instructions to Mr. Newcombe to tax all the bills, it being usual that bills of costs against the government are so moderated and taxed.

12. The instructions which I gave Mr. Howell were to proceed with such of the cases as he should obtain sufficient evidence to call for or justify convictions.

13. In giving these instructions I said nothing about a record being made thereof in my department, the subsequent verbal direction to tax being all that was necessary, whether there should be a record made thereof or not.

14. I was present in Council when it was unanimously agreed that the costs of the prosecutions would be defrayed by the Dominion government. I cannot give the exact date when this was done. It was before the advance of \$3,000 towards the expenses. I presume that the agreement so come to, was the first connection which the Dominion government had with these prosecutions.

15. It was understood that the conduct of the proceedings was in proper hands, Mr. Howell was the principal solicitor and counsel, and we all had confidence in his efficiency for the duty. We had confidence also in the ability of Mr. Cameron, the Attorney General of Manitoba, with whom he conferred.

16 and 17. There was nothing which any officer of my department in Ottawa could be instructed to do as the matter then stood. The necessary investigations could only be made in Manitoba, and the gentlemen engaged in the locality of the frauds could receive no useful assistance from me or my department in making them.

18. In Ontario, in most cases arising in the administration of justice, with which as Premier and Attorney General I was for so many years familiar, the criminal prosecutions are attended to in the locality without any reference to the department in Toronto; and nothing may be heard of them in the department until the amount of the expenses to be repaid by the province to the county comes up for consideration—nothing more than this being necessary. I was not long enough in my office, as Minister of Justice, to name any contentious matter except the present where such a course as the question refers to was followed. The case, however, was peculiar in its circumstances, and just such a case may not have occurred before. I thought it quite clear that the matter could be best managed locally and not from Ottawa.

19. I do not recollect, and cannot state, all the occasions nor all the dates when I discussed the cases in question with my colleagues in the Dominion government.

20 and 21. Private letters sometimes get upon the official files, and should be withdrawn. In my own practice, both at Ottawa and in Ontario, I endeavoured to keep private and official letters separate and not on the same file; but, occasionally, with all my trouble, they did get mixed up.

22. I do not recollect knowing that Mr. Sifton was raising money upon his note or notes on which he was liable to carry on these prosecutions. I do not yet know that he raised money in that way for the purpose named.

## 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-

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

## Public Accounts Committee.

matter over, he received instructions from us as to future proceedings. I do not recollect what was said on this occasion by each of the ministers present, but the instructions given to Mr. Howell were concurred in by all. I dare say that in giving them I, being Minister of Justice, may have taken the most active part and that in that sense the instructions may be said to have been given by me.

35. I did approve of the proceedings theretofore taken, as far as I was aware of them.

36. The instructions we gave him were to proceed with the investigations, and to prosecute such of the guilty parties as he had or should get sufficient proofs against to entitle him to verdicts. A great deal had to be left to his discretion in the matter if the investigation or the prosecutions were to be effective. We had confidence in his prudence and judgment. The frauds which were ascertained or were believed to have been committed were of great magnitude and were accomplished by novel and dangerous devices, and it was in the public interest to expose and punish the perpetrators if possible, notwithstanding that the expense might be considerable.

37. I do not recollect when first I was aware that Mr. Sifton was accepting drafts for the expenses incurred in these cases. Such expenses were a matter between him and Mr. Howell, with which the government or the Dominion had nothing to do and incurred no obligation.

38. I cannot say whether the drafts were accepted by Mr. Sifton with the knowledge and consent of any of our colleagues of the government. As to myself the drafts were drawn and accepted without my knowledge; my consent had not been asked, and I presume this was the case as respects the other members of the government. Under the circumstances, if my consent had been asked, I could not have objected.

39 and 40. There was no arrangement with the government that I know of as to the payment of these drafts.

41. I have no correspondence on the subject referred to in this question.

42. Mr. Newcombe can answer this question better than I can.

43. I cannot fix the first date when I considered it proper that the expenses attendant upon the prosecutions in question should be paid out of the Dominion treasury. I am sure that I never had any doubt of it.

44. I do not recollect that the prosecution of Connolly and McGreevy was by direction of the House of Commons. If so, the printed proceedings will show it.

45. I am not aware of any case of criminal prosecution where the action decided upon by or through the Minister of Justice or otherwise was communicated to the officers of the Department of Justice, if there was nothing to be done by them in respect thereof, or until something was to be done by them. In this case nothing to be done by them was contemplated or expected until the taxation of the bills.

46. Until the bills came in I do not remember making any communication to the officers respecting the prosecutions or the frauds.

47. I communicated with no law officer of the Manitoba government on the subject, except Mr. Howell, and with him I had but one communication, of which I have already given an account.

48. I had no correspondence with him. I had no occasion to have any.

49. I had but the one conversation with Mr. Howell.

50. When I expressed my approval of Mr. Howell's proceedings theretofore, he had made some investigations as to the facts. I cannot now give details of them.

51. The instructions to him on the occasion referred to were not in writing, nor was any record made of them by me or by my direction. They were plain and well understood by all.

52. I was not aware that Mr. Sifton's name was on a note in a bank in Winnipeg upon which counsel and others had obtained advances to carry on these prosecutions at an early stage and long anterior to any payment of the Dominion government.

53. If there was such a note I cannot say whether it was signed by Mr. Sifton at the request or with the knowledge of any of the other members of the government.

I never heard or supposed that Mr. Sifton had carried or was carrying on the proceedings on his own account or advancing money.

54. I do not remember that as Attorney General of Ontario or Minister of Justice I ever gave my private note or accepted a private draft to raise funds for a criminal prosecution. Mr. Sifton appears to have been more public-spirited in the matter than I ever had occasion to be. Certainly we all thought the frauds were exceptionally extensive and dangerous to the public.

55. I do not produce an arrangement in writing referred to in this question.

56. I do not know that there are any letters or correspondence respecting these prosecutions which, or copies of which, are not on the official files.

57. I did not personally while Minister of Justice tax any bills of costs that I remember, and I cannot state anything as to fees taxed by the department of from \$100 to \$45 a day for similar work to that in question. Mr. Newcombe, who has had to do with such matters for several years, can tell as to fees of from \$100 to \$45 a day being allowed, if there were any such.

58. I think that where a great crime has been committed or is believed to have been committed in respect of Dominion elections in the province of Ontario or any other part of Canada, and the public interest requires its investigation and prosecution on the part of the Dominion, it would be proper for the Dominion to undertake such proceedings and prosecutions, having regard to all the circumstances. It would seem to me unpardonable that in such a case the criminals should escape exposure and punishment unless the provinces should undertake the expense. Every case should be determined on its own circumstances on the responsibility of the government having the confidence of parliament. There is great difficulty in presenting an election case in such a way as to compel a verdict, and exceptional efforts must be made to ascertain the facts and procure evidence of them.

I am aware of the constitutional rule and a minister's oath of office in regard to matters passing in Council, forbidding the communication of these except to other members of the Council, but I am informed by the Premier, Sir Wilfrid Laurier, that he has the authority of His Excellency the Governor General to have everything made public with regard to all these matters, thus enabling ministers to answer all questions in regard to the said proceedings.

O. MOWAT.

July 14th, 1899.

*(To correct an error made in the evidence of Mr. Gisborne.)*

OTTAWA, 25th July, 1899.

D. C. FRASER, Q.C., M.P.,

Chairman Public Accounts Committee,  
House of Commons.

SIR,—Upon referring to the report of my evidence given before the Public Accounts Committee on 28th June last, a printed copy of which I have just seen, I notice at the end of my evidence the following questions and answers:—

*“By Mr. Powell:*

“Q. I suppose Mr. Osler is only engaged in connection with large matters—important matters?—A. I have never known him engaged except in large matters.

“Q. He was never engaged in small matters, as in Manitoba, as to whether men received a couple of dollars for their vote?—A. I do not think so.”

The last answer does not correctly state what I said.

My reply actually was: “I do not think that is a fair question.”

I knew nothing of the Manitoba prosecutions referred to, except as disclosed in the evidence given before the Public Accounts Committee; it being no part of my duty to deal in any way with Manitoba legal accounts.

I am, sir, your obedient servant,

FRANCIS H. GISBORNE.

MINUTES OF EVIDENCE

RELATING TO CERTAIN ITEMS SET OUT ON PAGES R—22 AND 23 OF  
THE AUDITOR'S REPORT UNDER THE HEADING "LAND AND  
DAMAGES, TRENT CANAL."

COMMITTEE ROOM No. 49,  
13th July, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guys-  
boro') in the chair.

Mr. R. J. McLAUGHLIN called, sworn and examined:

*By Mr. Hughes:*

Q. On page R—22, Auditor General's Report for the year ending 30th June, 1898, I find your name and that of Patrick Fitzgerald under the heading of "Land and Damages, Carden, east half lot 1, con. 8, \$72." Give us the details of that item. What is your connection with it; that is what I want to know?—A. About a year ago I was appointed agent to the Minister of Justice up there in North Victoria, and Patrick Fitzgerald had a claim for expropriated land, the files of which were forwarded to me by the Deputy Minister of Justice; and we were asked to search the title, draw the conveyance and have it executed by Fitzgerald, and return it with a report of the title, abstracts and certificates to the Minister of Justice, which we did. On the 12th of July, a year ago, I received the following letter from the Department of Justice:—

DEPARTMENT OF JUSTICE,  
OTTAWA, 11th July, 1898.

R. J. McLAUGHLIN, Esq.,  
Barrister, &c., Lindsay.

TRENT CANAL—CLAIM PATRICK FITZGERALD.

SIR,—I have the honour to inclose herewith cheque No. 9598 of the Department of Railways and Canals in favour of yourself and Patrick Fitzgerald for the sum of \$72, being in payment of compensation for land taken for the Trent Canal, and damages thereto.

Kindly acknowledge receipt of cheque.

I have the honour to be, sir, your obedient servant,

A. POWER,  
Acting Deputy Minister of Justice.

On the same day I wrote as follows to Patrick Fitzgerald, inclosing the cheque:—

12th July, 1898.

PATRICK FITZGERALD, Kirkfield.

*Re* TRENT VALLEY CANAL.

DEAR SIR,—We inclose you cheque for \$72, payable to your order. Any store-keeper in Kirkfield will cash it for you. If they can't, if you will send it back to me, I will send you the money by express.

Yours truly,

R. J. McLAUGHLIN.

That is the last I ever heard of it. I may say in further explanation that it has been the practice of the Department of Justice, I believe, always when cheques are issued for payment of damages, to make them payable to the order of the agent of the Minister of Justice and the party, and the agent of the Minister of Justice is then held responsible for the delivery of that cheque to the proper party, and the cheque bears his endorsement as an identification of the party.

Q. Did you charge Mr. Fitzgerald anything for your services?—A. No. I was employed by the Minister of Justice, and my bill, some \$16, was paid some time later on by the department.

Q. On page R—22 I find items "Land and damages" at Somerville and Fenelon, and an item of "John L. Brown, east part lot 21, con. 7, \$100." That is at Fenelon. Will you be good enough to tell us what your connection with that item was, Mr. McLaughlin, please?—A. Yes. This is an item that occurred before I was appointed Crown Agent.

Q. I am not asking you that. When were you appointed government agent?—A. About a year ago; that is the first thing I ever got. The first instructions were in the Fitzgerald matter. That was in July, a year ago.

Q. Who was the government agent before that time?—A. Mr. Barron, of Lindsay, now Judge Barron. He is in Stratford now. And before that time, Mr. Moore.

Q. Now, be good enough to tell us about the Brown item; what do you know about that?—A. This is a matter that occurred long before I was appointed agent of the Minister of Justice. It was a claim for flooding of lands. It was not a claim for expropriation. In the year 1891 the dam at Fenelon Falls had been raised from 21 to 22 inches, and there had been flooding from that time on until this time. That was in 1896 that I took up the claim for Brown and some twelve or thirteen others. We were employed as solicitors for the parties in that case. It was a dispute case, not a case of expropriation where land had been surveyed out and purchased by the government; but there was a report by the superintendent and engineer that the dam was not raised so as to cause the damages by flooding, owing to the fact that a bar had been blasted out of the mouth of the river and the slide had been deepened, so that the effect of the dam was not to raise the water beyond what it was before. These claims had been in dispute for a number of years, and a number of the people interested employed our firm to prosecute their claims. We were employed first in the fall of 1895 or the early winter of 1896, before the general election and before the government changed; and we had taken some proceedings on behalf of some parties, if not on the part of the whole. It was entirely a matter between solicitor and client, and I submit that it is not really any person's affair what I charge my clients for my services or what they paid me.

Q. Do you object to tell how much Brown was charged by you?—A. No, I do not; although, as I say, it is nobody's business. He paid me \$18.

*By Mr. Cowan:*

Q. On a \$100 claim?—A. Yes, he was allowed \$100.

*By Mr. Hughes:*

Q. Did you have an understanding with the parties that they were to pay you 20 per cent of the damages they were allowed?—A. No, sir. The parties employed me without any understanding.

Q. Who employed you first?—A. Mr. Isaac and Mr. Pearn employed me first.

Q. There was no understanding with Brown about paying you 20 per cent?—A. No, I do not think there was. I may say this: I did not charge him 20 per cent. Some of them were of opinion that the expenses might come too high, and at a meeting of a number of farmers at Fenelon Falls we were asked how much it would come to, and some of them suggested that a percentage should be charged. I said: No, I

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would not take the percentage, but as there was some question about the expenses coming too high, I told them it would not exceed 20 per cent, as a matter of fact, our bills of cost exceeded that amount, but on account of our guarantee that it would not exceed 20 per cent, we were forced to take less.

Q. You stated that you had been subjected to considerable costs in this matter. What costs were there?—A. I was three times at Ottawa in connection with the matter, twice in connection with getting the government to make a compromise and send a valuator up to settle the matter. Another time it was to get some title that the agent of the Minister of Justice refused to pass through, and once in Toronto in connection with getting some titles fixed, and of course there was a great deal of correspondence, and I was over the ground with the government valuator, representing the farmers.

Q. Was that the first time the valuator came up?—A. No; he went at first to make a general report on such matters around there, and of course what his report to the Minister of Justice was, I do not know. As a result of his report and an interview I had with the ministers, he was ordered to come up and see if the matter could not be compromised and settled without the expense of elaborate surveys and the taking of levels; and when he came up the second time, I went with him.

Q. And these trips to Ottawa; do you remember the dates?—A. No, I cannot give you the dates; some time during the fall or winter of 1896 the first two trips were, and the trips as to title would be in 1897.

Q. You cannot remember the exact dates?—A. No.

Q. Was the House in session, do you remember?—A. I think it was in session once when I was here, but the other two times I don't think it was.

Q. And the time it was in session, I suppose, you had other business at Ottawa, had you?—A. Any time I came to Ottawa, of course, if there was anything else I could do, of course I would do it. But as a matter of fact, this business at Ottawa was the only thing I ever had at Ottawa where I had paying clients. Any other business was simply political, I may say.

Q. You were down on some deputations, were you not, in 1896?—A. I was here on the Trent Valley deputation and paid my own expenses. But I do not remember having anything to do with this. At any deputation I ever came down on I paid my own expenses.

Q. You were down on a railway deputation here, however?—A. I have been instrumental in obtaining a couple of charters. I have been to Ottawa three or four times a year probably, probably oftener, for a great many years, and these trips were during the session time.

Q. I mean when you came down on these trips regarding land damages for Fenelon you had no business with the railway deputation at all?—A. I think not; I have no recollection. The first time I came down on a railway deputation would be during the session of 18—, it was two years ago. These matters had been practically settled so far as any action of the minister was concerned before that.

Q. This trip in 1897, at the time you came down on that, were you not down on a railway deputation with Mr. John Macdonald?—A. 1897, I do not think so.

Q. You don't say you were not down?—A. I am well satisfied I was not. Of course, I haven't charged my mind with these things.

Q. The expenses of that trip in 1897, that trip to Ottawa, did you receive payment from anyone, or have you made a charge against anyone, for any expense in connection with this trip to Ottawa?—A. No.

Q. Did not Mr. Macdonald pay?—A. I do not think that matter has anything to do with this. I have a couple of small railway charters in connection with which I have no pay at all.

Mr. Sutherland objected that this was going into a man's private business that had no connection with any public business.

Mr. HUGHES.—The point I wish to make out is that Mr. McLaughlin came down here in 1897 on this business, and I have reason to believe that Mr. McLaughlin made his charges for another matter?—A. The time I came down with Mr. Macdonald was a year ago. I think some person has said that if a man kills two birds with one stone he is entitled to both birds. You speak about the case of John Macdonald. We got a charter, in which John Macdonald may have been interested, in June last or in 1898, and that is the only time I was ever down in connection with this.

Mr. Sutherland pressed for a ruling on his objection.

The CHAIRMAN.—What the witness says is that this case of Mr. John Macdonald, to which Mr. Hughes has made reference, was in 1898, and has no connection with these cases.

*By Mr. Hughes:*

Q. Mr. McLaughlin has not said that some of these trips were not charged to other accounts?—A. They were not charged to other accounts.

Q. You acted as government agent in these matters?—A. No, I did not, with one exception. There was one claim that was settled but the conveyance was not drawn when I was appointed agent of the Department of Justice. In that case I acted for the government and was paid for the conveyancing, and I got my retainer for having obtained an agreement between the client and the government.

Q. How much did Mr. Brown get?—A. \$100.

Q. What was charged the government for doing his conveyancing?—A. I do not know.

Q. I find on the next page \$28 paid for his conveyancing and you charged him \$18? Then there is Mr. Byrnell. Do you remember what he received?—A. I have a list here somewhere. I think it is in the Auditor General's report somewhere. I am quite glad to give any information I can, but really I do not think the detail of what I charged each client in these cases is a matter which is anything but private business. So far as I am personally concerned I do not think it is of any interest.

The CHAIRMAN.—You can give it if you like, but you are not bound to give it.—A. I am quite satisfied I should not make these things public. I give the total. The total I received was \$365.

*By Mr. Cowan:*

Q. What portion of that was disbursements?—A. There was at least \$150. Practically, it was all office work, which was being done by a man whom I was paying a salary of \$75 a month to at that time, and if I counted that it was practically all disbursements.

*By Mr. Hughes:*

Q. When you were agent of the Minister of Justice, you looked after all these claims, didn't you?—A. When I am acting as agent to the Minister of Justice I follow the ordinary rule followed by all solicitors in all business the same way as if acting for a private party. If the party has no solicitor at all acting for himself I would investigate the title, and if there was anything necessary in the way of conveyancing or anything of that kind, I would see that it was done. It was not part of my duty in the Fitzgerald cases. I found no such cases.

Q. Will you say whether Fitzgerald was subject to any other charge for another lawyer?—A. I do not know if he had another lawyer or not.

Q. But you would know, receiving papers from him?—A. I dealt directly with him.

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Q. In your experience as agent of the Minister of Justice since, can you name any cases where you had other solicitors doing the work in connection with these titles?—A. We have only had a very few cases for the Minister of Justice.

Q. Take the Isaac case. Isaac got \$300. Isaac got \$300 and the government paid \$110.10 for looking after it. What was your charge to Isaac?—A. That is one of the things I do not feel I am supposed to give.

Q. Did Peter Moffatt come to you and ask you to take up his case or did you ask him?—A. He is a client of mine, I think I wrote him that if he had any claim we would take it up with the others.

Q. Now, Nancy McIntyre, for instance; did she approach you or did you approach her?—A. Nancy McIntyre is a widow, and Mr. Isaac told me that she wanted us to prosecute her claim with the others, and as I did not want to take a retainer that way, I wrote her.

Q. And how much did you charge?—A. I sent her the cheque, and she sent me \$5, and I took it and said no more.

Q. But you sent a bill for \$6?—A. She sent \$5 back.

Q. Do you remember meeting her on the bridge at Rosedale one day?—A. Yes, and she was very anxious to get her claim settled. I may say this was entirely non-political. My clients were both Conservatives and Reformers, and they were all treated alike. Then, you say I got \$365, and that the agent of the Minister of Justice seems to have charged over \$700. As a matter of fact, as their solicitor in these matters, a great deal of my time was taken away. I have made more money at the assizes in one day than I made out of this.

Q. The agent of the government charged for more than work, for instance: "Nancy McIntyre, \$40.25," and Mr. McLaughlin's bill was for \$6. His bill was \$6; he sent his bill?—A. But that is not true.

Q. Well, Mrs. McIntyre states—?—A. Well, I have Mrs. McIntyre's letter here, and as you are raising that question here, I had better read it. The statement made is just like all those put into *Hansard*—it is all untrue. The letter is dated July 11th, 1896, and is as follows:—

Mrs. NANCY McINTYRE,  
Rosedale.

### Re FLOODED LANDS.

DEAR MADAM,—Are you interested at all in lands flooded by the raising of Cameron Lake? Mr. Isaac thought that you might be. If you are, I am engaged by a number of those who are interested to obtain a settlement, and would be glad to look after your interests along with the others. There will be no charge unless we obtain something. (I told her that because she was a widow.)

Yours truly,

R. J. McLAUGHLIN.

After that I received a reply from her. Here it is:

ROSEDALE, 7th July, 1896.

Mr. R. J. McLAUGHLIN.

DEAR SIR,—In reply to above, yes. I am interested to the extent of perhaps five acres, worth probably from \$25 to \$30 per acre. If you succeed in getting claim satisfactorily settled, I would, of course, be willing to allow you what would be fair remuneration for any trouble you may be at.

Yours truly,

N. McINTYRE.

I do not think there is any excuse for saying she did not know I had been acting for her.

Q. You said there would be no expense?—A. No expense unless we got the claim.

Q. You did not send her any papers; it was the other firm?—A. We sent the papers; it was not the other firm, the Minister of Justice's agents.

Q. You object to give the details of your charges to each of these clients?—A. Do you really want to know?

Q. Yes.

*By Mr. Bergeron:*

Q. What is that letter, a copy or the original?—A. It is the original; she wrote her answer on the same letter. Now, the statement that the government is paying for this same work is, of course, entirely untrue. The work of the agents of the Minister of Justice is this: When the government settles with a man for a claim for damages, he has to investigate the title on behalf of the government, prepare the release, and have it settled. Now, if we have a claim against the government, we prosecute it; it is fought out in the courts, and finally settled by compromise or agreement. All this is done before the agent of the Minister of Justice has any of this work to do. Before I became agent of the government, we had an agreement signed between Mrs. McIntyre and the government, and between others and the government.

*By Mr. Cowan:*

Q. The amount was settled?—A. Yes.

*By Mr. Hughes:*

Q. Did you find anything defective in Brown's title?—A. No; that is the reason he was charged less.

Q. And in Isaac's?—A. Now, I want to say these title deeds in most of these farms are in the hands of mortgagees or mortgage companies, and a release had to be obtained. Now, I won't, unless the Chairman rules, and then I won't tell the defects in these titles.

Q. Then, you refuse?—A. I would be false to my obligations if I reported on these facts.

Q. When Mr. Barron was appointed government agent, were you an applicant for the position?—A. I don't think so, but I would have been very glad to take it. I think he was appointed though before I thought of applying.

Q. Was there any arrangement? Did you notify these gentlemen that all dealings with these lands had to go through you?—A. I think that it should not be necessary to give notice of that kind. Mr. Barron probably knew I was acting for the parties. The claims in many cases were prepared by me, but I believe, when Mr. Barron got the claims from the government, he corresponded with the parties. Instead of going to him, they came to me and asked me to straighten it up.

Q. Did you have any writing with Mr. Barron?—A. I wrote to Mr. Barron as soon as these parties came in to me.

Q. You were acting for these parties?—A. Yes, I was acting for these parties, and it was right and proper that I should be consulted. Any lawyer in the same case would expect that.

Q. Well, Mr. McLaughlin, will you give me the details of the payment of \$750 to the government agent for looking after these deeds, and the \$365 paid to you?—A. As to the details of the agent of the Minister of Justice, I do not know, except the case where I had been paid \$15. What has this to do with what charges I made to my clients?

Q. The charge is, that you did nothing to be paid for but write that circular letter sent to Mrs. McIntyre?—A. No, that is untrue. I will give you the facts of the case. Most of these people came to me themselves without my writing letters to

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them. Mr. Isaac was the first to come, and his case I had in hand before the change of government, and he made himself active in bringing in a number of others, and they told me to put in their claims. These I wrote to, and a couple of others who were clients of my own—I did not feel like going on without giving them an opportunity; they were written to. I do not think Mr. Hughes can see the difference between acting as the advocate of these claimants and as the agent of the Minister of Justice, or he would not make a reflection on our firm as a legal firm.

Q. Had you any understanding with the government, or had you any instructions that you were to take this line?—A. No, I had no instructions, and the government had no understanding with me, except that I put in these claims and pressed for them, as the solicitor of the parties.

Q. And there was no understanding with the government that on account of Barron & Steers having got the government agency that you were to get this little solatium to pacify you?—A. No. The government didn't know whether I was doing it for the good of my health or acting as solicitor for the parties. It is the only way I have of making my living.

*By Mr. Somerville:*

Q. Were you Mr. Hughes' opponent in the last election?—A. Yes, I was.

Q. That accounts for the whole thing, does it?—No answer.

*By Mr. Cowan:*

Q. Do you know one William Jordan?—A. I do.

Q. I see in *Hansard*, on page 4623, Mr. Hughes says: "Mr. William Jordan, a good staunch Conservative, did not get anything, though he claims damages for \$700; but he refused to enter into the 20 per cent commission deal." Were you acting for Jordan?—A. I was.

Q. Did he receive any money?—A. No.

Q. Why did he not?—A. His claim was not \$700, but \$500, and was put in by Mr. Hughes himself, originally. Mr. Jordan is a client of mine, a very respectable man, and I believe his claim for \$500 is a thoroughly honest claim, and I took that ground for him. The valuator, Mr. Pope, only allowed him \$100, and we differed very strongly over that matter. The fact was that his claim was different from the others.

Q. I am not anxious to go into the particulars, unnecessarily, of that claim?—A. Just in a word, the claim was for damages for land and for a brickyard that had been on the land, for special damages were claimed for that, and the valuator would not allow him anything for the brickyard and after consulting with Mr. Jordan he instructed me to refuse to accept what the valuator offered. As far as Jordan refusing to go into the 20 per cent deal that statement is very misleading. He is a client for whom I have done business both before and since, and he is still a client of mine, and any charge I choose to make he would be glad to pay. I do not believe it was mentioned what he would be charged. He is a man who would consider it an insult if I went to him—a personal affront, although I was his solicitor—and offered to do the work free.

Q. On page 4623 and 4624 of *Hansard* Mr. Hughes says: That in addition to the 20 per cent commission you had been paid legal fees for your connection with the settlement of these claims. Is that statement true?—A. It is entirely untrue.

Mr. HUGHES.—Read that statement, please, the whole of it.

*By Mr. Cowan:*

Q. I will read it. "I presume that has something to do with his not having received this sum. Now, I know for a fact that Mr. McLaughlin did extract 20 per

cent from these farmers and I know he received it. What I am anxious to know is, was this government a party to the extraction? If so we would be pleased to learn it. Mr. McLaughlin was the Liberal candidate in the recent general election. In addition to that this gentleman has been paid his legal fees for his connection with the settlement of these claims." That statement you say is false and untrue?—A. It is absolutely untrue.

Q. These claims are not, you say, claims arising from the expropriation of land?—A. No, it is not an expropriation, in which the government valuator would go on and value the property.

Q. These claims were, you say, for damages to land caused by the construction of the dam which resulted in the water rising and flooding the land?—A. Yes.

Q. And the government contention was that the opening up the mouth of the river had the effect of taking down any water which might have been caused to rise by reason of the dam?—A. Yes, I have the government engineer's letter here.

Q. Just a moment, please. That is the contention, is it?—A. Yes, I have the letter here and I will read it.

TRENT CANAL,  
SUPERINTENDING ENGINEER'S OFFICE,  
PETERBOROUGH, 5th October, 1896.

R. J. McLAUGHLIN, Esq.,  
Lindsay, Ont.

DEAR SIR,—In reply to your inquiries as to the height of the old dam and the the new, I beg to say that the top of the new dam is 20 inches above the fixed top of the old dam. The Smith Company always kept a 20-inch bracket on the top of the old dam, which made it the height of the present fixed dam. The brackets were taken off in the spring to allow the freshet to pass. Compensation for this has been made by deepening the old slide and by the construction of a new one. It is contended that the water in Cameron Lake is lowered now in consequence of the channel cut through the shoal above the Grand Trunk Railway bridge so that in order to hold the water in Cameron Lake at the height at which the Smith Company held it with the brackets on, it is necessary to put a six-inch bracket on the top of the dam.

Yours truly,

RICHARD B. ROGERS.

That is the report from the government engineer.

Q. I see, Mr. McLaughlin, that Mr. Hughes also states these claims arose in 1895. When did they arise?—A. In 1891. The dam was raised in 1891.

Q. Were you employed before the change of government at all by these farmers?—A. Yes, I was employed by Mr. Isaacs and Mr. Pearn. If these people had gone, in 1891, to any other solicitor they could have had their claims prosecuted and obtained damages. It was not a matter of patronage at all, it was a matter of justice.

Q. On June 14th (page 5147 of *Hansard*) Mr. Hughes said: "He went to the farmers and said, Why don't you get the Tory government to settle these claims around here? That is just what was done. He tried to make political capital out of it, and sought to get votes in the ensuing election by telling these men that they should have their claims. Now, about the settlement of this matter. Not one farmer ever had any claims prior to 1895. The dam was only raised—I will not say the exact year, but the dam was only raised a short time previous to that year." Is that correct or not?—A. It is all utterly untrue. It is absolutely untrue, made out of whole cloth. Before the election I had never spoken to anybody about damages from raising of the water, except those people who had consulted me, and as far as canvassing in connection with it is concerned, I never canvassed anybody. Of the various Conservatives who employed me afterwards, not one of them had I ever spoken to about the matter.

Q. Did you have any meeting of the different parties having claims against the government in connection with this matter?—A. No.

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Q. Was there any understanding as to how the legal expenses were to be borne?  
—A. Each party was to contribute according to what he received, the costs being borne *pro rata*.

Q. And the statement was made, that you did not think it would exceed 20 per cent?—A. That it would not exceed 20 per cent.

Q. And the charge which you actually made, did it exceed 20 per cent?—A. No.

Q. So that your fee, if you had charged your bill at the ordinary rates as between solicitor and client, your bill would have been——?—A. My bill would have been \$600.

Q. And what was the total you charged?—A. \$365.

Q. Has there been any complaint come to you from any of these people for whom you were acting, concerning the charges you made?—A. None whatever. Everybody was well satisfied.

Q. And are even yet, from what you know?—A. Yes. I have been complimented very strongly by some of those interested, who said these cases had been done up all right, and that there was no politics about it. I have letters from Mr. Brynell; I may say the Conservative clients were especially grateful. Mr. Sackett thanked me very much; also Mr. Brown and others. I have not thought it worth while going around to the parties to get letters, but I can justify anything I did.

Q. On page 5149 Mr. Hughes also states that you were present at the time the valuation was made: the words he used are as follows:—"He," meaning yourself, "was there to screw up the price as high as possible in order that he might get his 20 per cent. If the reports along these waters are true, these farmers are not at all satisfied. They find that this man could not bulldoze and browbeat the valuator, that the valuation he made was an honest valuation." Were you present for the purpose of browbeating and bulldozing the valuator?—A. I was present for the purpose of getting my clients what I could get for them. I was not working for the government, but so far as browbeating and bulldozing the valuator is concerned, I think I know enough about the practice of my profession not to make a fool of myself in that way. I may have urged their claims strongly. My own opinion was, my feeling—perhaps I was naturally partial to my clients—but my feeling was, that I did not get enough for them. The valuator, the first time he came up, said that about two thousand dollars was enough, and said the government would not allow him to give more than that. But I thought we should have had another thousand.

*By Mr. Hughes:*

Q. You stated that these claims were made as far back as 1891?—A. No, I said they raised the dam in 1891.

Q. Did you ever hear of the dam before 1895?—A. I heard of the dam being raised, but did not know of any claims. Your statement was, that the dam was not raised until about that time.

*By Mr. Cowan:*

Q. Just read that over again about the dam?—A. The statement is: "Not one farmer ever had any claim prior to 1895. The dam was only raised—I will not say the exact year—but the dam was only raised a short time previous to that year."

*By Mr. Hughes:*

Q. Not a claim was made before 1895?—A. The dam was raised in 1891.

Q. And the water was not raised until after that a considerable time?—A. The water was raised when the dam was raised.

Q. The Postmaster General read a letter from you, saying there was a meeting of farmers in the fall of 1895?—A. I do not think so. I did not say in the fall of 1895.

Q. Did you write to the Solicitor General that you had a meeting of these farmers in 1895?—A. No, sir.

Q. Well, the Postmaster General said you did?—A. Here it is: "In the fall of 1895 a number of the farmers consulted our firm and instructed us to take up their case against the government as solicitors, and to proceed by petition of right in the Exchequer Court."

Q. Did they give you these instructions?—A. Yes, whatever steps were necessary, and I explained that would be the necessary steps, except the government would settle; and I had a survey of Isaac's property made as soon as it was possible to make it.

Q. You say a number of farmers?—A. There were William Isaac, and Joseph Pearn, and Joseph Pearn, jr.

Q. Three Liberals?—A. Yes, all Liberals.

Q. Did you know these gentlemen had taken action before that time, before they ever saw you?—A. Yes; Isaac told me that in 1892 he had gone to you and asked you, as representative of the constituency, asked you to proceed with the case for him as his representative, and you said: "Mr. Isaac, you didn't support me, and I can do nothing for you."

Q. Mr. Isaac told you that?—A. Yes; I have his letter here.

The CHAIRMAN.—Unless the Committee order, that letter will not go in.

*By Mr. Hughes:*

Q. There is not a particle of truth in it?—A. He has asked me, and I will read it. He says here, in this letter:

"Shortly after Hughes was elected, in 1892, I went to his office and asked him to take this matter up, for the farmers, and he said to me, 'You did not support me and I will do nothing in the matter.' I thought it was his duty as member to take action but he absolutely refused to do anything in the matter."

Q. Might I see that letter which has been read here? Is that Isaac's writing?—A. No, that is my writing, but it is Isaac's signature.

Q. That is written in your office?—A. Written by me, dictated by him.

Q. Mr. Isaac is an old gentleman who cannot write?—A. Mr. Isaac is one of the the most respectable and honest farmers in the township of Fenelon, and Mr. Hughes will not dare to say that what he says is untrue.

Q. There is no truth in it, as the records of the department will show. Mr. Isaac did not write the letter. The fact stands that the letter was written by Mr. McLaughlin himself?—A. I ask the protection of the Committee. Here I have been accused by this man in his place in the House in a statement made up of malicious falsehoods, made out of whole cloth, using his position as a member to slander me. Now he accuses me of forgery, saying Mr. Isaac didn't have anything to do with this letter.

*By Mr. Bergeron:*

Q. Do I understand you were acting as agent of the government in all these claims over all the canal?—A. No, sir; at the time this work was done I had no connection with the government at all.

Q. At any time during the whole time did you act as agent of the government?—A. No.

Q. You didn't?—A. No, I will just explain. There were eighteen of these claims all settled before I was appointed agent of the Minister of Justice, except one that was settled shortly after I was appointed and the Order in Council passed allowing it. But the conveyance was not drawn and the government allowed me for the

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conveying of that claim. A man might act for both vendor and purchaser in such a case.

Q. In all these claims you were acting absolutely and solely for the farmers?—  
A. Yes.

Q. As a lawyer?—A. Yes.

Q. When the settlement was made by all these gentlemen, was the cheque sent to you and paid to them through you?—A. The cheque was sent to the agent of the Minister of Justice, Mr. Barron, now Judge Barron, of Stratford, and drawn in the usual way, handed to us in exchange for the release and we handed it to the farmers.

Q. I understand that Barron's firm were agents for the government?—A. Yes.

Q. And when he was appointed to the bench that business went to your office?—  
A. Yes. But there has been very little of it since. All of these men were paid before the change with the exception of one man.

Q. Yes, but the cheques; I find in this report here that all the cheques to pay these people their claims went through your office?—A. Yes.

Q. Coming from Barron, they came to you?—A. Yes.

Q. And you paid the claims?—A. I handed the cheques over to the farmers. Some of them.

Q. Well, now, this is the point; the accusation brought in the House was that the firm—whatever it was, we will not mention names—was paid by the government and by the farmers?—A. That is a mistake.

Q. Well, was there anything retained upon these cheques when paid to the farmers by the firm who paid them?—A. When we paid the cheques over to the farmers, they paid us back our account. The cheque was payable to their order.

*By Mr. Borden (Halifax):*

Q. The way it was done was that the farmers came in and drew their cheques and you deducted the charges?—A. As a matter of fact, it was nearly all done at Fenelon Falls, where we have an office and where I go once a week. We handed the farmer over his cheque and he would go down the street to a little bank and bring us up the amount of our account.

*By Mr. Bergeron:*

Q. Well, then, Mr. McLaughlin, it would amount to this, your firm did not get much from the government, but Barron & Co. had fees paid for all these claims?—  
A. Yes, they were acting for the government in all these settlements. The whole cost, as a matter of fact, the farmers paid themselves, whether to their ordinary attorney or not, and the government of the country paid fees to Barron & Co.; they paid their agents.

Q. These sums were paid to the people?—A. If Mr. Hughes charged me that I got 20 per cent it would not be so bad, but he has repeated twice that I got paid solicitor's fees and 20 per cent over and above that.

Mr. COWAN.—He says it was 20 per cent you got over and above that.

Mr. HUGHES.—It has not been read yet.

Mr. COWAN.—Yes, it has.

Mr. HUGHES.—Well, read it again.

*By Mr. Borden (Halifax):*

Q. Before you read that, allow me to ask one question. How was the cost in preparing the release and search of title borne; I mean as to the government and the farmer?—A. It is the duty of the agent of the Minister of Justice to make investigation of title and draw a conveyance. When there is a solicitor acting for the other

party, if he has any objection he will make requisition of title and the solicitor for the other party will have to answer that if he has any objection.

Q. I merely want to understand this for my satisfaction: were the farmers obliged, as between themselves and the government, to pay any part of the cost of investigating the title or conveying the land?—A. No, they are not obliged to pay unless there is something wrong with the title.

Q. What they had to pay was the cost of advocating the claims?—A. This was not a case of expropriation of land with a surveyor and valuation, but this was a case where the people had tried political means for five or six years without success.

Q. They should have employed a solicitor?—A. If they had employed a solicitor to act for them they would have got from any government in six months a settlement of their claims.

Mr. COWAN.—Now, Mr. Hughes, you have denied this twice and at the top of page 4624 of *Hansard* I find this: "Now, I know for a fact that Mr. McLaughlin did extract 20 per cent from these farmers, and I know he received it. What I am anxious to know is: Was this government a party to the transaction? If so, we would be pleased to learn it. Mr. McLaughlin was the Liberal candidate in the recent general election. In addition to that this gentleman has been paid his legal fees for his connection with the settlement of these claims." Then you made the charge again at the top of page 5149, on June 14, 1899: "He was there to screw up the price as high as possible in order that he might get his 20 per cent. If the reports along these waters are true these farmers are not at all satisfied. They find that this man could not bulldoze and browbeat the valuator, that the valuation he made was an honest valuation. This gentleman either took 20 per cent from the people over and above what he was entitled to, or he took 20 per cent from the farmers off a fair valuation. He stands convicted of having extracted from the farmers this 20 per cent."

Mr. HUGHES.—"What they are entitled to," not "what he is entitled to."

Mr. McLAUGHLIN.—I may say—

Mr. COWAN.—My learned friend has contradicted that twice, but I will read the exact words: "This gentleman either took 20 per cent from the people over and above what he was entitled to—"

Mr. HUGHES.—"He was"?

Mr. COWAN.—I am reading from *Hansard*: "—what he was entitled to, or he took 20 per cent from the farmers off a fair valuation. He stands convicted of having extracted from the farmers this 20 per cent." How could you read "they" in there?

Mr. McLAUGHLIN.—I suppose Mr. Hughes will maintain it over and over and go up to the people and tell them there that "they" was true. In his heat in the House Mr. Hughes may have made a mistake, but his questions were worth considering. He asked: "Is the government aware that Mr. R. J. McLaughlin, of Lindsay, extracted from the farmers around Cameron Lake 20 per cent of the sums paid them for damages to their lands through flooding, such sums being out of the treasury of the Dominion of Canada, and being over and above all fees for legal work? What sums have been paid for damages to land through flooding on the shores of Cameron Lake since July 1, 1896? What sums have been paid to Mr. McLaughlin direct, over and above the 20 per cent extracted from the farmers in connection with the Trent Canal? Were the cheques in payment for the damages above referred to made payable to the farmers interested, or were the 20 per cent extractions deducted by the government and the cheques given to Mr. McLaughlin?"

Mr. HUGHES.—Are you aware that this 20 per cent was extracted from the farmers?

Mr. COWAN.—You do not have to answer that.

Mr. HUGHES.—\$750 is down in the Auditor General's Report.

Mr. SUTHERLAND.—Who paid that?

Mr. HUGHES.—The government.

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Mr. SUTHERLAND.—To whom?

Mr. GIBSON.—To Barron & Steers.

*By Mr. Sutherland:*

Q. Suppose that each of these farmers had acted separately, would the account have been smaller by their joining together and agreeing in paying a proportionate sum?—A. Oh, no doubt the accounts are a great deal smaller by joining together.

Q. So, as I understand it, by joining together these farmers paid less than if they had acted separately?—A. Oh, certainly.

*By Mr. Hughes:*

Q. What did you do for Mrs. Nancy McIntyre to earn the \$6 you charged her?

Mr. GIBSON.—What were the damages?

Mr. HUGHES.—Thirty dollars, and he sent a bill for \$6.

Mr. COWAN.—And she sent \$5.

*By Mr. Hughes:*

Q. What is your answer?—A. I think every person will know that these claims were all together; what I did for one was done for the other; I did not do more for Mrs. McIntyre than for the others. When I came to Ottawa, I came on behalf of all; when I wrote a letter, I wrote it on behalf of all. The special work I did for Mrs. McIntyre was answering the requisition of title. Then, Mr. Hughes has said over and over again that the government paid Mr. Barron for the same work I was doing. Well, he cannot understand the difference between advocating a claim and doing work for the government.

Q. You have admitted, Mr. McLaughlin, that Mr. Pope had made a valuation before you came there?—A. No, I said Mr. Pope went up there and made a general valuation around Cameron Lake, and that when he went he did not know what claims were in.

Q. How did you get track of him?—A. The farmers told me.

Q. And Mr. Pope had been over some of the lands?—A. As I understand it, Mr. Pope had gone up there—I did not know it personally—and made a preliminary investigation first.

Q. Before you interfered?—A. Well, I had got the matter in hand about a month. Mr. Pope came back again, and I put in a number of claims, and wrote the government that I had several others. The arrangement I made with the government was, that Mr. Pope was to come up, and instead of having a survey made, which would be an expensive matter and cause a good deal of delay, we would go together and see the farmers to see whether we could not make a compromise. I was informed that Mr. Pope would come up for that purpose, and I acted for the farmers and he for the government.

Q. And he was there for some time ahead of you?—A. Yes, he was there several hours ahead of me.

Q. And he had been there before you, and these claims were all under consideration; in 1895 was the first time they were presented?—A. I have searched the records of the department, and there is only one claim put in before I took it up, and that is Mr. Jordan's.

*By Mr. Powell:*

Q. You complied with all these regulations, I understand?—A. No, I did not. I advised as far as I could, and what I could not do I refused. I obtained extracts of the titles of all with the exception of one, and I had to come to Ottawa and get

that; in fact, the Minister of Justice was, it seemed to me, extremely particular with regard to a payment of so small an amount.

*By Mr. Bergeron:*

Q. In the case in which you got \$72 from the government, did you get anything from the parties interested?—A. No, I got nothing in that case. It came to me from the Minister of Justice, as agent, and since I have been acting as the agent of the Minister of Justice, I have been acting for him, and for nobody else.

*By Mr. Hughes:*

Q. Did any one else get any charge out of that Fitzgerald case?—A. Not that I know of.

*By Mr. Powell:*

Q. The cheques were made exclusively payable to the owner and—?—A. And to the agent of the Minister of Justice, who was Mr. Barron at that time.  
Witness discharged.

Mr. GEORGE POPE called, sworn and examined:—

*By Mr. Hughes:*

Q. Please tell me your connection with this matter, Mr. Pope?—A. On the 11th of January, 1897, I received the plan here and instructions from the Department of Railways and Canals to go to Cameron Lake and investigate some claims there for drowned lands, some alleged claims. I went up and made an investigation to the best of my ability, and on the 25th of January, 1897, I made my report.

Q. January of what year?—A. January of 1897.

Q. Did you make a valuation of the lands at that time?—A. I made an approximate valuation.

Q. Was Mr. McLaughlin assisting you?—A. No, sir.

Q. He had nothing to do with it?—A. No, I did not know anything about Mr. McLaughlin.

Q. What was the next step?—A. I made my estimate and reported to the government that I thought I could settle the whole thing for \$2,000 and save a survey.

Q. What was the next step, and when did you make your award?—A. I received instructions on the 18th of February following to endeavour to make a settlement with the parties according to my estimate.

Q. Very well?—A. And I was also told that Mr. McLaughlin had been acting for the claimants.

Q. Who told you that?—A. I do not remember whether it was in the correspondence. I cannot say at the moment whether I was told that in the department or whether it was in a letter, but I got instructions that he was acting for the claimants, and on that account, as a matter of courtesy, it would be well to advise him when I was going there.

Q. Very well, what then?—A. When I got ready to go up there I communicated with Mr. McLaughlin that I would be up there on a certain day, and his reply was that he could not be there that day but would be there the next.

Q. And you went up there the following day?—A. I went up there and we met at Fenelon Falls, and we went over it, but I had made up my mind as to the amount of the valuation.

Q. Did Mr. McLaughlin influence you in any way or assist you?—A. No, sir, he did not. I had already made up my mind as to the valuation. He tried to assist his

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clients all that he could and thought that they should get more, but I had made up my mind as to what was a fair valuation.

Q. You had a good deal of experience in valuing throughout the country?—  
A. Yes, sir.

Q. While I was representing the riding and while there was a Conservative Government in power you had a good deal of experience in valuing property up there?—  
A. I valued all the property on the Trent Canal between Balsam Lake and Simcoe.

Q. Did I ever try to influence you in any way in making your valuations?

Mr. COWAN.—Do not answer that, witness, please.

*By Mr. Gibson :*

Q. When you made your estimate to the government as to the amount of money you considered you could settle these claims for, what sum did you name to the government?—A. \$2,000.

Q. And the Government sent you up to settle those claims?—A. Yes, sir.

Q. And you settled all these claims?—A. All of them but one. There was one of \$100 unsettled.

Q. And the settlement was made upon what basis?—A. Upon the basis of my recommendation.

Q. What was the amount actually paid?—A. The amount actually recommended up to the present time was \$1,895, leaving one claim of \$100 unsettled.

Q. So that, if the whole of the claims had been settled on that basis, you would have been within your first award how much?—A. \$5.

Q. Then that must be conclusive proof that Mr. McLaughlin did not in any way materially affect your judgment?—A. No, sir; he did not.

Q. There was a survey which, I presume, is attached to your order?—A. That is of the lots.

Q. Exactly, you went up with instructions from the government to settle the matter and you settled it for \$1,895, with one claim of \$100 yet to settle?—A. Yes.

*By Mr. Cowan :*

Q. Do you remember William Jordan's claim?—A. Yes.

Q. What value did you put upon that?—A. \$100.

Q. Would he accept that?—A. No, sir.

Q. On page 4623 of *Hansard* of June 7th, which I have in my hand, Mr. Hughes said: "I know some of the farmers were entitled to more than they got and some of them did not even get anything. Mr. William Jordan, a good staunch Conservative, did not get anything, though he claims damages for \$700. But he refused to enter into the 20 per cent commission deal. I presume that has something to do with his not having received that sum." Is that correct; had it anything to do with the amount that was awarded by you?—A. Mr. Jordan never said anything to me about a 20 per cent commission. But he claimed to have had a good brickyard and wanted to be allowed for that.

Q. The fact of him having anything to do whatever with McLaughlin didn't affect your judgment in making your valuation.

Q. I just want to ask you one or two questions. Do you remember William Jordan's claim?—A. Yes.

Q. What value did you put on it?—A. \$100.

Q. Would he accept that?—A. No, sir.

Q. I read from page 4623 of *Hansard*, June 7th, in which Mr. Hughes says: "I know some of the farmers were entitled to more than they got, and some of them did not even get anything. Mr. William Jordan, a good staunch Conservative, did not

get anything, though he claims damages for \$700. But he refused to enter into the 20 per cent commission deal. I presume that has something to do with his not having received this sum." Is that correct? Had it anything to do with his not having received that?—A. Mr. Jordan never said anything to me about any 20 per cent deal. He claimed to have a brickyard on his property, and asked more for it on that account, and that is all.

Q. If you will follow what I read, he said: "I presume that has something to do with his not having received this sum."—A. Not to my knowledge.

Q. The fact of his not having anything to do with this, did not affect your judgment in your valuation?—A. No, sir.

Q. Your valuation was \$100, and he did not accept it?—A. Yes.

*By Mr. Gibson:*

Q. And it is still unpaid?—A. Still unsettled.

*By Mr. Bergeron:*

Q. You knew nothing about this arrangement with Mr. McLaughlin, as is claimed?—A. I had nothing to do with it or any arrangement.

Q. I suppose Mr. McLaughlin did everything in a polite way to do as much as possible for damages?—A. I thought he pushed their claims as much as possible.

Q. He tried to obtain as much as possible, but did not influence you. But he did everything he could, honestly, to obtain as much as possible for the landowners?—A. Yes, sir; but he didn't change my valuation at all.

Q. That is admitted; but he did everything he could, honestly, to obtain as much as possible?—A. As far as I could see.

*By Mr. Gibson:*

Q. He did not use any undue influence?—A. No.

*By Mr. Britton:*

Q. Did he do anything different from what Mr. Hughes did in advocating claims for compensation?—A. I did not have anything to do with Mr. Hughes in valuations.

*By Mr. Hughes:*

Q. In any claims did I ever interfere with you?—A. No, sir.

Q. In any dealings with relation to the valuing of claims, did I ever interfere?—A. I do not know that you ever knew what I paid a man.

*By Mr. Taylor:*

Q. Did you understand from Mr. McLaughlin, or any person interested, that Mr. McLaughlin was to receive 20 per cent commission on the settlement?—A. I think, about the very last settlement one man complained that the price I was giving him would not allow him to pay Mr. McLaughlin his fees and leave him anything.

Q. Did he state what the fees were?—A. He did. He said he had agreed to give Mr. McLaughlin 20 per cent. Of course, I do not know anything about it except what he said.

Q. When you got the valuation made, did you report to the government?—A. I reported on each case.

Q. Each case separately?—A. Yes.

Q. Each case on one sheet?—A. Every individual claim is reported distinct.

Q. Made by yourself?—A. Yes.

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*By Mr. Bergeron:*

Q. Who is that man that spoke to you like that?—A. I cannot remember now; it was a small claim. We were all there together; there were a lot of farmers, and I cannot tell now which was which.

*By Mr. Cowan:*

Q. On page 5149 of *Hansard*, of June 14th, Mr. Hughes said: "They find that this man could not bulldoze and browbeat the valuator, that the valuation he made was an honest valuation." Did Mr. McLaughlin endeavour to browbeat and bulldoze you?—A. I did not take it in that way.

Q. So far as his conduct was concerned, it was gentlemanly in the extreme?—A. I will tell you exactly what took place. When we got there, he consulted his clients and said: "This is not money enough." I said: "I have made an estimate to the government that I can do this thing for \$2,000. I have been over the ground a second time, and see no reason to change my mind. I have divided it as fairly as I can, and I am not going to give any more." He argued and argued, and when he found I had decided, he gave in in a gentlemanly way. There was not a cross word used. It was all amicable.

*By Mr. Gibson:*

Q. There was no bulldozing?—A. Everything was agreeable in the extreme, as far as I was concerned.

*By Mr. Hughes:*

Q. Was there any conveyancing done by Mr. McLaughlin?—A. I do not know anything about it.

Q. You had nothing to do with the conveyancing?—A. I took the agreements there, and sometimes when I would be busy, I would ask Mr. McLaughlin to fix them, and he would do it.

Q. You drew the agreements; he did not?—A. He assisted in a general way. It is my duty to draw the agreements.

*By Mr. Taylor:*

Q. A separate agreement in each case?—A. Each individual man gave a separate agreement.

*By Mr. Cowan:*

Q. To accept the amount?—A. He agreed to take so much, and we fixed the basis. It was not a case of conveyance, but of settlement of an amount.

*By Mr. Taylor:*

Q. You prepared part of the agreements, and Mr. McLaughlin prepared some?—A. I think I prepared them all, and Mr. McLaughlin would help to get them signed. It was simply a printed form.

MR. McLAUGHLIN.—We settled the form and changed them to suit particular cases.

THE WITNESS.—Each case on its own merits.

*By Mr. Taylor:*

Q. You filled in in each case the amount wanted?—A. Every man knew what he was getting from us and no one else.

*By Mr. Hughes :*

Q. You say some held back?—A. In one or two cases they did not accept at the time. One or two of these were farther on, up on the north shore. I had to make a separate trip for them.

Q. You filled in the amount?—A. Yes.

Q. No attempt was made to alter the figures in any agreement?—A. I do not think there was any attempt to alter the figures. There was nothing of the sort ; it was all agreed what every man was to get.

*By Mr. Britton :*

Q. I suppose you have forms for these agreements that you take in all these cases?—A. Yes, they agreed to sell. It is a government form.

Mr. F. D. MOORE, Lindsay, was called, sworn and examined :—

*By Mr. Hughes :*

Q. I see you are down in the Auditor General's report for having received certain moneys in connection with land damages?—A. Yes.

Q. Have you experience in legal matters?—A. Yes.

Q. As what?—A. As government agent on all lands between Balsam Lake and the county of Ontario, with one or two exceptions.

Q. How many cases did you carry through?—A. In the neighbourhood of 150 titles.

Q. And as agent of the Minister of Justice, did you do any legal work?—A. Yes

Q. Were there any other solicitors employed by the parties interested?—A. Well, there was a little of that.

Q. About how much?—A. About \$15 or \$20 in the whole outfit.

Q. For 150 cases?—A. Yes.

*By Mr. Cowan :*

Q. Your cases were entirely expropriation?—A. For more than a year.

Q. What did you use as working charges?—A. I do not know the government rate.

Q. But you had laid down a basis of charges, that is for titles?—A. Yes.

Q. That is all you had to do?—A. Yes, that covers these 150.

Q. Suppose there was a claim for land damages between the government and an individual—or did a case of that kind arise?—A. I do not think so.

Q. Well, suppose a case of that kind did arise and the individual claiming damages from the government employed a solicitor, you as a solicitor would think it only fair that he should pay him?—A. I suppose so.

Q. He should pay him?—A. He ought to.

Q. Do you anything about the particulars of this case?—A. Nothing personally.

Q. Now, Mr. Moore, just one more question. What did you receive per title?—A. Mr. Hughes has got the letter, but I think the substance of it is this, that where a man had only one title I had \$20, and for any other title I got \$10, but the government did not always pay me that ; I was cut short.

Q. But what was your figure?—A. \$20 for one title.

*By Mr. Gibson :*

Q. You had nothing to do with land damages?—A. No, the land damages was just the same. The title would be the same in both cases.

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Q. In any case you would not get more than \$20? You say that the fees on 150 cases were less than \$150?—A. No, I do not.

*By Mr. Hughes :*

Q. The question was what the outside fees were and you said less than \$20?—A. In the whole 150 titles.

*By Mr. Gibson :*

Q. And what was the case of Lucy Young?—A. There is my fees, and my fees passed through the Auditor General's office.

Q. You say the government only allowed you \$20 on one title; you have charged for Angus McIntyre, \$25.52?—A. Yes.

Q. What was the \$5.52 for?—A. For disbursements, I suppose.

Q. And William Mackenzie and John Macdonald, \$28.72?—A. I suppose the same thing.

Q. And the estate of Duncan McRea, \$28.15?—A. Possibly.

Q. And Lucy Young, \$45.30?—A. Probably four titles.

*By Mr. Cowan :*

Q. Do you know, are you positive, what you did for Lucy Young?—A. Oh, I could not tell that.

*By Mr. Gibson :*

Q. Now surely, Mr. Moore, a case of this kind you would remember, "Lucy Young, \$45.30," because the government only allowed you \$20; there must be something extraordinary?—A. Read that letter and that will tell you. These were my charges, but there were charges they did not pay me.

Q. But were you not the government agent?—A. Yes.

Q. And while government agent you were not receiving charges for representing private parties?—A. Yes.

Q. And while government agent you were representing the parties, a sort of Pooh Bah?—A. I object; I am no more of a Pooh Bah than any other gentleman in the room.

*By Mr. Cowan :*

Q. Mr. Moore, this is the tariff which I see, \$20 per title where there is one lot, and if more than one an additional \$10, and your necessary disbursements were allowed in addition to that?—A. Yes.

Q. Now, the case of Lucy Young was mentioned, where you received \$45.30; do you know what your disbursements were in that case?—A. I could not tell you in this case. Go to the Auditor General, they have the bill of costs there.

Q. Do you know what the present government pays solicitors for the passing of titles?—A. I do not know.

Q. Don't you know they only pay \$15?—A. I do not know.

*By Mr. Bergeron :*

Q. Your charges were purely according to agreement?—A. Yes; why, the Auditor General has the bill.

*By Mr. Britton:*

Q. Do you remember how much you received in all for these, in 1896, for instance?  
—A. No.

Q. I see it is \$781.63, is that right?—A. I suppose so.

Q. In 1897 it was \$432.26?—A. I do not know.

Q. And in 1898 it was \$127.17?—A. I do not know.

*By Mr. Borden:*

Q. Whatever you received you did work for?—A. Yes, whatever I did is in that book.

*By Mr. Hughes:*

Q. You were government agent, but the farmers who were dealing with the government were not charged for any lawyer's fees, out of the \$150 only some \$15 or \$20?—A. That is all I ever knew.

*By Mr. Sutherland:*

Q. Did these farmers engage any other solicitor?—A. No, they came to me and I told them to engage their own solicitor, but they asked me, and I told them if I did the work I would charge them for it.

Q. If they employed solicitors they would have to pay them?—A. That is a supposititious question. I suppose any lawyer would.

*By the Chairman:*

Q. I do not see how you say "suppose so"; you know you would charge them?  
—A. I would.

*By Mr. Sutherland:*

Q. Would you charge a client for doing it or not?—A. I think likely I would.

Q. That is your experience?—A. Certainly.

*By Mr. Cowan:*

Q. As a matter of fact, some of these men whose titles you were passing for the government, you also acted for them as solicitor?—A. I told them in every instance—

Q. Answer my question?—A. And when they insisted on my doing the work, I said I would charge them—

Q. When you get through your explanation, you can answer my question. I say that some of these men you acted for while you were acting for the government, in investigating and passing their titles; you acted for the government in 150 cases, and in some of these you also acted in a private capacity for individuals?—A. I will answer by telling you exactly what occurred.

Q. Did you receive fees from any one of them?—A. They said go on and do the work and we will pay you.

*By Mr. Hughes:*

Q. How much did you get for thus doing; how much did you receive for all this work?

Mr. Cowan objected to the question being put until he had finished his cross-examination.

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*By Mr. Cowan:*

Q. Mr. Moore, there are some of these cases, some of these titles where, I am not saying whether rightly or wrongly, you did receive pay from the government, and received pay from the individuals in connection with it?—A. Yes, where they insisted I should do the work.

Q. Yes, but I am saying——?—A. I don't want you to misrepresent me by asking that question.

Q. I am not misrepresenting you, I am treating you very fairly. You told me five times you only did it after warning them to go to a solicitor, that it was work for a solicitor, and that if you did it you would charge. I say there are cases——?—A. Yes, under these circumstances.

*By Mr. Hughes:*

Q. How much did you receive in all these 150 cases?—A. In all these 150 cases I positively did not receive more than \$20.

Q. That is, for 150 cases involving from \$10,000 to \$20,000 expenditure, there were only some \$20 outside the fees?—A. That is all I am aware of.

Q. And yet you see that by the Auditor General's Report, for 12 or 13 cases, on Cameron Lake, there was some \$300 in fees?—No answer.

Mr. SOMERVILLE.—I think Mr. Hughes should carry out the pledge that he made when he summoned the witnesses here, that if he did not prove his case he would pay their fees. In all my experience of 18 years, I have never seen such a farce at this committee, and it shows the necessity that a member, when making charges against individuals or officials, should have some positive knowledge that they will be able to substantiate those charges. We took Mr. Hughes' word that he was going to prove a lot of things by these witnesses; he has brought them here and has enacted one of the greatest farces that was ever enacted before this committee. I certainly think he ought to pay the fees.

Mr. HUGHES.—I have proved here that Mr. McLaughlin, having the political patronage of the riding, has taken some three hundred and sixty odd dollars for work he has never had anything to do with, and that Mr. Pope has sworn here, was done before he came in at all.

Mr. COWAN.—It seems to me that the witnesses having been brought here at considerable expense, and all the light having been thrown upon it that it is possible can be thrown, this committee, in justice to itself and to the parties interested, should certainly bring in a report upon this particular case, and I would ask that the committee name a day for the consideration of the evidence in order to bring in a report on this case.

The CHAIRMAN.—There are some other matters we have to report upon and we can deal with them altogether.

The committee adjourned.

COMMITTEE ROOM,

SATURDAY, 29th July, 1899.

The Select Standing Committee on Public Accounts met this morning, Mr. FRASER (Guysboro') presiding.

Mr. SAM. HUGHES, M.P., volunteered to give evidence; and, being sworn, testified as follows:—

Mr. Chairman, I would not have appeared here as a witness this morning, but while I do not mind any jocular remarks made in this room on the occasion of the last meeting, a newspaper that is usually very fair, the *Toronto Globe*, and others in the country have published what, in my mind, are wrong versions of the matter.

Mr. Cowan objected to the witness giving evidence before the committee to correct a newspaper report.

Mr. HUGHES.—I am on oath, and what I wish to say, Mr. Chairman,—

Mr. Cowan again objected.

Mr. HUGHES.—Some time ago I brought the matter up in the House. I had reason, Mr. Chairman, to believe—

Mr. Cowan objected.

Mr. HUGHES.—I found that certain farmers having claims around Cameron Lake were—not that they were being charged—but that the Dominion of Canada was paying Messrs. Barron & Steers for legal services in connection with these cases; and I also found that Mr. R. J. McLaughlin, or the firm of McLaughlin & McDermid—whichever way they choose to take it—was also getting paid in connection with these same claims. Inquiries revealed that in connection with all the other claims for damages in flooding lands in connection with the raising of the water of the Trent Canal—

Mr. Cowan objected that this was not evidence.

Mr. HUGHES.—I am giving evidence that in no other cases along this canal was another solicitor employed but the government solicitors, that is, the agents of the government; and I may say in this case that Barron & Steers started to prepare whatever legal documents were necessary, without the intervention of other solicitors. In no other cases along this canal had other solicitors been employed, and no payments had been exacted by the government agents for any work, excepting government work, save and except, in the expenditure of some thousands of dollars (\$20,000 or \$30,000), some \$15 or \$18, and this in connection with legal fees where the titles had to be obtained from the old country. There was no outside legal work.

Mr. McLaughlin has also shown in his evidence that he in subsequent cases required the assistance of no other lawyer. Knowing this, I deemed it, in the interests of the people of that riding, that this was unfair. I asked the question of the Minister of Railways and Canals, and this question was brought out yesterday by my friend from Essex. I don't know whether he will object to my referring to it again. I asked that certain questions—

Mr. Cowan objected that if this statement was allowed to go down, there would be other speeches go down, too.

Mr. HUGHES.—I can easily get Mr. Borden to ask the question.

Mr. COWAN.—I think it would be better, if you did.

Mr. HUGHES.—Or I will ask myself the questions in interrogative form. The question was asked of the government—this was brought out by my learned friend the other day—"What sums had been paid for damages to lands from flooding on the shores of Cameron Lake since July 1st, 1896? What sums have been paid to Mr.

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McLaughlin direct, over and above the 20 per cent extracted from the farmers in connection with the Trent Canal? Were the cheques in payment for the damages above referred to made payable to the farmers interested, or were the 20 per cent extractions deducted by the government and the cheques given to Mr. McLaughlin?" These are the questions that were asked, as brought out in evidence by my learned friends the last day. I may say, Mr. Chairman, to avoid trouble asking questions in this matter, I understood these things had been done, in general terms; and I will not go into it. I stated in my speech—I presume I can ask myself: "Did you say in your speech that in addition to that, this gentleman has been paid his legal fees for his connection with the settlement of these claims." I made that statement in the House, and I make it here to-day.

Mr. McLaughlin, as is proven by his own evidence—I did not catch it the last day, but I see it is in the evidence—says that he received fees from Sackett, for whom he had acted as legal solicitor. Therefore, that statement is borne out by Mr. McLaughlin's own evidence, and my statement turns out to be well founded in that case. Mr. McLaughlin, in his letter, which was read in the House by the Postmaster General on 14th June, said: "Mr. Hughes had these claims in hand, as representative of the constituency, from 1892 till 1896." This was brought out and sworn to by Mr. McLaughlin on the last day the committee met.

I may say that I shouldn't use words similar to the words used by the witness on a former occasion; I will simply say it is not true. The facts in connection with this are: that this dam was built a number of years ago—I don't know the exact year, but it can easily be ascertained. Mr. McLaughlin said it was 1891. I accept his statement, that it was 1891 or 1892; but the first case of flooding in connection with this dam was in connection with the extensive floods that occurred, I think, about 1893—I would not say for sure, but it was before the cofferdam was removed. There were extensive floods all along the line that year, whether there were damages or not. Some time—I would not like to state the year—Mr. Isaac, one of the gentleman named, approached me and asked me to take up his case about the claim for flooding the land. I immediately wrote to the Minister of Railways and Canals, stating the claim in this connection.

Mr. COWAN.—What has that to do with your charge about McLaughlin.

Mr. HUGHES.—Simply that Mr. Cowan insisted, on the last day, that I wouldn't take up Mr. Isaac's claim because he was a Liberal. That is a charge against me.

Mr. COWAN.—That is no charge against you.

Mr. HUGHES.—Yes; it is said that I would not take up his claim because he was a Liberal. The engineer was asked for a report, and evidence was taken, and for some time the engineer was in doubt that the floods in this particular year were caused by the unusual height of the water, and that the dam was not raised; and my statement was absolutely correct, that the water was not raised until the time I stated in my speech. Mr. Cowan waxed eloquent the other day, and asked Mr. McLaughlin whether it was true, and Mr. McLaughlin said it was not true. Mr. McLaughlin states in his letter here, that he was employed and paid for professional services in the ordinary way, and he also swore to it yesterday. I have already dealt with it, so I won't take up the time with it to-day. He also states, that "our fees have been paid wholly by the government." Mr. McLaughlin, in his letter to Mr. Mulock, which was read before the House of Commons, contradicts his evidence given here, where he states—

Mr. COWAN.—You are not asked to pass upon that now; it is in the report.

Mr. HUGHES.—It is a question of my veracity. I made that statement to the House and I am verifying it here to-day. The checks will show it and Mr. McLaughlin's own evidence. His first statement was different, but in cross examination he admits it. Now, sir, I shall not take up the time very long. I will say, Mr. Chairman, I have asked for some reports from the Department of Railways and Canals, at least

the clerk did. I couldn't find you the other day and I had asked the clerk to produce them and they will be pleased to present them on your request.

These cases I find, sir, are referred to in R—22, Auditor General's Report, "land and damages, Fenelon" and "land and damages, Somerville," and they are as follows:—John L. Brown, damages, \$100, and I find on page R—23 that Barron & Steers, for their legal work in connection with this case, received \$28.35. The second item is Birnell, R. W. and E. E. received \$275, and the legal fees to Barron & Steers, who were then the government agents, were \$55.30. Wm. Isaac received \$300 and Barron & Steer's legal fees were \$71.10. Peter Moffat received \$75 for damages and the government paid Barron & Steers \$30.70. R. M. Moffat received \$25 for damages and the government paid Barron & Steers \$30.65 for legal fees. Nancy McIntyre received from the government \$30 and the government paid Barron & Steers for their fees \$40.25. John Palmer received \$150 and Barron & Steers \$42.15. The two Pearnés received \$200 and the legal fees for the government agents, the government paid in this matter, was \$47.50. John Potts and Andrew Potts received \$30 from the government and the government paid Barron & Steers for their services in connection with this case \$46.20. George and Sarah Quinn and W. H. Stevens, we will say George Quinn, received \$100 and the legal fees to Barron & Steers were \$32.. George Sackett received \$90 and the government fees to Barron & Steers were \$30.70. W. T. Eades received \$75 and the government fees were \$47.05. Margaret Graham received \$30 for damages and the government paid \$29.85 for legal fees, in connection with this case. R. R. Graham received \$50 and Barron & Steers were paid \$28.65. In addition to that there were some other claims that I haven't found in here. One was that of Edward Johnston, for instance, of \$100; I don't find it in the Auditor General's Report, and Mr. McLaughlin was acting in this case also. But I haven't been able to turn it up. But there is the case of John Sackett, who was allowed damages of \$60, and Mr. McLaughlin was paid—I am subject to correction in general—Mr. McLaughlin, mark you, was the government agent at this time when John Sackett, subsequent to Barron throwing up the job, obtained \$24.90 besides his commission on Sackett's \$60 fee. Therefore my statement is borne out. Now, sir, in addition to this the government of the people of Canada paid in this, Mr. McLaughlin received, in general terms, 20 per cent commission on this sum of \$1,895 which is paid out here; in other words, Mr. McLaughlin is in evidence, is in sworn evidence, where he charges these people on damages of \$1,895 from the government of Canada for damages to their lands, he charges them \$365, according to his own sworn evidence there. The next point I wish to come at is this, Mr. McLaughlin was solicitor—

*By Mr. Cowan :*

Q. Do you know that of your own knowledge?—A. Yes, sir.

Q. How?—A. I have seen the letter and Mr. McLaughlin admitted this. I don't wish this to injure Mr. McLaughlin. My point is, is the government interested and I will prove this.

Mr. COWAN.—This seems to me the most astonishing proceeding I ever saw.

The CHAIRMAN.—You had better give the evidence.

Mr. HUGHES.—Very well, then. I now submit, sir, that Mr. McLaughlin—but, sir, I think I am right in this.

Mr. SPROULE.—This has taken place in 1891, when we brought men here and they were allowed to make their statements under oath?

The CHAIRMAN.—Certainly, but the matter of comment should not be in evidence.

Mr. COWAN.—In that case the man was charged, in this case Mr. Hughes is not.

Mr. SPROULE.—I refer to parties who came before this committee and were either misreported or misunderstood.

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Mr. COWAN.—Mr. Hughes has not been misunderstood. If there is any evidence let us have it, but we don't want political speeches to go down in the proceedings; they are for the House.

Mr. HUGHES.—Now, Mr. Chairman, if you will permit me—and if you say it is wrong I will not go on—

The CHAIRMAN.—I think you are all right in giving evidence but not to make comments.

Mr. HUGHES.—I will withdraw that statement, that I will substantiate later, which has caused this discussion. The point is Mr. McLaughlin swore I was animated by malice to his firm. I state here nothing of the kind animates me; I am the best of friends with Mr. McLaughlin and his partner. I give this as an answer to the charge of malice; and that he was my opponent; that I had never treated him other, and only treat him as, the political representative of the government. I have never talked about his office in the matter. Now, Mr. McLaughlin says here—and, by the way, it is a matter of mere detail in the question, on page 21 the reporters have taken an answer down wrong. He says: "Q. The agent of the government charged for more than work, for instance, Nancy McIntyre, \$40.25, and Mr. McLaughlin's bill was for \$6; his bill was \$6, he sent his bill.—A. But that is not true." Now, Mr. Chairman, that was a remark made by Mr. Cowan; it is his answer and the reporter thought it was Mr. McLaughlin's, but Mr. McLaughlin didn't answer. I stand here, Mr. Chairman, to say that Mr. McLaughlin didn't give that answer, but Mr. Cowan gave that answer.

*By Mr. Cowan:*

Q. Go on: "But that is not true," and he says that "I have Mrs. McIntyre's letter here and as you are raising that question here I had better read it."—A. But you admit he was paid \$5 on it. I am present here to show that Mr. McLaughlin was acting as the political agent of the government; and I don't want this taken down to injure him. I understand, under the law, he cannot solicit patronage, but here is his letter of July 11th, 1896, addressed to Mrs. Nancy McIntyre, Rosedale; the word was "Dear sir," showing it was a circular letter and "sir" changed to "madam," and Mr. McLaughlin writes to her: "*Re* flooded lands," then follows the letter in which he asks: "Are you interested at all in lands flooded by the raising of Cameron Lake? Mr. Isaac thought that you might be. If you are, I am engaged by a number of those who are interested to obtain a settlement and would be glad to look after your interests along with the others. There will be no charge unless we obtain something. Yours truly, R. J. McLaughlin." Now, Mr. McLaughlin, I wish to point out that Mr. McLaughlin has a partner and the firm is McLaughlin & McDermid, so he was not writing in the name of the firm but was writing as the political representative of the government. Now, Mr. McLaughlin, I may say Mrs. McIntyre never had spoken to me before.

Q. You say he does not tell the truth?—A. Now, Mr. Chairman, I draw your attention that at the last meeting I didn't want to get Mr. McLaughlin excited; I was very careful to treat the witness courteously last morning. Now, there is Mr. McLaughlin's letter and these people informed me they thought he was merely doing as I had done in times past when the Conservative party was in power.

Q. "These people informed him" is not evidence?—A. Informed me that he was looking after their interests in a political capacity. Now, I pass over a lot of minor matters, for instance, Mr. McLaughlin makes certain statements here: "it is absolutely untrue, made out of whole cloth. Before the election I had never spoken to anybody about damages from raising of the water"—then he qualified—"except those people who have consulted me, and as far as canvassing in connection with it is concerned, I never canvassed anybody." I made the statement he had and I substantiate that by stating that Mr. Pearne, one of the gentlemen canvassed, told me in the spring of 1896—

Mr. Cowan objected.

The CHAIRMAN.—Mr. Hughes having made the statment that it was done and that being denied by others, Mr. Hughes has the right to state the ground, whatever it was worth, which made him say it in the first place.

Mr. HUGHES.—Mr. Pearne told me in the spring of 1896, told me in a jocular way—I said to him, he being a good Liberal——

Mr. Cowan objected.

*By Mr. McClure:*

Q. Do you swear to this?—A. I object to your saying this; I am on oath.

Q. I propose to make my objection; I say this, a more monstrous proceeding was never heard of, a man to come on oath to make this statement which Mr. Hughes makes, and as one member of the committee I object that a man should come on oath and make wild and random statements.—A. Where am I making wild and random statements?

*By Mr. Cowan:*

Q. You say it was true and then you say it is not?—A. And I repeat here it is absolutely untrue. Here is what I say is absolutely untrue——

Q. You say it is absolutely untrue?—A. Yes.

Q. Then, I ask you how you know that, and you say because Pearne told you?—A. Here, sir, is what I say is absolutely untrue, made out of whole cloth. He says my statement is absolutely untrue and made out of whole cloth. I say it is not, and Mr. Pearne is the gentleman who gave me the statement. We are old friends, and I knew he would vote against me, but in a jocular way he told me I had better get a move on, that McLaughlin was looking up these claims. I may say, here, that I know the water was not raised at the time Mr. McLaughlin speaks of, because I frequently drive the road, and there is a large creek flowing in from Pearne's place where the horses drive through, and when the water was up at the dam, not speaking of the spring floods, one couldn't drive through the creek, and you can't do so to-day. Formerly we could drive through and water the horses. It is not worth while wasting or taking up the time about that. Here is the point I come to now, and here is the point where I think the government is connected with this matter. It is not a very serious matter on the part of the government, but here Mr. McLaughlin states, and, by the way, permit me to make this point, Mr. Barron, or Barron & Steers, were the government agents up to the last of July, a year ago, Mr. McLaughlin was acting in his capacity either as a person representing the party and holding the patronage of the riding——

Mr. COWAN.—I object to this, it is not evidence.

The CHAIRMAN.—You had better give evidence and argue the point afterwards.

Mr. HUGHES.—I am coming to this point, that he was acting as the legal adviser of these people; up to this time he was the people's agent and afterwards he was the government agent. This is where the point comes in in connection with these cheques. Mr. McLaughlin swears, "as a matter of fact," in answer to the question how these cheques were given to these farmers, he says, "as a matter of fact it was nearly all done at Fenelon Falls, where we have an office, and where I go once a week. We handed the farmer over his cheque and he would go down the street to a little bank and bring us up the amount of our account."

The CHAIRMAN.—I submit the cheques. Here is a cheque, Sackett's cheque. It was presented to the Dominion Bank at Lindsay. R. R. Graham's cheque was presented by R. R. Graham through Moss & Boyd's firm. Pott's cheque didn't pass through McLaughlin's hands, at least there is no evidence that it passed through his hands. Mr. Isaac's cheque is here, Mr. Chairman, and is presented by the firm of McLaughlin & McDerimid to the Dominion Bank in Lindsay, and not in Fenelon

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Falls. Mr. Byrnell's cheque is presented, after passing through various persons' hands, by the firm of McLaughlin & McDermid, not through their Fenelon Falls office at all. Mr. R. N. Moffatt's cheque is presented by the firm of McLaughlin & McDermid, at the Dominion Bank in Lindsay and is endorsed by them, and by Barron, the government agent. Mr. Moffatt is the gentleman who received the money and it was put into the bank by McLaughlin & McDermid, in Lindsay. Mr. Moffatt's cheque is plainly put into the Dominion Bank, at Lindsay, by McLaughlin & McDermid, and it then goes to the head office in Toronto. Joseph Pearne's cheque is put in by the firm of McLaughlin & McDermid, immediately, that is the endorsement is that of McLaughlin & McDermid, into the Dominion Bank, Lindsay. Mr. Quinn's cheque is put in the Dominion Bank, Lindsay, by McLaughlin & McDermid, per R. R. McLaughlin. Mr. Eades' cheque is put in the Dominion Bank, Lindsay, by McLaughlin & McDermid. Margaret Graham's cheque is put in the Dominion Bank, Lindsay, by R. J. McLaughlin and Thomas Bick, paid by him to Bick, and evidently Bick deposited it in the Dominion Bank. W. J. Graham's cheque goes through the Bank of Montreal.

*By Mr. Cowan :*

Q. How are the cheques made payable?—A. To Mr. Barron, the government agent, and to the person to whom the amounts are due in each case. Peter Moffatt's cheque is put into the bank in Fenelon Falls, and will be found to be the only cheque put into the bank in Fenelon Falls. I may be in error, but I think that is the case. Mrs. Nancy McIntyre's cheque was put through by herself in the Dominion Bank, Lindsay.

Here I present Mr. McLaughlin's sworn statement: "As a matter of fact it was nearly all done at Fenelon Falls, where we have an office and where I go once a week. We handed the farmer over his cheque and he would go down the street to a little bank and bring us up the amount of our account." There is the sworn evidence, and there is only one cheque that shows the slightest indication of ever having been near a bank in Fenelon Falls.

Q. Do you remember the date on which you first brought this up, Mr. Hughes?—A. April the 6th or April the 8th. The page is turned down at the place. I will not go into detail where he brings Mr. Pope up. I wish to state that my statement is borne out here also, although I got my evidence from the people. Mr. Pope, the valuator, says he fixed his valuation without Mr. McLaughlin in any way assisting him, and I merely emphasized what Mr. Pope says, that he did not influence him at all. He says: "I had already made up my mind as to the valuation. He tried to assist his clients all he could and thought they should get more, but I had made up my mind as to what was a fair valuation." There is another cheque of Mr. Johnston that I can't find, that I can't get anywhere. I understand that Mr. Edward Johnston got \$100, but I could find no indication of it. Now, I do not wish, sir, that in this question of taking commission or anything that Mr. McLaughlin has done in this matter, should count against him professionally. I treat him as a political representative of the riding and not as a lawyer, and I presume in that capacity, if he chooses to act as agent of these parties and take a commission, he is at liberty to do so. I merely brought this case up to show that it was not a fact that Mr. McLaughlin had influenced the valuation, and Mr. Pope's evidence establishes that fact. The government was responsible for having instructed Mr. Pope to call on Mr. McLaughlin.

Q. You were present when Mr. McLaughlin gave his evidence?—A. I was.

Q. You remember on 7th June bringing this matter up in the House?—A. I do.

Q. You remember making the statement on the floor of parliament that Mr. McLaughlin got his legal fees in connection with the settlement of these claims from

the government over and above the 20 per cent he got from his clients?—A. Let me see the *Hansard* and I will tell you.

Q. I am simply asking you now what you said?—A. I will not answer unless I see the *Hansard*. Let me see the book.

Q. Not until you have answered the question?—A. Give me the *Hansard*. It is mine anyway. I will see in the book what I have said.

Q. I ask you if you did say so?—A. I will read it.

Q. Then say you didn't say it?—A. I will give my evidence as I please.

The CHAIRMAN.—No, you will not; you can say you won't answer without reading from the *Hansard*.

Mr. HUGHES.—Yes, I will give my evidence to suit my own conscience sake and nobody else.

*By Mr. Cowan :*

Q. Do you remember on June 7th of making the statement which I read?—A. Well, let me see the *Hansard*.

Q. Well, do you remember?—A. I will not answer; show me the *Hansard*.

The CHAIRMAN.—You can make the statement that you don't want to answer till you have seen the statement in *Hansard*.

Mr. HUGHES.—I have said that twice.

*By Mr. Cowan :*

Q. Do you remember making the statement?—A. I won't answer till I see *Hansard*.

Q. Do you remember the statement you made?—A. Yes.

Q. Will you state the statement you made?—A. Let me see the *Hansard*.

The CHAIRMAN.—If you say you remember, I think you must answer.

*By Mr. Cowan :*

Q. I will read this to you, Mr. Hughes?—A. That is my *Hansard*.

Q. This is marked by yourself?—A. Just hand it over.

Q. You can look at this with me. Now I find at page 4487 of *Hansard* this statement: "Now, I know for a fact that Mr. McLaughlin did expect 20 per cent from these farmers, and I know he received it." That is correct?—A. That statement?

Q. Yes?—A. In general terms that statement is correct.

Q. "What I am anxious to know is: was this government a party to the extraction? If so, we would be pleased to learn it. Mr. McLaughlin was the Liberal candidate in the recent general election. In addition to that this gentleman has been paid his legal fees for his connection with the settlement of these claims." Is that correct?—A. Mr. McLaughlin was paid his legal fees in connection with Sackett.

Q. Only Sackett?—A. There is Johnson, I cannot say.

Q. Do you know of any?—A. I know of Sackett.

Q. Do you know of any others?—A. He was paid in the Sackett case, that I know.

Q. Do you know of any others?—A. I don't know of any others at the present time.

Q. Then, when you made that statement on page 4487 of *Hansard*, did you refer only to Sackett?—A. I referred to the Sackett case.

Q. Did you know at the time Sackett was the only one in which he had received a fee?—A. I don't know yet.

Q. That was the only one at the time?—A. That was the one I had in my mind.

Q. Now, you heard Mr. Pope's evidence?—A. I did.

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Q. You remember making the statement also, that Mr. McLaughlin was there in the endeavour to screw up—to use your own language—the prices as high as he possibly could?—A. Yes.

Q. You heard Mr. Pope's evidence on that?—A. Yes.

Q. Do you remember what it was?—A. Yes; bore me out, every bit.

Q. Do you swear to that?—A. I swear to that.

Q. You have Mr. Moore's evidence; at what page do you find the words that bear you out?—A. Well, you find them—it is not Moore's evidence.

Q. Mr. Pope's evidence?—A. At page 3. Mr. Cowan says: "On page 5149 of *Hansard*, of June 14, Mr. Hughes said: 'They find that this man could not bulldoze and browbeat the valuator, that the valuation he made was an honest valuation;'" and he asks Mr. Pope if Mr. McLaughlin bulldozed him. Mr. Pope answers: "I will tell you exactly what took place. When we got there, he consulted his clients, and said: 'This is money enough.'" And if you look at Mr. Pope's evidence—when he said it, I put it down; but the words "This is not money enough," that is all the reporter has down—he went on: "You have to come up to this valuation"—valuation or price, I would not be sure which. Mr. Pope goes on: "I said: 'I have made an estimate to the government, that I can do this thing for \$2,000. I have been over the ground a second time, and see no reason to change my mind. I have divided it as fairly as I can, and I am not going to give any more.'" He argued and argued, and when he found I had decided, he gave in in a gentlemanly way. There was not a cross word used."

Q. Go on: "It was all amicable"?—A. "It was all amicable." Then, on page 2 of Mr. Pope's evidence, in answer to a question of Mr. Bergeron, Mr. Pope says: "I thought he pushed their claims as much as possible," and that was construed by some of these persons, at all events—

Q. I am not asking about the construction; and that is what you based your assertion on, that it bears you out in every particular?—A. Yes.

Q. You have read the thing over carefully?—A. Have you?

Q. I say, have you?—A. Which thing?

Q. The evidence of Mr. Pope?—A. Yes.

Q. On page 4, he was asked the question: "There was no bulldozing?" and his answer was: "Everything was agreeable in the extreme, as far as I was concerned." You believe that Mr. Pope spoke the truth, when he said that?—A. That is Mr. Pope's opinion. I call it bulldozing, when you see the representative of the riding, having political control over Mr. Pope, undertakes to bring him up, as he undertook to bring him up on his valuation on that occasion. But he found he struck the wrong gentleman; he woke up the wrong passenger.

Q. So, he couldn't bulldoze Mr. Pope?—A. He could not; but he tried to.

Q. You swear he tried to bulldoze Mr. Pope. On what do you base that?—A. On the remarks made by people afterwards, and on Mr. Pope's own evidence in the case.

Q. And that is the only information you have, and upon that you are prepared to swear to it?—A. I am prepared to swear it upon what Mr. Pope says. That is my information, and I call it bulldozing.

Q. Your knowledge of this, from first to last, comes from what people have told you? What do you know, of your own knowledge, of this transaction?—A. A man does not know much, of his own knowledge, of these things, when he is not in the counsel of Mr. McLaughlin or the government.

Q. So that, what you know is from information received?—A. From information received, and from men whose word I would take as soon as their oath.

Q. And upon that you base your evidence to-day?—A. Yes, sir, and my speech in the House.

Q. I think, if I understood you correctly, a few moments ago you said, when you made that statement on the floor of Parliament, you referred to the Sackett claim.

That is the only one you knew of?—A. That was the only one I had any substantial knowledge of.

Q. And it was in connection with that claim, and that is what you had in your mind when you made the statement?—A. There was a number of other claims; but whether or not these claims had been allowed, I could not say. If they are not allowed—and I know Mr. McLaughlin had been advocating them—I had every reason to believe that these claims were in the same condition as Sackett's.

Q. You included all the claims?—A. I won't say that.

Q. Your language is: "In addition to that, this gentleman has been paid his legal fees for his connection with the settlement of these claims." That is in the revised copy?—A. I may say, that I believe you will find the revised and unrevised *Hansard* are exactly the same. I never saw that until I came in and read it, until Mr. Cowan read it here.

Q. Is that correct?—A. It is my view, speaking in general terms.

Q. Do you still adhere to this, or do you think this should be changed to read, "Sackett," instead of "these claims"?—A. I won't say that; I don't know about Johnston.

Q. Well, except both Sackett and Johnston?—A. Yes.

Q. So that, in so far as all the other claims are concerned, you except all the others?—A. Yes.

Q. When was it you first saw that you had used the word "claims"?—A. When you read it, the last day, here.

Q. And you haven't taken any opportunity since to rectify it?—A. I am not anxious to rectify it, not until I know about the Johnston claim.

Q. I have excepted these two now?—A. That bears out my statement to the letter. One claim is enough to establish the principle.

Q. Mr. McLaughlin was your political opponent, as a matter of fact?—A. No; he was one of them.

Q. He was one of your political opponents?—A. Yes.

Witness discharged.

# Public Accounts Committee.

## MINUTES OF EVIDENCE

RELATING TO THE CASE OF MR. W. J. CHRISTIE, LATELY AN OFFICER  
IN THE INLAND REVENUE DEPARTMENT AT WINNIPEG.

COMMITTEE ROOM,  
FRIDAY, 26th May, 1899.

Committee on Public Accounts met, Mr. FLINT in the chair.

Mr. W. J. CHRISTIE was called, sworn and examined:

*By Mr. Borden (Halifax):*

Q. When did you enter the service of the Inland Revenue Department?—A. In February of 1880. February 6th, I believe it was.

Q. When did you go to Winnipeg in the service?—A. I went there about three years after.

Q. You acted at first as what? As accountant, I believe?—A. As accountant.

Q. Until 1887?—A. Until 1887.

Q. And then you were appointed deputy collector?—A. Deputy collector.

Q. During the period when you were deputy collector, was Mr. Harry Costigan collector during any part of the period?—A. He was collector all the time during my holding of the office of deputy collector.

Q. That is collector of Inland Revenue for the city of Winnipeg?—A. Yes.

Q. You said you were deputy from 1887?—A. Yes, I have my appointment here.

Q. When did you cease to be deputy collector and leave the service?—A. In July, 1898, sometime about the 6th of July.

Q. So your service as deputy collector at Winnipeg covered a period of about 11 years. Now, you have addressed a certain letter—in a letter of 8th July, 1898, you have made certain charges in connection with Mr. Costigan. I think also in another letter?—A. 25th June.

Sir CHARLES HIBBERT TUPPER.—Take the blue figure in the paging of this return and the letter of 25th June is on page 70, and 8th July is on page 88 in the blue.

*By Mr. Borden:*

Q. You remember these letters, Mr. Christie?—A. I do.  
(Exhibits "A" and "B" filed.)

Q. Now, you refer in these letters, to certain shortcomings on the part of Mr. Costigan, as collector of Inland Revenue at Winnipeg. I want to know whether you know anything in connection with a registered letter which was received at the office of Inland Revenue on or about the 20th January, 1897, from the officer at the department at Virden, in Manitoba?—A. Yes. On the 20th January, 1897, the messenger of the office, Mr. Girard, received a registered letter and handed it to collector Costigan, but before handing it to him he recorded it in what is known as the registered letter book, with the date of the postmark on the envelope, and Mr. Costigan initialled for this in the registered book.

Q. Before going any further will you explain the practice of the office with regard to the receipt of registered letters?—A. The practice is this: The registered letters are taken at the post office by the messenger.

Q. He has authority to sign for them?—A. He has. Then he records the date he received that letter from the post office and the postmark, the name of the place where the letter is mailed. He records this in what is known as the registered letter receipt book, and this is signed by the party he delivers the letter to. If Mr. Costigan is there, the collector, it is handed to him; in his absence I initial for registered letters.

Q. So this letter was received by the messenger in the ordinary course and handed to Mr. Costigan and he receipted for it in this book?—A. Yes.

*By the Solicitor General:*

Q. You had personal knowledge of this?—A. I had.

Q. You saw it being done?—A. I saw the messenger taking the letter in and also saw the book as being initialled by Mr. Costigan afterwards. That is the knowledge I had, the only knowledge I could possibly ascertain.

*By Mr. Borden:*

Q. This was on the 20th January?—A. Yes.

*By the Solicitor General:*

Q. 1897?—A. Yes.

*By Mr. Borden:*

Q. Did Mr. Costigan remain in the office the whole of the day?—A. No. A short time after, probably within the course of an hour after the messenger handed him the letter, I inquired from the messenger if he had received any registered letters. That is a common inquiry, as the cash is handed to me if the collector opens a letter and there is a remittance in it, he gives the cash to me to remit it to Ottawa. I asked collector Costigan if he had received any registered letter that day, to which he replied "No." I said no more; it was practically none of my business, and Mr. Costigan left the office that day and I did not see him—that was 27th January, 1897, and he was not in the office to my knowledge, during business hours, until 15th February, 1897.

Q. How did you first acquire any knowledge of what this remittance was if there was a remittance?—A. I received a letter—in Mr. Costigan's absence I may say I was instructed to open all official correspondence—I received a letter addressed to the collector of Inland Revenue from Mr. Scarth, of Virden.

Q. Mr. Scarth is what?—A. Inland Revenue officer at Virden. In that letter he stated that on the 19th of January, he had mailed a letter containing \$93.20 and also an entry, and he hadn't received a receipt for it and inquired whether we had received the letter.

Q. What action did you take?—A. I was informed that Mr. Costigan was some place in Winnipeg, and I met him on the street in the course of a day or two. A matter of two or three days.

Q. After this letter was received?—A. After I had received the letter from Scarth.

Q. That is what I mean?—A. Yes. And I asked Mr. Costigan if he had received a letter from Scarth, and he still denied it. He said "No, he hadn't."

Q. Did you refer to the remittance in the letter?—A. I referred to the remittance, yes.

Q. What further action did you take? Was it reported to the inspector?—A. I then reported the shortage to the inspector.

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Q. Who is the inspector?—A. Dr. J. K. Barrett.

Q. Do you know what action was taken then?—A. Inspector Barrett informed me he had reported the matter to the Commissioner of Inland Revenue at Ottawa.

Q. Now, subsequently to this did you ascertain any fact in connection with the messenger's receipt book?—A. On the same night that I met collector Costigan on the street and inquired from him about this remittance from Scarth, that same night the messenger's receipt book was missed from the office. The following morning I missed it, the messenger reported to me in the morning that the book was not there and I immediately took steps to try and find out where it was. I then hunted round for Mr. Costigan. I went up to his hotel and he hadn't been there for several days, and in the course of a few days I was informed that Mr. Costigan had been taken to the police station, and from there his friends had taken him to the General Hospital. I called at the General Hospital and inquired before I went into his room, I inquired from the doctor attending him, Dr. Chown, if I could talk about business matters to Mr. Costigan, and he said "Yes, talk anything. He is apparently all right, a little nervous, that is all." And I entered the room and Costigan was lying in bed and Mrs. Costigan was sitting on a chair by his bedside. In a short time I asked Costigan if he knew anything about the messenger's receipt book. He answered no, then I related to him the circumstances of him being in the office, the night watchman telling me about him being in the office the night the book was taken, in company with a tall man, and Mrs. Costigan then spoke up and said, "Harry, if you know anything about this book, this receipt book, you had better tell Mr. Christie." Mr. Costigan then reached up to his coat which was hanging at the head of the bed and took from his pocket this receipt book.

Q. And what did he do with it?—A. He handed it to me and admitted that he took \$93.20, which was in Scarth's letter, and also this book. I then remarked to him something to this effect, that it was bad enough to take the money from the registered letter, but that it was an unpardonable crime to try and implicate the messenger as the guilty party, to which he made no reply.

Q. When was this made good, or was it made good?—A. Some time after the 15th or about the 15th of September.

Q. In the same year?—A. In the same year. I have not the dates of that but the records of the Inland Revenue Department will show it.

Q. Do you know by whom it was made?—A. No, I do not know. During that time I am not positive whether the department sent me a cheque for \$300, but the records of the department would show, to pay the contingency accounts during Mr. Costigan's absence. He was entrusted, was advanced \$400 to pay the contingent expenses of the Inland Revenue division of Winnipeg. That is the office rent at outside points and officers who are not on the permanent staff. I would not be sure, positively, whether this \$300 was sent me then or not, but the records of the department will no doubt show that.

Q. Do you mean it was made good out of the \$300 that you spoke of?—A. No. Mr. Costigan is advanced, the Department of Inland Revenue advanced him \$400 to pay the contingent accounts and I am of the opinion that Mr. Costigan did not pay the contingency account, in fact I know he did not, but I am of the opinion that the department sent me \$300 to pay the accounts that should be paid out of the \$400 advanced to Mr. Costigan by the department.

*By Sir Charles Hibbert Tupper:*

Q. That will all appear on the official books of the department?—A. Yes, at the department at Ottawa.

*By Mr. Borden (Halifax):*

Q. Were you regularly in the office, attending to your duties as deputy collector from the 20th January, 1897, to the 15th February, 1897?—A. Yes, I was.

Q. To your knowledge, was Mr. Costigan in the office, attending to his duties as collector during that period?—A. No, he was not there from the 20th of January, some time about noon of that day, to the morning of 15th February. I did not see Mr. Costigan in the office at all nor did I hear of him being there excepting on this one night.

Q. Do you know of any official business on which he was engaged which kept him from the office during that period?—A. No, there was none that I know of. He was around Winnipeg.

Q. You have also referred, in one or both of these letters, to certain cheques received from the estate of Alexander McIntyre and from Richard & Co., in July, 1897. Will you tell us what you know about this?—A. Richard & Co. and the executors of Alexander McIntyre, on the previous year, had licenses to carry liquor and tobacco in bond, what is known as excise in bond warehouses licenses.

Q. That was Richard & Co. and the estate of Alexander McIntyre?—A. Yes, Richard & Co. and the estate of Alexander McIntyre. They applied to warehouse some liquors some time in August.

Q. Of 1897?—A. Of August of 1897, and I informed them I could not accept their entry, that they had no license, that they had failed to take out their license. They were very much surprised and informed me that they had paid the license fee to Mr. Costigan and had also executed the bond.

Q. Just wait one moment. These licenses are in force for one year?—A. For one year, they all expire on the 30th June in each year.

Q. And in order to be renewed the fee is to be paid?—A. Yes, a fee of \$20, and application has to be made out and a bond executed for the protection of the revenue on goods they have in their warehouse.

Q. And when they applied to you in August, to make entries, you refused their entries on the grounds that they had not paid their license fees and renewed their licenses for the present year?—A. Yes.

Q. Was there any entry in the books of the office indicating that the license fees had been paid?—A. None whatever.

Q. Or that the licenses had been renewed?—A. None whatever. I looked for that and could not find the bond or any record of any money being paid.

Q. Was there any entry of an application to renew the licenses?—A. The application was there.

Q. But nothing further?—A. No. The applications are made, sometime in June, by an officer who goes round and calls upon the different parties holding licenses and having them send in applications so as to be all ready by 1st of July.

Q. Was Mr. Costigan in the office at the time when this matter came to your attention?—A. No.

Q. How long since he had been attending to his duties?—A. He left the office on 20th July and did not return, and was not in the office during business hours until the 15th September, 1897.

Q. When you ascertained from these people, the estate of McIntyre and Richard & Co., that they claimed to have paid their license fees, what action did you take?—A. I asked them to produce their cheque that they paid and they produced them, each of them. The cheque was endorsed and made payable to the order of the collector of Inland Revenue and this cheque was endorsed by H. A. Costigan and apparently he had deposited or cashed it. I may say that in making these cheques out there is a circular in the department instructing all officers of the Inland Revenue Department handling cheques, that they are to be made out to the account of the Receiver General. Our cheques in Winnipeg were made payable to the Merchants' Bank of Canada for account of the Receiver General.

Q. The ordinary form of cheque for payments of this kind is the Merchants' Bank of Canada for account of the Receiver General?—A. Yes.

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Q. Then the cheques in these cases were made payable, not in this form, but to Mr. Costigan personally?—A. Yes; to the collector of Inland Revenue.

Q. The collector of Inland Revenue himself?—A. Yes.

Q. You say that the instructions as to the way in which cheques should be made are contained in a printed circular?—A. Yes.

Q. Is that on file in your office?—A. Yes.

Q. In Winnipeg?—A. In Winnipeg.

Q. And had it been the custom of the Inland Revenue Department to have cheques made that way?—A. Nearly all the cheques received were made out that way, except occasionally in the case of persons who had no experience, but Richard & Co. are passing cheques nearly every day, and making them payable that way—to the Merchants' Bank of Canada for account of the Receiver General.

Q. Well, you say these cheques were endorsed by Mr. Costigan when you saw them?—A. Yes.

Q. And presented by?—A. Richard & Co. and Mr. Litchfield, who was handling the estate of McIntyre & Co.

Q. What further action did you then take?—A. I generally make reports to Dr. Barrett, the inspector at Winnipeg, but he was absent from the city and I reported the matter to Mr. Miall, the Commissioner of Inland Revenue at Ottawa.

Q. Do you remember about the date on which you reported it?—A. I have a copy of the letter here :—

“WINNIPEG, 6th September, 1897.

“E. MIALL, Esq.,

“Commissioner of Inland Revenue,

“Ottawa, Ont.

“SIR,—I beg to report that I called on the executors of Alex. McIntyre for their bond and license fee for excise bonding warehouse. Mr. Litchfield, one of the executors, informed me that he executed bonds and handed Mr. Collector Costigan a cheque for \$20. He produced the cheque, which was dated 6th July, 1897, and made payable to the order of the collector of Inland Revenue. It was endorsed H. A. Costigan, collector of Inland Revenue; was accepted 9th July, 1897, and marked paid. The bond I cannot find.

“I called on Messrs. Richard & Co. for their bond and license fee for excise bonding warehouse, and was informed that they executed bond and gave Mr. Collector Costigan cheque for \$20. They produced the cheque, which was dated 16th July, 1897, and made to the order of the collector of Inland Revenue. This cheque was endorsed H. A. Costigan, collector of Inland Revenue, and either deposited or cashed at the bank of Hochelaga, 17th July, 1897. The bond I cannot find. I reported the above to Mr. Inspector Barrett. At the same time I had written a report to Inspector Barrett, but he was not in the city. The executors of Alex. McIntyre and Richard & Co. have spirit in bond and are executing business as if the licenses were issued. Would you be good enough to advise me what action to take?” At the same time I had written a report to Inspector Barrett, but he was not in the city.

Q. Did you get any reply?—A. No, I did not.

Q. Did you make a written report to Inspector Barrett, or an oral report?—A. Well, now I would not be positive whether I reported verbally when he came back, or made a written report.

Q. It was previous to this you had made a report, either written or oral, to Inspector Barrett?—A. Yes.

Q. Did you receive any directions or instructions with regard to the matter, either from the department here or from Inspector Barrett?—A. Well, Mr. Inspector Barrett, when I saw him, told me to go on and accept the entries, as it was evident that these people had paid their license fees and executed their bonds.

Q. And were their entries accepted?—A. The entries were accepted after that.

Q. Well, now, I do not know whether or not you have stated the exact amount of these payments?—A. \$20 each.

Q. And do you know when these amounts were made good?—A. These amounts were made good some time in, I think, September, 1897. It was after 15th September; the records will no doubt be in the hands of the department.

Q. And do you know how they were made good?—A. Mr. Costigan made up the amount when he came back.

Q. Now, you say he was absent till about 15th September?—A. Yes.

Q. Have you any knowledge as to his whereabouts during that time?—A. Well, the only knowledge was when Mrs. Costigan handed me a telegram, a short time after he was away, from the Merchants Hotel in St. Paul, stating that Mr. Costigan was there in a very bad state; and the next day, I believe it was, a Mr. Wood, who is an express messenger running between St. Paul and Winnipeg and boarding at the same hotel as Mrs. Costigan was, and we arranged he should look up Mr. Costigan and try and persuade him to come home. He reported that he saw Mr. Costigan in St. Paul, and that he looked in a rather dilapidated state; his linen was very much soiled and his clothing was very much dilapidated, looking very different from his general costume in Winnipeg; and he also reported that Mr. Costigan would not return with him.

How did you arrange to get Mr. Wood to do this?—A. As I said, he was at the same hotel and Mrs. Costigan was acquainted with him, and I requested him to do that as well as herself. He said it was no trouble, that he was going to St. Paul that evening and would look up Mr. Costigan.

Q. About what time was that?—A. That was about some time in August.

Q. Was Mr. Costigan absent on any official business in St. Paul?—A. Not that I know of.

Q. Were you aware when he left, on the 20th of July, I think you said, that he was going to be absent?—A. I was not.

Q. Did he make any announcement to the officers of the Inland Revenue Department?—A. No.

Q. And how long was it before you discovered he was in St. Paul?—A. Well, I had been informed by some one who saw him there, and then this telegram confirmed that. His wife was inquiring everywhere for him and could get no trace of him.

Q. Do you know anything of how it was that he eventually came to return?—A. Well, I asked Mr. Wood later on to hunt him up—this was on 16th August—and he wired me to this effect:

ST. PAUL, 17th August.

W. J. CHRISTIE,  
Deputy Collector Inland Revenue,  
Winnipeg.

Costigan left here Wednesday. Pass used East Grand Forks. See conductor Murray.

I was informed by conductor Murray that Mr. Costigan had travelled on a pass which he had secured from the Northern Pacific Railway as far as East Grand Forks; the latter part of the road he went with him on a freight train. Then later on Mr. Georgeson, who is a friend of the Costigan family, called at my office and said Mrs. Costigan was in a terrible state about her husband, could not ascertain where he was, and said we should do something in order to locate him if possible. I said it was impossible for me to get away, and I proposed that we send for Mr. Carey, a very intimate friend of Costigan's. We arranged that we were each to pay an equal proportion of Carey's expenses. Carey went to East Grand Forks, and stayed there a day

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or two. He came back with the report that Mr. Costigan arrived there about 2.30 on the morning of the 15th August, and no further trace could be found of him.

Q. He eventually did return you say about the 15th of September was not it, somewhere about the middle of September you believe it was?—A. Yes, I think he returned 21st September.

Q. Was his absence reported to the department?—A. Yes.

Q. Do you know by whom?—A. Well, it was reported by Dr. Barrett, and it was also reported by me in the report, my report of the 16th September on these cheques for the licenses that were not handed in, and several telegrams were sent between the department and Dr. Barrett inquiring if any trace had been found of him.

Q. Do you know anything about the payment of contingencies in the month of August, for the month of August?—A. Yes. Dr. Barrett reported that there was no money to meet contingencies and he had wired the department to send me a cheque for \$300 to pay accrued contingency account, and I received a cheque for that amount from the department.

Q. That was on account of his absence?—A. Yes. That made instead of having \$400 held over for contingent expenses, there was \$700.

Q. Did he receive the contingent expenses for July?—A. The contingent expenses are paid in this way. In July an amount is sent to each collector, an amount of \$400 was sent to Costigan. He pays out of this fund all the contingent expenses and then sends a statement to the department and they remit him the amount that he has paid out so that when he gets this back he has the \$400 which he goes on paying out from year to year and on the 20th of June he is supposed to refund all this contingent money not expended and then it is handed to him again in July.

Q. What I want to know is whether—I am speaking of the contingent expenses sent by the department on the 13th of July, 1897, amounting to \$400—whether any return was made during Mr. Costigan's absence?—A. None whatever.

Q. No return made for all the contingent expenses to \$400, or of these two sums of \$20 each from the Alex. McIntyre estate and Richard & Co.?—A. None whatever.

Q. Do you know when returns of those were made?—A. When Mr. Costigan came back he, of course, assumed the duties of the office, and went on while I paid the contingent account for short time and he requested I should hand the balance over to him, which I refused to do saying the department had sent it to me and would hold me responsible and I would return the balance to the department. The record will be on the books of the department here.

Q. Do you know anything about Mr. Costigan's expenses during that absence?—A. I was informed that Mr. Costigan had his expenses paid and that his salary was paid in his absence.

Q. How were you informed of that?—A. Mr. Costigan informed me that he had his travelling expenses paid and the records in the office show that he had his salary paid. The salary cheques were sent to me during his absence. I think they were made out in my name, either in my name or Dr. Barrett's. The records will no doubt show.

Q. Do you know anything about a letter which Mr. Costigan wrote shortly before his return in September?—A. I was at Rat Portage some time about 15th September, I believe, and when I returned on the 16th or 17th, Mrs. Costigan informed me she had received a letter from her husband and that he stated in the letter that he had been working on a farm and with a threshing gang near Grand Forks, in the vicinity of Grand Forks, and that if his position—if she would ascertain if his position was all right and if his friends in Winnipeg, mentioning Mr. Vealey, would make up enough to straighten out his defalcations in the department. I do not know whether he used the word defalcations, or the amount he was short.

Q. His shortage?—A. His shortage in the department, that he would return. But if not he will go on to Montana. Mr. Code, of the Inland Revenue Department, saw this letter. I did not see the letter, but she told me this.

Q. Do you know whether anything was done after this letter was received?—A. Mrs. Costigan said she wired the Hon. John Costigan at Ottawa, asking him if Harry's position would be all right, and that she received a reply from the Hon. John Costigan stating that his position was all right.

Q. This was in September, 1897?—A. That was in September, 1897.

Q. Do you know anything about a sum of money that was due from the city of Winnipeg for methylated spirits?—A. Yes.

Q. Or is there anything further you wish to say with regard to what we are discussing now?—A. Well, the only thing is Mr. Costigan sent a report, so I was informed, that he had been laid up with a low fever in the vicinity of Grand Forks, but had not sufficient money to pay his expenses in the hospital and that he went out on a farm for, I do not know whether it was for treatment, but he went out on a farm with the object of recuperating his health.

*By Sir Charles Hibbert Tupper :*

Q. Reported to whom?—A. Reported to the Department of Inland Revenue at Ottawa.

*By Mr. Borden :*

Q. Well, now, with respect to a sum of money due to the Department of Inland Revenue by the city of Winnipeg, do you know the amount? \$209.64 I think the report shows?—A. \$209.64.

Q. Was any demand made in December, 1897, for the payment of this amount from the city?—A. Yes. This methylated spirits was reported in Winnipeg. The way that transaction took place is, the health department of the city of Winnipeg applied to the Commissioner of Inland Revenue to supply them with methylated spirits. This spirit is only supplied by the Department of Inland Revenue, and it is sent to the order of the collector of Inland Revenue and on receipt from the railway of notice of the arrival of this methylated spirit, notice is sent to the party ordering it. They pay the duty on it and the entry is passed. I noticed some time after Mr. Costigan had left that these methylated spirits had arrived and I noticed that it was recorded, I believe, that the city of Winnipeg had been notified, and I called on them and asked them why they did not take the methylated spirits from the station.

Q. You speak of doing this after Mr. Costigan had left. When did he leave on that occasion; say about when?—A. 27th November, 1897, was the last I saw of him in the office during business hours.

Q. When did he return?—A. I am not quite sure; I think it was about the 27th of December, but I am not quite positive.

Q. Did he inform the officers he was going?—A. No.

Q. Were you aware he was going yourself?—A. No, I was not.

Q. Was he absent on official business, as far as you know?—A. Not that I know of.

Q. Do you know where he was during this period of some few weeks?—A. I was informed he was in St. Paul and Minneapolis.

Q. Yes. Well, during his absence you asked the city authorities for payment of this amount?—A. Yes.

Q. About what time was that?—A. That was about the time I reported to Ottawa about it. My letter—

Q. Have you your letter here?—A. Yes.

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*By Sir Charles Hibbert Tupper :*

Q. Is that report brought down?—A. I reported to Dr. Barrett. Shall I read the letter ?

Mr. BORDEN.—Yes.

INLAND REVENUE, DIVISION No. 36, WINNIPEG,  
WINNIPEG, 14th December, 1897.

Dr. J. K. BARRETT,  
Inspector of Inland Revenue,  
City.

SIR,—I beg to advise you that I called at the city treasurer's office for a cheque for two drums of methylated spirits invoiced by the Department of Inland Revenue (invoice No. 6448) to the medical health officer, Winnipeg. The treasurer informed me that a cheque was handed Mr. Collector Costigan for \$209.64, and showed me the account receipted by H. A. Costigan, on the 27th November, 1897. He showed me a cheque on the Bank of Montreal, dated 23rd November, 1897, for \$209.64 payable to the order of the collector of Inland Revenue. Cheque was endorsed H. A. Costigan, collector of Inland Revenue, and W. J. O'Connor. The cheque was cashed by W. J. O'Connor, on the 1st December, 1897.

Not receiving the cash or cheque for methylated spirits, I take this opportunity of acquainting you of the facts.

Yours truly

W. J. CHRISTIE,

Deputy Collector Inland Revenue.

Q. The facts stated in that letter are correct as reported?—A. Yes.

*By Sir Charles Hibbert Tupper :*

Q. According to the practice of the department, would that be Dr. Barrett's duty to forward that report to Ottawa, to the head office here?—A. Yes. Dr. Barrett informed me he had reported the matter to the head office. I suppose the report will be on file.

Q. In accordance with the instructions which you have already spoken of, it should have been payable to—?—A. To the Merchants' Bank of Canada, on account of the Receiver General.

Q. Who is the W. J. O'Connor you referred to?—A. He is a saloon keeper and hotelkeeper in Winnipeg.

Q. Do you know when this money was refunded to the department?—A. I have not got a record of that—the exact dates.

Q. Will the books show that at Winnipeg?—A. They will.

Q. Will the books at the department here show it?—A. Yes, they can trace it out here and also have a copy of the entry.

Q. So, that date can be obtained here?—A. Yes, it can be obtained here. I may say, I might have ascertained these dates in the Inland Revenue office at Winnipeg, but I received a summons on Monday, and I had to leave on Tuesday, and that did not give me much time to look into it.

Q. Yes, and during Mr. Costigan's absence the contingencies were paid through whom?—A. Through me.

Q. That was on the report of the inspector, of December, 1897, I think. Did you know anything about that report which he made then?—A. The inspector reported that the contingencies were not paid, and, I believe, advised them to send me a cheque for \$300.

*By Mr. Borden :*

Q. You spoke of a man by the name of Mr. Vealey, I think?—A. Yes.

Q. As a person who was to be applied to in order to make good Mr. Costigan's shortage?—A. Yes, that is the man Mrs. Costigan told me her husband had instructed her to see.

Q. Do you know whether or not Mr. Vealey did give any assistance for the purpose?—A. Yes, he did give some assistance, and Mr. Costigan gave him an agreement. I have a copy of the agreement here, I believe.

Q. Is that a copy of the agreement, or the original?—A. This is the original agreement, and this was given to me to pay Mr. Vealey and myself for money he had borrowed from me and the money he had borrowed from Mr. Vealey.

Q. In connection with these shortages?—A. In connection with these shortages. Mr. Vealey's was more in connection with shortages. The indebtedness to me was a matter—

Q. In connection with other matters, money that you had advanced him to pay private bills?—A. Yes; there is one amount of \$150. I paid a gentleman in Winnipeg there who had loaned him that amount on the representation that he had not received his contingent account for July, and wanted to pay the officers' salaries and this man. Mr. Costigan had given this man a note, and he had put it through the firm he was doing business with, and at the date of maturity this man came to Costigan and asked him to meet this note. He said he could not, and came out to my office and asked me for \$150; that he was in a very bad shape; that this man had put the note through the books of the firm he was working for, and if it was not met that day, he would probably lose his position. I at first refused; but he represented that he had a large family, and that they would practically be put on the street if I did not.

Q. So, you gave him a cheque for \$150?—A. Yes.

Q. To pay the note of Costigan to this man?—A. Yes; it was used partly to pay that; and previous to that, Mr. Costigan had been drinking, and I asked him if there was anything troubling him. He said he owed considerable money around town; and I told him that if he gave up drinking, I would advance him some money, and he could pay it back by instalments, and I would charge him no interest. I gave him my cheque for \$150; that was nearly \$254.50. Then, when he applied to Vealey, Vealey said he could not advance him this money except on one condition, that is, that he transfer the departmental cheque to me, to pay the officers and Mrs. Costigan, and the balance of his cheque to go to pay Vealey and myself.

Q. That is, first out of the departmental cheque was to be paid the officers, and then out of Costigan's money a certain amount was to go to Mrs. Costigan, and the balance to go towards his indebtedness to Vealey and yourself?—A. Yes.

Q. What is the date of the agreement?—A. The 4th day of October, 1897.

Q. Just read it?—A. "In consideration of the receipt of \$350 from George Vealey, merchant, and \$254.50 from William John Christie, deputy collector of Inland Revenue, both of the city of Winnipeg, in the province of Manitoba, Canada, I hereby covenant and agree to endorse the salary cheque made by or on behalf of the Inland Revenue Department to pay the salaries for the officers in the Inland Revenue Division of Winnipeg to William John Christie; and I hereby authorize him to pay all officers' salaries and to pay my salary for the month of October, 1897, and each succeeding month until the claims of George Vealey and William John Christie are fully paid. I authorize William John Christie to pay my monthly salary of \$179.67 as follows:—\$99.67 to be paid to my wife; \$50 to be paid to George Vealey; and \$30 to William John Christie. I also agree to sign a receipt to the Department of Inland Revenue for salary cheque. Signed and sealed this 4th day of October, in the year one thousand eight hundred and ninety-seven, in the presence of X. Saucier. H. A. COSTIGAN."

This is the original document, drawn up in Mr. Costigan's own handwriting.

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*By Mr. Britton:*

Q. I suppose that is not reported at all to the department?—A. No, that is a private matter.

*By Mr. Borden:*

Q. After that, I suppose, you obtained some portion of your indebtedness?—A. I obtained \$60, and he has paid Thomas ——; he has paid this man that he was indebted to, \$150, which note I took up and gave a cheque for that; I think he has paid him something about \$50; the balance is unpaid. I believe Vealey has not received anything.

*By Mr. Frost:*

Q. How much is paid of that \$254?—A. Well, I have received \$60, and the man that I took up his note for of \$150, I think he has now paid him about \$50. I would not be positive of the exact amount; I omitted looking at my books before I came here.

Q. That is very nearly half the amount?—A. Yes.

*By Mr. Borden:*

Q. Was any portion of any of these shortages made up by a cheque of the inspector?—A. The shortage of the city of Winnipeg, amounting to \$209.64, was paid, the inspector handed me his own cheque for that amount, and he also informed me that he had received a portion of this money from the Hon. John Costigan.

*By Sir Charles Hibbert Tupper:*

Q. When was that?—A. Well, that was on—I have not got the exact date, but the date will be on record in the Department of Inland Revenue.

*By Mr. Borden:*

Q. The return seems to show that these amounts were made good about the 29th December, 1897?—A. Yes.

Q. You do not remember the exact date yourself?—A. I do not remember; it will be on record in the Department of Inland Revenue.

Q. But I understand it was made good by the private cheque of the inspector, Dr. Barrett, who informed you that a portion of the amount had been received from Mr. Costigan's father?—A. Yes.

Q. Do you know anything about Mr. Costigan having borrowed money from people dealing with the department, or having business with the department?—A. I was informed by Mr. Patrick Shea, who is a brewer and malster, and licensed, that Mr. Costigan had borrowed \$150 from him, and that he had paid back \$75. The last time I was in conversation with Mr. Shea, he told me he had not received the balance.

Q. About what time were you so informed of the loan?—A. It was some time in 1897, during Mr. Costigan's absence. I think it was in August, 1897, when he was away that time.

Q. Mr. Patrick Shea, you say?—A. Yes.

Q. He resides where?—A. In Winnipeg.

Q. And he carries on business as?—A. Brewer and malster.

Q. And what business did he have to transact with the department?—A. Well, he manufactures malt and pays duty on it.

Q. Does he have a bonded warehouse?—A. He has a bonded warehouse for his malt. His malt is manufactured, and is charged up in the books which are kept in the Inland Revenue office, and, as he uses this malt, takes it out of bond, he pays for it.

Q. The bonded warehouse, I suppose, was under Mr. Costigan, as collector?—  
A. Yes.

*By the Solicitor General:*

Q. Does Mr. Costigan keep the books?—A. No; Mr. Costigan audits the books, and he directs the officer what action to take in collecting the duty, &c.

*By Mr. Borden:*

Q. I suppose he has supervision of the books and of all the officers?—A. Yes. Of course, there is an officer under him who has charge of the books.

Q. This bonded warehouse is under an officer specially appointed for the purpose?—A. Yes.

Q. That officer would be under the direction of Mr. Costigan as collector of Inland Revenue?—A. Yes.

Q. Subject to his orders?—A. Subject to his orders.

Q. Do you know W. W. Watson?—A. Yes.

Q. He now fills the position of deputy collector of Inland Revenue at Winnipeg, I believe?—A. Yes.

Q. Is it essential that a deputy collector of Inland Revenue at an office like Winnipeg should have any technical knowledge?—A. To protect the revenue, he should have a thorough knowledge of how to make all measurements, how all duties should be charged, how to inspect and audit the books of different manufacturers, such as cigarmakers and malsters and brewers; to be able to measure all vessels and ascertain their capacity, and do everything in connection with the Inland Revenue, because at times the collector is away, and the duty falls to him, and without a man has a knowledge of this, it would be impossible for him to protect the revenue.

Q. The interest of the department?—A. Yes.

Q. Mr. Watson is a gentleman of about what age?—A. Fifty-five or fifty-six years, I should say.

Q. Do you know what his politics were?—A. Well, what I know of him, he is a Liberal.

Q. You say he is about fifty-five years of age, when appointed?—A. Yes.

Q. When was he appointed?—A. I believe he was appointed in April of 1898, but I was on leave of absence in April. I was taken sick on the way home from London, Ont., and was ill in Minneapolis, and on my return he was in office.

Q. Had he been in the service before he was appointed?—A. No.

Q. He entered the service on the day you name, as deputy collector?—A. Yes.

Q. Do you know what his previous business was?—A. He was in the implement business. He had been farming; he had been running a Chicago broker business, buying and selling wheat, or first, I believe, he started with a direct line, as he claimed, to Minneapolis, and then he was working, running a kind of bucket shop; and, apparently, failed at each occupation he was at.

Q. And so he was appointed to be deputy collector of Inland Revenue about a year ago?—A. Yes.

Q. At the age of fifty-five. Do you know, as far as you are aware, had he passed any qualifying examinations?—A. No.

Q. Do you know whether or not he had the requisite technical knowledge of which you have spoken, or had at the time of his appointment?—A. I am satisfied he has not. I am willing, if Mr. Watson is called here, to give Mr. Watson six questions that are very essential for a man to have to properly protect the interest of the Revenue Department, and these questions can be submitted to Mr. Gerald or Mr. Miall, as being essential to know in order to protect the government revenue, the public revenue, and if Mr. Watson answers three of these questions, I am willing to put up a marked cheque and pay Mr. Watson's expenses from Winnipeg and return, and all

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his expenses here, and he can have a holiday for a month. I make this offer so as if Mr. Watson is called here—

*By the Solicitor General (Mr. Fitzpatrick):*

Q. When we get through with your cross-examination, we can discuss what offers you can make then.—No answer.

*By Mr. Borden:*

Q. You have also made a statement in the letter of 8th July, 1898, respecting Mr. Gosnell. Who is Mr. Gosnell?—A. He is now collector of Inland Revenue at Winnipeg.

Q. And you charge in your letter that he passed his most important examination by means of a fraudulent scheme. What have you to say with regard to that?—A. Well, on the 27th July, 1880, there was an examination held at the city of London—at that time Mr. Gosnell was residing there—in Chatham or Windsor, west of London, and on the following week, I believe, there was to be an examination in the city of Toronto, on the 5th August, 1880. Notice was sent to the different officers that were anxious to be promoted, to attend this examination, and Mr. Gosnell did not attend the examination at London. I wrote on the examination at London, and Gosnell attended the examination at Toronto the following week. He went 120 miles farther than London to go to Toronto.

*By Mr. McGregor:*

Q. He had a right to do that?—A. After the London examination the same papers were sent to Toronto. Copies of these papers were sent or handed to parties who were going to write at the Toronto examination. I won't swear that Gosnell received any copies of these papers; I do not know who copies were sent to, but I was informed at the time by parties who had got copies. Gosnell passed this examination at Toronto, which made him eligible to offer himself at the special class examination. Later on, at the city of Hamilton, there was a special examination held, at which Gosnell presented himself and failed, and after that, at Toronto, another special class examination was held, at which he offered himself and failed. In August, I think it was; it will be on record in the department; some day in August—I forget the date—

Q. What year?—A. 1887. There was an examination held in Toronto, a special class examination at which all officers holding first-class certificates who had not passed the special class examinations previously, were invited to attend. Mr. Gosnell received a notice of this, and he did not attend. Later on, he requested Inspector Barrett to write to Mr. Miall and ask him if he would allow Mr. Gosnell to have a special class examination held in Winnipeg. He was the only man, I believe, west of Toronto who was eligible to offer himself. Mr. Miall consented, and the examination was held on the 15th day of May, 1888. He commenced writing on the 15th day of May. A short time after the examination in Toronto, Mr. Gosnell informed me that he had received copies of the papers set for examination from Mr. Joseph O'Brien, of Hamilton, who is an officer of Inland Revenue, and wrote on that examination, and, I believe, passed it. After Mr. Gosnell wrote on this examination in Winnipeg, he informed me that the papers used there were the same papers as were used in the previous examination in Toronto, of which he stated before he had a copy. A short time after the examination in Toronto, Mr. Gosnell informed me that he had received copies of that examination paper, of the papers used for that examination, from Joseph O'Brien, of Hamilton, who is an officer in the Inland Revenue, and wrote at that examination, and passed it. After Mr. Gosnell wrote at this examination in Winnipeg, he informed me that the papers used there were the same papers as

those used at the previous examination in Toronto, of which he had stated before he had a copy.

Q. That was after he passed the examination in Winnipeg upon the papers which he previously had in his possession?—A. Yes, some days previous. I did not make any charge at the time; I had not any evidence, and did not think it was my duty to make charges. Mr. Gosnell, passing this examination, would probably prevent a man who had passed the examination, from being placed upon the special class list.

Q. That is, the number of persons who were on the special class is limited to twenty-four?—A. Limited to twenty-four. They have passed an examination, and wait for an opening. Something about a year ago, I was handed a copy of these papers by a party in Winnipeg. They were left at the office there, and were handed to me, and I can produce the papers, if necessary. This examination is written in the handwriting of Joseph O'Brien, and it is, no doubt, the papers which Gosnell had in his possession at the time.

Q. Have you got them here?—A. Yes; some of the questions are worked out.

Q. Please produce them. (Documents produced.)

Q. These are the papers to which you refer as coming into your possession?—A. Yes.

(Documents put in, and marked Exhibit "C.")

Q. These were handed to you by whom?—A. By an officer in the Winnipeg office.

Q. And were obtained by him—where, do you know?—A. In one of the drawers in the Inland Revenue office, used—

Q. By Mr. Gosnell?—A. I presume, by him.

Q. And you say that on that paper some of the problems are worked out?—A. Some are worked out.

Q. In whose handwriting?—A. I believe, in O'Brien's handwriting.

Q. Or Gosnell's?—A. At least, I presented these papers. I asked Inspector Barrett if he recognized that handwriting, and he said: "Yes, it's O'Brien's," who is a brother-in-law of his.

Q. You know Gosnell's handwriting?—A. Yes.

Q. And you say the working out of these problems is not in his handwriting?—A. Yes.

*By Sir Charles Hibbert Tupper:*

Q. I would like to ask you a question. It is stated that Sir Henri Joly, Minister of Inland Revenue, asked you to bring this matter before Parliament, and Mr. Fitzpatrick, the Solicitor General, has been very careful to say that this inquiry was prompted, was ostensibly against the son, but was really made in order to get at the father. Sir Henri Joly, on the other hand, stated that he asked you to bring this matter up before parliament?—A. I positively deny that.

Q. When did you, or did you ever, see Sir Henri Joly?—A. I believe it was on the 6th of April.

*By Mr. Borden:*

Q. What year?—A. 1898.

*By Sir Charles Hibbert Tupper:*

Q. Did you see him any other time?—A. I never had any conversation with him at any other time.

Q. Did he ask you on that occasion to bring this matter up before parliament?—A. He did not. Nothing was mentioned about bringing the matter up. There had been no changes made then.

Q. Was this at Ottawa?—A. At Ottawa.

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Q. Did you write to me, early in the session, asking me to bring this matter up?

—A. Did I what?

Q. Did you write to me, early in the session, asking me to bring this matter up?

—A. Yes.

Q. Have you a copy of the reply I sent to that letter?—A. I have it at home.

Q. Can you have it sent for and produce it here?—A. I can see whether I can.

Q. Do you remember this—that I told you, while I sympathized with you, that because it would affect indirectly an old colleague of mine, I would prefer you should ask some other gentleman, but if you could not obtain the assistance of any other gentleman, I said I would feel it my duty to act for you?—A. That was about the substance.

Q. If you can get the reply, I will ask you to send it to the committee?—A. I will write for it, but would not be positive that I can get it. I have been changing my papers, and all of them are tied up in bundles, and they are not sorted out.

Q. Never mind about that. Possibly I can get a copy of the letter myself.

*By Mr. Borden:*

Q. I would like to tender all the documents comprised in the returns with the Chairman.

The CHAIRMAN.—They are referred to us by the House. Better mark them “D,” I suppose.

Mr. BORDEN.—I also want to tender such letters as Mr. Christie read and produced. Copies of letters, I think, on one or two occasions that perhaps were not put in at the time they were read.

The CLERK.—They will appear in the evidence.

Mr. BORDEN.—In extenso?

The CLERK.—Yes.

Mr. BORDEN.—That will be all right.

*By Mr. Borden:*

Q. Just one or two further questions, Mr. Christie. You were removed, or rather, you received directions from the department that you were appointed, to the position of collector or deputy collector at Calgary?—A. Deputy collector at Calgary.

Q. Do you remember what date that was?—A. It was on my return from the east; the letter was waiting at the office for me; it was handed to me by Mr. Inspector Barrett.

Q. About 13th April, 1898?—A. Yes.

Q. And you had some correspondence with the department with reference to your removal to Calgary?—A. Yes.

Q. It appears in the return?—A. Yes.

Q. And on 7th July, 1898, you were suspended for declining to remove?—A. Yes.

Q. And subsequently you wrote, asking for an opportunity to prove the charges contained in your letter of 25th June, 1898?—A. Yes.

Q. And did you get an opportunity to prove these?—A. No, I did not.

Q. Then, subsequently to that, you were informed by letter, that your two communications of 25th June (Exhibit “A”) and 8th July (Exhibit “B”) had been laid before the minister, and that he had decided to dispense with your services?—A. Yes.

Q. And after he declined to appoint a commission of inquiry?—A. Yes.

Q. And on the 10th October, 1898, you were dismissed?—A. Yes.

Q. You had asked that, instead of being removed to Calgary, where you did not wish to go for reasons stated, that you should be superannuated?—A. Yes.

Q. Were you allowed any superannuation allowance?—A. I have not, up to the present.

Q. Up to the present you have not heard anything of that kind?—A. No.

Q. You have been out of the service since October, and received nothing?—A. I have been out of the service and have not received anything since July, 1898.

Q. Was any reason given to you for your dismissal?—A. The reason was, that I did not comply with the wish of the department to go to Calgary, and that the minister thought it was in the interest of the public that I should go to Calgary.

Q. Well, you have stated your reasons for declining to go to Calgary fully in the correspondence?—A. Yes, in the correspondence of 25th June.

Q. Do you know what your superannuation allowance would have been?—A. It would have been eighteen-fiftieths of \$1,500; that is about \$540.

*By Mr. Bergeron:*

Q. How much was your salary?—A. \$1,500 a year.

*By Mr. Borden:*

Q. And you have been in the service for eighteen years?—A. From 1880 to 1898.

Q. What was your annual contribution?—A. Two per cent of \$1,500.

Q. That would be \$30 a year?—A. Yes.

Q. From 1887?—A. From 1880 until 30th June, 1898.

Q. Did you contribute the same each year?—A. I contributed 2 per cent of the salary I was receiving from time to time.

Q. Your salary from 1887 to 1898 was \$1,500?—A. Yes.

Q. And previous?—A. It would be \$1,200, \$1,000 and \$800; I commenced at \$600, and when I passed my first examination, I was increased to \$800. Besides, I was sub-collector of customs at the port of Petrolea, for which I received about \$200 in addition.

Q. Previously to your being suspended for declining to go to Calgary, had you any reprimands, as far as you are aware, from your superior officers?—A. None, during my whole service of eighteen years.

Q. Had any charge been made against you in that time, so far as you are aware?—A. None in that time.

The Minister of Inland Revenue laid before the committee, papers in connection with the Virden case referred to in the witness's examination, as a supplementary return (added to Exhibit "D"). The minister then volunteered a statement regarding some of the matters in Mr. Christie's evidence.

Sir Charles Hibbert Tupper asked that this be taken down as part of the evidence.

The MINISTER OF INLAND REVENUE.—The position of deputy collector of Inland Revenue is a position where, in order to keep the door open for a certain amount of legitimate patronage, the situation is the only one in which an outsider can be admitted in our department without passing an examination.

Hon. Mr. COSTIGAN.—You might add, that that change was made while I was Minister of Inland Revenue, and sanctioned by parliament, and supported by some of my friends here.

The MINISTER OF INLAND REVENUE.—Now you can understand why Mr. Watson was not called upon to pass an examination, because he was not called upon to pass any examination, and my honourable friend knows that this is the only position which can be obtained without passing any examination.

Sir CHARLES HIBBERT TUPPER.—Now, I want to ask you a few questions. I quite understand the statute. I want to ask you, whether in Montreal, for instance, you appoint a man without regard to whether he has technical qualifications?—A. Very often I do.

Q. But have you had many appointments of deputies in Montreal?—A. For the moment, I could not say.

Q. Would you tell me whether you appointed one?—A. Yes, I must have.

## Public Accounts Committee.

Q. Could you give me the name, sir?—A. I could give the names of ten or fifteen gentlemen whom I have appointed as deputy collectors.

Q. In Montreal?—A. I do not remember.

Q. Do you know who is deputy collector there at all?—A. We have three or four deputies there.

Q. Do you know the names of them?—A. I do not remember.

Q. Then, if you do not, you cannot tell me whether they have the qualifications which, it is alleged, this gentleman had not?—A. They must acquire them.

Q. Do you know, in Toronto, whether they have the qualifications?—A. I am aware that a week or two ago I changed to Toronto Mr. Frankland, who evidently, when he was appointed, had not the qualifications necessary to be appointed. But Mr. Morrow, our inspector there, promised me he would devote himself to put him up to his duty. No doubt, there is a flaw in the law. In every other department a man must have qualifications, and in our department there is only that one position where an examination is not necessary.

Q. Are you aware that in this very district, that is, Winnipeg, before Mr. Watson's appointment, care had been taken by the Department of Inland Revenue to appoint a man as deputy collector who possessed the technical knowledge?—A. I certainly would not say the truth, if I said that, in whatever I did, I did not do exactly what my hon. friends did before me, and that they themselves opened the door for a little patronage in that department. I would not say the truth, if I said otherwise.

Q. Would you kindly answer my question, which is: Are you aware that in Winnipeg, previous to the appointment of Mr. Watson, care had been taken to see that the deputy collector was a proper officer?—A. I cannot answer your question, yes or no; I do not know.

Q. Do you know, yourself, if any pains were taken to ascertain whether Mr. Watson was competent?—A. No, I do not know.

Q. You are not aware?—A. No, I am not aware.

Q. Do you know what difference is made in regard to some districts, concerning the office of deputy collector, to this effect, that in some districts, not so important, these technical qualifications are passed over, but in the more important districts they have always been considered a *sine qua non*?—A. No.

Q. And you think Mr. Miall and the other officers will also agree?—A. I suppose so.

Q. You are not sure?—A. I suppose so. He would admit it.

Q. You haven't talked it over with him?—A. No.

Q. Would you be good enough to have him here at the next meeting?—A. Yes.

Q. Do you know how many grades of deputy collector there are?—A. Class "A," class "B"; there are seven different classes, according to the revenue of each subdivision.

Q. Do you know the class that the district of Winnipeg is in?—A. I think it is in the second class.

Q. You are not sure?—A. Second or third.

Q. Montreal is in class "A"?—A. In the first class.

Mr. CHRISTIE recalled.

*By Sir Charles Hibbert Tupper:*

Q. What class is Winnipeg in, "A" or "B"?—A. "A."

Q. How long has it been in class "A"?—A. It has been in class "A" since about the time that Mr. Costigan was appointed collector.

Q. In connection with this, what does it mean when you say class "A" and class "B"?—A. Class "A" means that the collections should run up to a million dollars a year, or in lieu of that, if the territory covered by division is very large, they have the power to put the division as a class "A."

Q. What has been the rule regarding appointments of deputy collectors so far as respects classes "A" and "B"?—A. In class "A" they have been in the past, I believe, generally special class officers have been appointed, men that were posted in the work.

Q. And class "B"?—A. Class "B" includes appointments made of deputy collectors at outside points where the duties are not very important, like Portage la Prairie or Brandon, Morden and those places up there where they would probably collect a thousand dollars a month.

*By the Minister of Inland Revenue (Sir Henri Joly de Lotbinière):*

Q. Do you mean to say there are no deputy collectors appointed from outside the service?—A. No, I do not.

The committee adjourned.

## Public Accounts Committee.

COMMITTEE ROOM,

OTTAWA, 30th May, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guysborough) in the chair.

Mr. W. J. CHRISTIE was recalled and further examined :—

*By the Solicitor General (Mr. Fitzpatrick):*

Q. When did you join the government service ?—A. 6th February, 1880.

Q. What was your first position in the service ?—A. Excise officer.

Q. Where ?—A. At London, Ontario.

Q. What salary did you receive there ?—A. I received \$600.

Q. When did you first go to Winnipeg ?—A. I believe it was in December, 1882, sometime about that.

Q. Were you promoted when you went there ?—A. Yes, I believe it was a promotion. I got an increase in salary.

Q. What was your position in Winnipeg ?—A. It was that of excise officer.

Q. What was your salary there ?—A. I believe it was \$1,000 a year when I went there.

Q. But you know, don't you ?—A. I cannot say for sure.

Q. You can remember dates very well, you know according to your evidence in chief ?—A. Well, anyway the returns would show—if they could look up the returns of the year they would show the payments.

Q. When did you become deputy collector at Winnipeg ?—A. I believe it was in 1887.

Q. Was that a promotion ?—A. Yes.

Q. What was your salary ?—A. \$1,500 a year.

Q. Who was collector at the time you went there ?—A. Mr. Kenning.

Q. He was collector when you were promoted ?—A. Mr. Kenning was collector and Mr. Costigan was promoted to the position of collector at the same time I was promoted to be deputy collector.

Q. Who promoted you? Who was Minister of Inland Revenue at the time ?—A. The Hon. John Costigan.

Q. You remained on in the service of the government until what time? July, 1898, didn't you ?—A. Until July, 1898.

Q. You then left the service because you were asked to take a collectorship elsewhere ?—A. Yes. I left the service because I was asked to go to Calgary and take an inferior position to what I had.

Q. You were asked to go as collector to Calgary ?—A. Yes.

Q. You were deputy at Winnipeg ?—A. Yes.

Q. And you were offered an increase of salary, were you ?—A. An increase in one way but I figured it would cost me more to live there.

Q. You were offered an increase in salary, that is a fact, is it not ?—A. Yes.

Q. Do you remember when you were requested to go to Calgary ?—A. Yes, it was some time about a year ago, some time in April, 1898.

Q. And as a result of the request that you should go to Calgary as collector, with an increased salary, you wrote this letter of 8th of July, 1898 ?—A. I wrote a letter on the 25th of June, I believe.

Q. Did you write one on the 8th of July to which you referred in your examination in chief?—A. I believe I did.

Q. In that letter you make charges against collector Costigan?—A. Yes.

Q. What was the reason you had at that time which prompted you to make these charges?—A. The reason was I received a letter from Sir Henri Joly stating it was in the public interest that I should go to Calgary. I felt that if Sir Henri Joly, Minister of Inland Revenue, was protecting the public interest as he claimed to be, why he allowed these defalcations to go on and pay a man his salary while he was out of the city.

Q. That is, because you were requested to go to Calgary in the capacity I have mentioned, you thought it necessary in July, 1898, to make a charge against Mr. Costigan that he was dishonest in the discharge of his duty?—A. I do not wholly follow you there.

Q. Follow me in any way you wish, that is the question?—A. Well, the charges that I made are very plain in this letter and the reasons are very fully explained there, I believe.

Q. Well, your reason is? Explain it again what your reason was?—A. My reason was, that if they requested me to take an inferior position claiming it to be in the public interest, and I took issue from the letter received from Sir Henri Joly, that if he was protecting the public interest why he allowed these things to go on.

Q. Yes. Mr. Costigan had been suspended in December, 1897, and that is the only reason you can give, and that is why you wrote that letter in 1898?—A. Yes.

Q. Was Costigan a defaulter at the time you wrote the letter?—A. Yes.

Q. You swear?—A. I swear.

Q. You swear positively?—A. Yes, I swear he was a defaulter.

Q. Tell us in what respect?—A. He had taken public moneys, extracted the money from a registered letter on 20th January, and held it until 15th February, or I believe it was some time about that that he returned the money.

Q. Did that make him a defaulter in July, 1898, having returned the money in February, 1897? Did that make him a defaulter in July, 1898?—A. He was a defaulter during the time he had the money.

Q. Was he a defaulter in the time you say here he was a defaulter?—A. Yes, I would say so.

Q. His defaulting consisted in that he had kept the money back only for a month?—A. Yes, I would say it was a defalcation.

Q. What were the other grounds for saying he was a defaulter?—A. In July, during the month of July, 1897, he took money from Richard & Co. and the estate of Alexander McIntyre and left for the States and was gone from 27th July till 21st September. During this time he had money belonging to the Department of Inland Revenue, and also failed to account for \$400 which he had to pay contingent expenses, and which the department sent me \$300 to meet, contingent expenses that should have been paid by him.

Q. Was he a defaulter in any one respect you mentioned when you wrote this letter?—A. That had been paid at this time.

Q. They were all paid within a short time after the defalcations occurred?—A. Within two months.

Q. That is the only reason why you did not want to go to Calgary. It was because you did not think it was in the public interest that you should go there?—A. I did not think it was in the public interest, and I did not propose to take an inferior position.

Q. It was a promotion from deputy collector to collector?—A. From deputy of a first class division to the collectorship of a sixth class division, it would be.

Q. With an increase of salary?—A. According to the departmental regulations I believe the maximum salary they are allowed to pay for a collector of the sixth class is \$1,000 a year.

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Q. When you were in Winnipeg, independently of duty supposed to be performed as deputy collector, were you president or officer of any financial corporations?—A. Yes, I was vice-president of the Permanent Mortgage and Trust Company, and I was chairman of the executive committee of the Manitoba Trust Co.

Q. And anything else?—A. I do not know I was on anything else.

Q. Had you any connection with the Equitable Savings and Loan Co.? What were you in that?—A. I acted as valuator.

Q. You valued for the Permanent Mortgage and Trust Co. also?—A. Yes.

Q. And for the McDonald, Tupper, & Phippen, Tupper Trust Funds?—A. I did some valuing for them.

Q. You were connected with all these different companies at the time you were deputy collector?—A. Yes.

Q. Did you receive a salary from them?—A. No, I was paid a fee.

Q. What was the amount of your fees?—A. It was on the size of the loan. It ran about—if a loan was passed I would get a fee of five dollars.

Q. What was the annual amount received about from these different organizations?—A. I cannot exactly say.

Q. Let us take first, the position of valuator for the Manitoba Trust Co. What would that yield you, per annum?—A. Probably \$150.

Q. What were your duties?—A. My duties were—application was made for a loan, and I went out—I would make a valuation of the property.

Q. You said that you went out?—A. What I meant by going out—an application was made to me and I would go and examine the property.

Q. And make a report?—A. And make a report.

Q. At the same time you were vice-president of the same organization?—A. I was.

Q. Where would this property be generally?—A. In the city of Winnipeg.

Q. Nothing outside the city?—A. Nothing outside.

Q. As vice-president did you attend meetings?—A. I did.

Q. So you were vice-president and valuator for this Manitoba Trust Co. and performed duties as such?—A. Yes.

Q. You attended all the meetings of the company, didn't you?—A. Not all of them.

Q. Pretty nearly all?—A. Pretty nearly all.

Q. And no loan, of course, could be put through without being submitted to you as valuator?—A. All outside loans were put through and some loans in the city were put through without being submitted to me.

Q. Many?—A. Not very many.

Q. How much business would that company do in a year? How many loans in the city of Winnipeg would there be during a year?—A. In the city of Winnipeg?

Q. Loans that would come under your notice as valuator?—A. They would probably make thirty.

Q. Thirty in a year; that is your estimate?—A. It might be more. I cannot swear exactly the number. I did not keep any record of them.

Q. What about the Permanent Mortgage and Trust Co.?—A. It is about the same as what I say about the Manitoba Trust Co. There was an amalgamation of the Permanent Mortgage and Trust Co. with the Central Canada, and the Manitoba Trust Co. was formed outside of them.

Q. Do you mean to say that when you were vice-president of the Manitoba Trust Co. it ceased to exist?—A. I was not vice-president of the Manitoba Trust Co., but of the Permanent Mortgage and Trust Co.

Q. When you became valuator of the Permanent and the Manitoba Trust it had been amalgamated?—A. Yes.

Q. Therefore the two companies never had a separate existence?—A. No.

Q. You are sure about that, are you?—A. The Permanent Mortgage and Trust Co. had the powers of a loan company and also of a trust company; then the amalgamation was made, whereby the stock—amalgamation with the Central of Canada—whereby the stock was given in exchange for Central of Canada stock, or given in exchange for Manitoba Trust Co. stock, or parties were allowed their money and they practically were absorbed by the Central of Canada.

Q. Well, did you act for the Equitable Savings and Loan Company?—A. For a short time.

Q. What time?—A. I forget the exact dates. About a year, I think.

Q. What year?—A. I can't tell you exactly without hunting up my record.

Q. What?—A. I can't tell you exactly without hunting up my records.

Q. Was it in '96, '97, or '98?—A. No.

Q. Before that?—A. Before that.

Q. What about McDonald, Tupper, Phippen and Tupper, Trust Fund Company? Did you act for them?—A. Well, I acted for them for the last—I have been acting for them for the last 8 or 9 years, I presume. For the last 8 years anyway.

*By Sir Charles Hibbert Tupper :*

Q. As what?—A. As valuator, for some of their loans.

*By Mr. Fitzpatrick :*

Q. Independent of fees did you get any salary from any of these companies?—A. No.

Q. You were paid fees from the whole of them?—A. Fees from the whole of them.

Q. And your duties as valuator would necessarily consist in valuing for which you would receive fees?—A. Yes.

*By Sir Louis Davies :*

Q. As I understand it, you got nothing as pay as vice-president?—A. For the Permanent Mortgage and Trust Company?—No. Not for a number of years. I think for the last year we got a fee of so much a meeting on the Manitoba Trust Co. We got fees.

*By Mr. Fitzpatrick :*

Q. What did the fees amount to annually?—A. They amounted to about \$70 a year. That is as a director for attending the meetings.

Q. So that you were connected with all the companies I have mentioned as valuator and performed the duties as such along with the duties of deputy collector?—A. I—as I say, I valued for a great many loans, not all of them. Other parties valued as well.

Q. Well, the majority of the loans?—A. Yes, the majority of the loans.

Q. Do you know a man named John Irwin who comes from somewhere near Nipewaw, Manitoba?—A. No, I do not. I do not remember.

Q. You don't remember any man of that name at all?—A. No.

Q. Do you remember proceedings for illicit distillation that were taken in March, 1893, against a man of that name?—A. Oh, yes, I know of him now.

Q. You remember there was proceedings taken against a man of that name?—A. Yes.

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Q. What was the result of that?—A. Well, a report was made to me by a man in the office who made a report to me, and I reported to Mr. Costigan who went out and investigated, and I believe this man was fined.

Q. Yes, was it a man or a woman who reported to you?—A. A man.

Q. Are you certain of that?—A. Yes.

Q. Give me the name?—A. Davis.

Q. What was his first name?—A. I can't tell you.

Q. Where was he from?—A. Winnipeg.

Q. Was there any amount paid out for the information in connection with that proceeding?—A. I received a cheque for \$25.

Q. \$25 or \$50, which?—A. \$25.

Q. Do you remember?—A. I am—I am not positive. The records of the office will show that, I believe.

Q. What became of that cheque?—A. I kept the cheque.

Q. Why did you keep it?—A. I asked this Davis if he wanted any—the man who reported to me—if he wanted any fees, and he said, "No."

Q. That is to say, the sum of \$25 came from Ottawa, by way of cheque, to be paid over to the informer?—A. All I know, it was a cheque for \$25 in the matter.

Q. Anyway, you received the cheque for \$25 which was intended for the informant?—A. I do not know. It was handed to me.

Q. For what purpose?—A. To do as I liked with it.

Q. Why should it be handed to you for that purpose?—A. That's what it was handed to me for.

Q. Why?—A. I do not know why.

Q. Do you not know why you receive money, as a rule?—A. Yes.

Q. Why did you receive it?—A. To pay it out, I believe, if necessary. I spoke to this man and asked if he wanted any money, and he said, No, that he wouldn't accept any money for that purpose.

Q. Yes;—that is to say, you, as an employee of the government, received this sum of \$25, as you say, for the purpose of handing it over to another, and you asked the other man if he wanted it. He said he did not, and you thought the next best thing to do with it was to put it in your pocket?—A. That is right.

Q. Now let's us get down to something else. You were very friendly with Mr. Costigan for a great number of years?—A. Yes.

Q. And when you first came to Winnipeg, you roomed with him?—A. Not when I first came there.

Q. After you had been there a short time?—A. Yes.

Q. Lived a long time with him?—A. Yes.

Q. On very intimate terms with him?—A. Yes.

Mr. BERGERON.—If the witness does not speak louder, we cannot hear him.

Q. Did you live with Costigan for quite a length of time?—A. I did.

Q. You were always on very good terms, were you not?—A. Always on very good terms.

Q. You remained on very good terms until he was dismissed or suspended. You never had any trouble with him?—A. No, I never had any trouble. I hadn't had any trouble with him until the present day.

Q. You never had any trouble with him; he never did you an injury or caused you annoyance or inconvenience?—A. He has caused me considerable inconvenience.

Q. How?—A. During his absence, in hunting him up and endeavouring to find his whereabouts, and all that.

Q. Independently of the three cases of which you spoke in your examination in chief, do you know of any case of irregularity in connection with the money transactions of his department?—A. I heard of a case.

Q. Do you know of any?—A. I do not know of any. No.

Q. Except these three?—A. I did hear of one.

Q. I want you to tell of what you know, not what you heard?—A. That is all.

Q. And you are not able to say, now that Costigan has come down to Ottawa, that he is a defaulter, to the extent of five cents, of your knowledge?—A. The defalcations have been paid.

Q. Independently of your position as valuator and vice-president of these corporations, you are a large real estate holder besides?—A. Not very large.

Q. Fairly large?—A. I have a few properties.

Q. What we would call, down east, large. You have a few blocks, haven't you?—A. No, I haven't a few blocks.

Q. Not one?—A. I have an interest in one.

Q. With whom?—A. Mr. Braughall, of Toronto.

Q. A large block?—A. A large block.

Q. How much is it valued at?—A. Oh, I think it is worth about \$50,000—\$48,000 to \$50,000.

Q. What is your interest in it?

Question objected to by Mr. Borden (Halifax).

The CHAIRMAN (Mr. Fraser) ruled as follows, after argument:—After the statement the witness made this morning as to his reasons for not wishing to go to Calgary, which, if uncontradicted, would be, that it was in the public interest alone, I think it is competent to see whether there were other things to change his mind about going, such as leaving the property from which he was receiving substantial returns, and consequently I think the question is all right.

The SOLICITOR GENERAL (Mr. Fitzpatrick).—Read the question.

Question read.

The WITNESS.—I have a half interest in it, subject to the mortgage.

Q. I do not ask you what the mortgage is, but say it, if you like?—A. If it is of any interest, I will tell the committee.

Q. I do not want to ask for it.

The CHAIRMAN.—I think the witness ought to understand that it may be in his own interest to state the amount, for it might show that the mortgage is large and his interest is small.

A. I haven't any objection to telling the mortgage. The mortgage was for \$18,000, but has been reduced to \$16,000.

*By the Solicitor General:*

Q. That is on the whole property, is it not?—A. On the whole property.

Q. It is on the \$50,000?—A. Yes.

Q. \$16,000 on the whole property, and then his interest in the mortgage would be \$8,000. You talk in your examination in chief of Costigan being indebted to you in the sum of something like \$254 at the time of his suspension in 1897?—A. \$250.

Q. Had he been indebted to you previously in other amounts during the time you had known him?—A. On one or two occasions, I think, I had loaned him money, which I think he had paid.

Q. What did you loan him money for; do you remember?—A. I cannot really state now.

Q. Cannot you try and remember? State it now; you know what it is, and I know?—A. Well, I cannot state exactly what it was for, and I cannot state exactly when or how many times.

Q. Were you in the habit of playing cards with him very frequently?—A. I have played with him.

Q. Didn't he become indebted to you in large amounts?—A. I became indebted to him sometimes, and he became indebted to me sometimes.

Q. Very large amounts sometimes?—A. Not very large.

Q. \$300 or \$400 at a time?—A. Never.

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Q. Nothing in that vicinity?—A. Nothing in that vicinity.

Q. Didn't you ever loan him money to pay card indebtedness?—A. No, I don't think I did. I lent him money to pay his indebtedness to other parties.

Q. Do you know the name that the block of which you spoke, has in Winnipeg?—A. No, I do not.

Q. Have you ever heard it called the Poker block?—A. No, I have not.

Q. In your examination in chief, you spoke about the Virden letter of the 20th of January, 1897; did you write to Scarth?—A. I have an idea I did, but I cannot swear positively.

Q. Did you write to him to ask whether he had made a remittance?—A. Yes, I believe I did.

Q. What prompted you to do that?—A. To ascertain why this letter that was signed for in the messenger's letter book, was not put through the cash book.

Q. When did you write?—A. I forget the exact date.

Q. When did you get an answer?—A. I got an answer a short time after.

Q. Cannot you give the date of the answer, either?—A. I cannot give the date of the answer.

Q. You are very positive of Costigan's goings and comings, and even the hour of the day when he left the office. Why cannot you remember the dates of your letters?—A. I believe they are on record in the office.

Q. They were put on record by yourself, who would be the custodian of them?—A. The collector of Inland Revenue there.

Q. That is Mr. Gosnell, is it not?—A. Mr. Gosnell, yes.

Q. You talk about a book that was kept in the office, a memorandum book, or something of that sort, that you say Mr. Costigan took away with him from the office one night, and that he returned to you in the hospital?—A. Yes, sir.

Q. Now, is that a regular official departmental book?—A. It is not a departmental book. It is a receipt book, kept in the office under the charge of the collector.

Q. Is there a rule of the department which requires that book to be kept?—A. No, not that I know of.

Q. When did they begin to keep it in Winnipeg?—A. Some years prior to this.

Q. How many years?—A. I cannot exactly say.

Q. Was such a book in existence before Costigan became collector?—A. I do not think it was.

Q. Is it not a fact, that he inaugurated the system of keeping that book himself?—A. I believe he did.

Q. It is not a book that the regulations of the department require to be kept?—A. No.

Q. Now, you are absolutely certain that the book was taken by Costigan out of his pocket in the hospital, in the presence of his wife, and handed over to you, the three of you being present at the time?—A. The three of us were present at the time.

Q. And you swear the occurrence occurred in the way you describe?—A. Yes.

Q. He took it out from the pocket of one of his coats, hanging at the head of his bed, and handed it to you?—A. Handed it to me.

Q. In the presence of his wife?—A. In the presence of his wife.

Q. And you swear absolutely?—A. Absolutely.

Q. How long after the return of the book to you did he come back to the office?—A. I think it was on February the 15th. I forget the exact date. I do not remember the exact date it was taken.

Q. Now, let us get the facts accurately. On the 20th of January, in the morning, the letter you speak of as coming from Scarth, arrived at the Inland Revenue office?—A. Yes.

Q. The letter was then signed for by the messenger in the post office book?—A. Yes, it was signed for. Yes, in the registered letter book.

Q. Which was kept in the post office?—A. Yes.

Q. The messenger signed it there in the regular course of business?—A. Yes.

Q. Then he noted the receipt of the letter in this book kept by Costigan that you spoke of a moment ago?—A. Yes.

Q. Then his duty was, the messenger's duty was, to hand that over to Costigan?—A. Yes.

Q. And the entry would have been made by you of the receipt of amount from Costigan?—A. In the regular office cash book. Yes.

Q. The very same day that the letter came in, Costigan left about midday?—A. Some time about midday.

Q. And he was absent from the office until 15th February?—A. Until the 15th February, during business hours.

Q. On the 16th February he came back, didn't he, or on the 15th?—A. I believe it was on the 15th.

Q. And don't you know that an entry was made on the 16th, accounting for the money?—A. I haven't any record of the entry. It would be in the office.

*By Sir Louis Davies :*

Q. Speak louder, witness. What do you say?—A. I haven't any record of that entry, but it will be recorded in the books of the Inland Revenue Department of Winnipeg.

*By the Solicitor General:*

Q. Now, look here. Costigan received the money in the regular course of business on the 20th January?—A. Yes.

Q. He went away from the office, and didn't report for duty until 15th February?—A. 15th February, yes.

Q. And on the morning of the 16th, you know that the records show that this money was accounted for?—A. I cannot swear that the entry was posted on the 15th.

Q. It was immediately when he returned?—A. I believe it was.

Q. How does it come to pass that, in your examination in chief, you say that the money was not returned until September of 1897?—A. I do not follow you exactly.

Q. Read the question. (Question read.)—A. On the matter I took a memo. that it was returned in September. I haven't got the exact dates from the memo.

Q. You knew it was not true, when you made that statement the other day?—A. I think it was true.

Q. Just say positively that you say that the money was not returned to the department until September, 1897?—A. As I stated, the records in the office will show when this money was returned—the exact date. It will show there, and that will settle the matter to the satisfaction of anybody.

Q. No, it will not. We want you to settle this matter, or why did you swear, on Friday last, it was not returned until September, 1897, and not in February, 1897?—A. September, 1897; I did not swear to that. It was certainly a mistake, because it was returned in February. It was taken on the 20th of January, and returned in February.

Q. What do you mean by your memo. you spoke of two minutes ago?—A. I may have been a little confused between September and February. It was in February it was returned.

Q. What are you talking about September for?—A. I got mixed up on the other case, I presume.

Q. What is the reason for this? Why mix up September and February? They are far apart, aren't they?—A. Considerably apart.

Q. And it would look worse for Costigan, if it was not returned until September?—A. I believe it was returned in February.

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Q. And you have no explanation to offer why you said previously it was returned in September?—A. No, I have not any, except that I got confused in the books. The records of the department will show.

*By Sir Charles Hibbert Tupper :*

Q. I have it in my notes here. The witness said: "This shortage made good 15th of September, same year; record department will show."

*By Sir Louis Davies :*

Q. Have you any memoranda, or do I understand you to say you are able to speak as to these dates?—A. I have a memorandum, but I haven't it with me.

*By Mr. Fitzpatrick:*

Q. You read from memoranda, in giving evidence the other day. Don't you remember you had a whole bundle of papers and read from them? Where are those papers to-day?—A. Some of them are here.

Q. Right here?—A. Yes.

Q. Pull them out, will you? When you were examined a few days ago, on Friday last, with reference to this payment, you said in answer to this question: "When was this made good, or was it made good?" and the answer: "Some time after the 15th, or about the 15th of September." Question is then put to you: "In the same year?" and the answer: "In the same year. I haven't the date here, but the records of the Inland Revenue Department will show it."—A. Well, that's as I stated. In stating that I must have been confused in the dates. It was in February.

Q. Did you say a moment ago that you had a record which you referred to when you made that answer?—A. I have a memoranda here.

Q. Does that say this payment was made in September?—A. No; it shows that Mr. Costigan returned to duty on the 15th of February, 1897, and I believe it was about that time.

Q. But I want to get the memoranda from which you read when you gave me this answer, that it was September, 1897?—A. I think I referred there to the record being on file in the department, with reference to the date the money was paid. I don't think, in my evidence, I gave the date that it was paid.

Q. In what book would that entry be made with reference to the receipt of that amount of \$93?—A. It would be entered in the cash book and entry book at the Winnipeg office.

Q. Who kept these books?—A. I kept the cash book and one of the officers kept the entry book, and sometimes I have made entries in both.

Q. So that entry would be made in the cash book kept by yourself, at the time it was received in February, 1897?—A. Yes.

Q. How was it, when you were so anxious about this sum having disappeared, you wrote to Scarth about it and went to see Costigan, that the return of it did not strike you at all? Were you only interested in its disappearance?—A. Because the date could be ascertained at any time by applying to the department at Winnipeg, and a copy of the entry sent here to the head office at Ottawa, and by referring to the entry you could ascertain the date.

Q. That is no answer at all. You told us that you knew on the 23rd of February that letter was received, and the money went to Mr. Costigan. You knew that and swore to it?—A. I said the 20th of January.

Q. The 20th of January; you are right and I'm wrong?—A. That this letter was received on the 20th, as I saw it initialled by Mr. Costigan in the registered letter receipt book.

Q. How do you come to remember that the letter was received on the 20th of January by some other man than yourself?—A. I saw it on the registered letter receipt book, which is not reported in the department.

Q. Exactly. Now, you can recollect the disappearance of a letter on the 20th of January, 1897, a matter with which you had no personal concern, and you can't recollect the refunding of the money, an entry of which was made by yourself on the 13th February?—A. It was a personal entry because I reported it to Inspector Barrett.

Q. Why can't you recollect the one as well as the other?—A. Simply as I say, all this information could be procured here and in the department.

Q. That's not an answer, we want to get your information. That's what we are after now?—A. That's my information.

Q. You cannot recollect an entry made by yourself on the 13th February, but you can recollect something else done by somebody else on the 20th of January?—A. Well, I stated that clearly.

Q. And that's all the explanation you can give?—A. That is my explanation.

Q. Now, you talked of some other matter; of two payments of \$20 made in July, by Messrs. Richard & Co. and by the estate of Alexander McIntyre?—A. Yes.

Q. These are men who had bonded warehouses?—A. They had bonded warehouses.

Q. As I understand the practice of the department, a man must take out a license for which he pays \$20 per annum?—A. \$20 per annum.

Q. In addition to that he is obliged to give a bond to the government?—A. To give a bond.

Q. Now, those licenses are renewable about the 1st of July of every year?—A. Yes, they expire on the 30th June.

Q. When the amount of the license fee is paid in do you make a return to the department here before having received the bond which accompanies the license?—A. The bond is forwarded to the department at the same time as the entry for the license fee. The entry for the license fee goes through the registered number book and the cash book and the bond goes to the department. It is sent by the collector or somebody or his deputy.

Q. To be approved of. It is clear the two form but one. They are two parts of one transaction. The payment of the \$20 license fee without the bond is of no avail, and the bond without the license fee is of no avail either?—A. Is of no avail.

Q. So that when the \$20 is paid the transaction is completed and becomes reported to the department when the bond is forthcoming?—A. Yes.

Q. When were the bonds forthcoming in these two cases?—A. Well, that would be on record in the department when they received these bonds and received these entries.

Q. Can you tell us now?—A. The dates?

Q. Yes?—A. No, I cannot.

Q. Do you know these were not forthcoming until the month of September, 1897?—A. Not that I know of.

Q. No?—A. Yes, that would be in September.

Q. September, 1897?—A. Yes.

Q. These moneys were refunded, accounted for to the department by Mr. Costigan in September, 1897?—A. Yes.

Q. And the bonds were forthcoming in September, 1897. You said so a minute ago?—A. The entry and the remittances was forwarded by me and I believe the bond was forwarded by the collector.

Q. Yes, in September, 1897?—A. I presume it was in September, 1897.

Q. At the same time?—A. At the same time.

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Q. Was there anything irregular in keeping back the two amounts of \$20 or in not accounting for them in the books of the department until such time as the bonds were forthcoming?—A. Well, I inquired from Mr. Costigan when he returned if these bonds were properly executed and he said "yes," that they were left in his desk. These people were without a license. They had no license to continue on their business. The practice is to demand that all stuff be ex-warehoused if the license is not taken out, and in Mr. Costigan's absence I inquired from these parties if they had executed bonds and paid the license fees, and they produced their cheques signed, as I stated in my evidence, and said they had handed Mr. Costigan the bond.

Q. That is no answer to my question. I am asking you as an officer of the department if there was anything irregular in connection with the holding back of a license fee until such time as the bond was regularly executed?—A. If the bond was regularly executed and the license fee paid it should be forwarded on to the department to show the department that this firm was entitled to continue business.

Q. And until the bond was executed there was no reason why the license fee should be forwarded?—A. As I say, the practice has been to send both at the same time.

Q. To send both down together?—A. That is right.

Q. Now, the next charge you make against Costigan is in connection with the sum of \$209.64 which was received from the city of Winnipeg representing the purchase of methylated spirits?—A. Yes, sir.

Q. Now let me describe that transaction to you. An order for methylated spirits is sent to Ottawa, is it, from Winnipeg?—A. Yes, from Winnipeg.

Q. This was a purchase made by the health department of the city of Winnipeg?—A. Yes, sir.

Q. When the spirits arrive they cannot be handed over to the purchaser until such time as he has duly executed a bond guaranteeing the use to which he is to put the spirits?—A. I believe that this bond is executed on application.

Q. I am asking you now whether or not it is necessary to have a bond in connection with the purchase of mythelated spirits from the purchaser?—A. Yes.

Q. Do you know when the bond was executed in this case?—A. I do not.

Q. Do you know that this bond had to be sent to Montreal for the purpose of being executed by the London Guarantee Company?—A. I do not know.

Q. Do you not know, as a matter of fact, the entry cannot be made perfect and complete until the bond has been received and forwarded to the department?—A. Well, the bond should be sent to the department.

Q. With the money?—A. Yes.

Q. The money goes forward at the same time as the bond?—A. The same time.

Q. And until the bond is executed, no return is made to the department?—A. That is generally the way, I believe. That is for a certain grade of methylated spirits. There are two grades and the record of the department will show which grade of methylated spirits these people received.

Q. You do not know anything as to the grade they received?—A. I cannot swear which grade.

Q. This \$209.64 was returned to the department in January, 1898, was it, or accounted for to the department?—A. I cannot tell you the exact date.

Q. Is it not a matter of fact that the money was returned to the department with the bond duly executed at the proper time and in full?—A. I presume it was sent with the bond.

Q. Well, then, what do you complain of in this transaction?—A. This money had been received by the collector of Inland Revenue on a certain day which is explained in my letter, and there hadn't been any record made of it having been handed over. It had been, this cheque had been cashed by a saloon keeper in Winni-

peg at the Bank of Montreal and instead of being in the office or sent to the government was thus used or executed.

Q. Do you know whether or not the money was sent to the government when the bond was executed?—A. I do not know the date when the bond was executed.

Q. Do you know that when the bond was executed and forwarded to the department the money went with it?—A. I presume the money went about the same time.

Q. And that was the regular course of business?—A. Yes.

Q. In the regular course of business he sent the money forward at the same time as the bond?—A. I believe this was the regular course.

Q. You spoke about the amount received in July, 1897, for contingencies, \$400?—A. What I had received?

Q. No, what Costigan had received?—A. Yes, he had an allowance of \$400 to pay contingencies.

Q. He did receive \$400 in July, 1897, for that purpose?—A. I believe so.

Q. And he went away, you say?—A. Yes.

Q. And was absent until September?—A. Yes.

Q. Were these contingencies actually paid by Costigan himself?—A. During his absence?

Q. After he came back?—A. I think the department sent me a cheque for \$300 during his absence and I paid the accrued contingencies.

Q. Out of the \$300?—A. Out of the \$300 I received I paid the contingencies until about the time I returned the balance to the department.

Q. You received \$300 to pay these contingencies?—A. Yes, sir.

Q. How much did you pay out of it?—A. My contingent statement will show that. It was sent to the department.

Q. Do you remember how much you paid?—A. I do not remember.

Q. Did you pay more than \$20 out of the \$300?—A. Yes, sir.

Q. How much more?—A. It is all on record in the department.

Q. Did you have a conversation with Inspector Barrett about that \$300?—A. I had several conversations with Inspector Barrett.

Q. Do you remember that Costigan asked you to send back the balance and you refused?—A. Costigan asked me to hand him over the difference of the \$300 which I refused. I said I had received this money from the department and I would return it and straighten up the transaction.

Q. Did Barrett speak to you about it?—A. I do not remember Barrett speaking.

Q. Do you know that Costigan went to Inspector Barrett and reported that you refused to send it?—A. No, I do not.

Q. Do you know that Barrett went to you and made you refund?—A. I returned the balance.

Q. To whom?—A. I made out a draft, I believe, to the Commissioner of Inland Revenue.

Q. For how much?—A. I cannot exactly state.

Q. Did Barrett ask you to do that?—A. I may have spoken to Barrett about the return of the contingencies in the way of receiving advice from him, but do not remember whether I did on this occasion or not.

Q. Do you remember the draft you sent back out of the \$300 was for \$282.82?—A. I do not remember the amount.

Q. That will be about the amount?—A. If you will allow me I will explain. There were accrued contingencies which I paid and sent in my contingency account for it and the Department of Inland Revenue remitted me the amount of my contingent account, which very nearly absorbed the \$300. Then I believe it was in September I had only paid out I believe a small portion of the \$300 that had been made good, and then I remitted the balance to the department, which might be that

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\$282. I forget the exact amount, but when I applied for it I figured out the accrued contingencies which amounted in the neighbourhood of \$300.

Q. That is all the explanation you have to give. Now you have spoken of Costigan's absence. Did Costigan—was it part of his duty in connection with the Inland Revenue to look after the protection of the revenue as well as the collection of it?—A. It certainly was.

Q. And he was frequently absent from home for that purpose?—A. Yes.

Q. That was his reasonable duty as between you and him?—A. Yes, he generally looked after that.

Q. And you had nothing to do with it?—A. I certainly had something to do with it. I sometimes was called upon to do it.

Q. Called upon to do it by him?—A. Yes.

Q. But as a rule he attended to that himself?—A. Yes.

Q. And in that connection he was obliged to go frequently from Winnipeg. He went frequently away?—A. Yes.

Q. Now, you spoke about an agreement which you produced and read, made in October, 1897, to provide for the payment of Mr. Costigan's shortage. That agreement was never executed, was it?—A. No.

Q. Who was the other party to the agreement besides Costigan and you?—A. Velie.

Q. Did you ever say anything to Velie about the propriety of executing that agreement?—A. Velie came to me and asked me if I would act in the capacity stated in the agreement and I consented to it.

Q. Anything else?—A. He also asked me if Costigan was drinking, and I believe I told him I was not aware whether he was or was not at that particular time. Then Velie came to me afterwards and said he would pay a portion of this amount. He paid a portion of this amount, but as Costigan had started drinking again he would not pay the balance.

Q. Did you suggest to him that it was better not to execute the agreement?—A. I did not make any suggestion in the matter of executing the agreement. I told him this, I said if Costigan was drinking it would not be wise to pay him any money. He asked me after that what his chances of getting his money back was. I said if Costigan was drinking his chances might not be very bright.

Q. And as a result of that he never executed the agreement?—A. I believe he didn't pay him the full amount.

Q. You said you are a very great friend of Mr. Costigan and his?—A. I said I was very friendly with him.

Q. You chummed with him for a long time and were on intimate terms with him, both with his wife and himself?—A. I was very friendly with Costigan and in the matter of the other part I cannot say I was.

Q. They naturally looked upon you as a friend, and went to you for advice. After Costigan came back, in September, 1897, or while he was away?—A. Yes, Costigan came to me.

Q. In the course of the confidential relations you then had, your friendly relations, she showed you the letter she had received from her father-in-law, the Hon. John Costigan?—A. Showed me the letter she had received from her father-in-law?

Q. Yes. That with reference to her husband, his son, getting some money?—A. She told me a portion of the contents of that letter.

Q. Naturally, a private letter, written from a father-in-law to a daughter-in-law, friends of course?—A. Yes.

Q. And you thought it prudent, and wise, and all right, to come and tell us all that?—A. It was not a confidential letter. She not only told me, but told several others in Winnipeg.

Q. You stated before that you were how many years sub-collector to Costigan?—  
A. I believe, since 1887.

Q. That is to say, for ten years; and during all that time the only charges you can make against him are the ones you have brought before the committee?—A. That is all the charges.

*By Mr. Borden:*

Q. Speaking of your connection with these companies in Winnipeg, were your superior officers aware that you were connected with them?—A. They were aware I was connected with them.

Q. They were aware. Was no fault ever found with you on that account?—A. None whatever.

Q. Did the performance of your duties in connection with these companies interfere with the duties of deputy collector?—A. Not at all.

Q. Did you ever absent yourself from the office in connection with this work?—  
A. I may have, on one or two occasions.

Q. With whose consent?—A. When I was absent, it was generally during the noon hour. I would probably, instead of going home to my lunch, I would go to a restaurant, and do some business during the noon hour.

Q. That is, during the hour you had for lunch or dinner?—A. For lunch.

Q. With respect to depositing of moneys received in the office, where were the moneys deposited?—A. The moneys were held in the safe until there was a deposit of \$100 or more. We generally deposited every day, sometimes every second day, and the deposit was made up by me, and forwarded by me. A draft was made out to the Department of Inland Revenue.

Q. Was it the practice to enter them in the cash book, as received?—A. When moneys were received, when the entries were all right, they were handed to me, and I placed them through the cash book, and they were immediately sent to Ottawa, or sent within a day or so.

Q. Mr. Fitzpatrick asked you with respect to this registered letter book which was kept in the office. You say that was inaugurated by Mr. Costigan?—A. I believe it was.

Q. It was not kept under any rule of the department?—A. No.

Q. It was kept for the business of the office?—A. It was kept for the business of the office.

Q. And as a check on what?—A. As a precaution against the messenger, if any letter went astray, that he would be able to state that he handed it over to a certain party.

Q. Protection for the messenger?—A. Yes.

Q. He had to sign in the registered letter book at the post office?—A. Yes.

Q. And he discharged himself from responsibility for that registered letter by entering it in this book and having it initialled by the person to whom he handed the registered letter?—A. Yes.

Q. And then the book was made a record, an informal record, if you like, of the department for that purpose?—A. Yes.

Q. For the purpose of showing who ultimately received the registered letter?—  
A. Yes, to show who ultimately received the registered letter.

Q. Mr. Fitzpatrick asked you about mistaking September for February?—A. Yes.

Q. You appear to have stated, on previous examination, that the money received on 20th January was not restored until September. As I understood you, the money which Mr. Costigan received on the second occasion you mention, was restored in September. I mean the two \$20 items?—A. Yes, on the second occasion.

Q. That was restored in September?—A. Yes.

## Public Accounts Committee.

Q. And in stating the 20th September was a slip of the tongue for February?—  
A. Yes, there was a misconception in the date. It was a misconception of the dates that I intended February, instead of September.

Q. You did, in direct examination, refer to the records of the department at Winnipeg as giving the correct date?—A. Yes.

Q. Yes, as giving the correct date?—A. Yes.

Q. Either there or here?—A. Yes, it should be on record in both places.

Q. I do not quite understand your cross-examination as to these amounts received from Richard & Co. and Alexander McIntyre. If the money is received before the bond is completed, is there any entry made of it in the office in the usual course of business?—A. The entry is held in the office.

Q. What do you mean by "held in the office"?—A. Held in the safe, in the office.

Q. Well, what entry is there made? Is any entry made of it in the meantime?—A. There is no record. It is held in the office, and as soon as the bond is executed, it is forwarded to the department.

Q. Will you give a receipt for it, or not?—A. It has not been the custom in the office to give a receipt for it.

Q. In the city of Winnipeg case, there was a receipt given on the 27th of November, you told us?—A. Yes; Mr. Costigan gave a receipt to the treasurer of the city of Winnipeg.

Q. Is it regular, or irregular, to give a receipt in that way?—A. Well, it is; all entries are passed in, as a general thing, by merchants, and the entry is then put through; and when the entry is put through, a receipt is given upon the regular form of receipt book. But this receipt in the case of Winnipeg is necessary for them to have a voucher to show for all moneys paid out, and Mr. Costigan signed the receipt handed me by the treasurer of the city, that he had received the cheque for this amount, and then, later on, they receipt that they have—when the entry is put through—they give a receipt that they have received these articles, and that is kept on record.

*By Mr. Fitzpatrick:*

Q. There is a special form?—A. There is a special form for this.

*By Mr. Borden:*

Q. Were these amounts received from Richard & Co., Alexander McIntyre, and the city of Winnipeg, kept in the safe in the ordinary course, do you know?—A. No, they were not.

Q. How do you know that?—A. Because the money was handed to Mr. Costigan, who, instead of handing it over to me, as has been the custom to do, he held it himself.

Q. Do you mean, that when he received money in that way which is not entered immediately, he hands it over to you to deposit in the safe?—A. Yes. I have kept the only key of the cash box.

Q. There is a particular place in the safe where these are kept, is there?—A. There is a particular place. I ran the cash box.

Q. Supposing you receive money payment by way of cheque, such as has been the case with regard to the city of Winnipeg payment, is it customary to cash the cheque, pending the making of the entry?—A. No. The cheque is supposed to be marked; they are to hand in a marked cheque, and that cheque is generally paid to the Merchants Bank of Canada on account of the Receiver General, and if it is made in that way, it cannot be cashed, and it is not the custom to cash the cheque. The cheques are placed in the cash book and then deposited in the bank, and a draft is taken out and sent to the department for the remittance of that day.

Q. That is to say, cheques are made so that they can only be paid into the bank?—A. Paid into the bank; that is according to the departmental regulations.

Q. That is what you have spoken about before, that the cheque is paid into the bank, and the entry goes forward to the department here when the bond is given?—  
A. Yes, goes forward to the department.

Q. Well, you have already told us you had the printed regulations of the department regulating that matter?—A. Yes.

Q. Then, the three cheques I have spoken of, from Richard & Co., McIntyre estate, and the city of Winnipeg, were not made in accordance with that regulation?—A. No, sir.

Q. And they were not handed to you to be deposited in the safe in the usual course?—A. No, sir.

Q. And one of them, from the city of Winnipeg, was cashed about the 1st of December. Is that right, or do you know that?—A. About that date. It is reported in my letter to the department, which is among the files. In reference to the two \$20 cheques which Mr. Costigan returned, I asked him if these bonds had been executed, and he said, "Yes."

The CHAIRMAN.—A little louder, please, Mr. Christie.

The WITNESS.—In reference to the two \$20 cheques given by McIntyre and Richards & Co., Mr. Costigan told me, on his return, that these bonds had been executed and were in his desk.

*By Mr. Borden:*

Q. Did he tell you when they had been executed?—A. He did not tell me the date. The dates would, no doubt, be on the bonds that will be on record in the department.

Q. You do not know, approximately, the date yourself?—A. I do not remember the date.

Q. Where had these bonds been in the meantime—in his desk?—A. He informed me they had.

Q. Were they produced—did you see them?—A. I did not see them after that. They were forwarded on to the department.

Q. Is there any necessity for delay in forwarding at once the payments in the case of that kind?—A. Not necessarily, after the bonds are executed. Applications are sent in and approved of by the inspector generally in the month of June, and as soon as the bonds are executed and the fees paid, the money is generally remitted promptly.

Q. You spoke of the necessity for Mr. Costigan to be absent in connection with the revenue from time to time. In the ordinary course, did you have notice of the time when he was going? Did you know, or did the officers know, when he was going?—A. Generally, in every case he notified me, and handed over the papers, and instructed me in everything he wanted done.

Q. In this case in the summer, when he left in July?—A. His desk that time was left open, and drafts and everything was lying on his desk, just as he opened the mail in the morning; that is, drafts payable to the department.

Q. You have already stated that no notice was given to the office of his absence?—A. None whatever.

Q. No notice in November?—A. None whatever.

Q. No notice in January, the 20th of January?—A. None whatever to me.

Q. I am referring to the ordinary course, when Mr. Costigan absented himself from the office for the purpose of making trips in connection with the protection of the revenue. The ordinary course was to notify the officers of his department?—A. In every case I knew of his leaving, he notified me that he was going.

Q. And in these three instances that was not the case?—A. That was not the case.

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*By Sir Louis Davies:*

Q. What was his jurisdiction, what territorially?—A. It covered Manitoba and Rat Portage in Ontario, as far as Rat Portage or it covered from Rat Portage to some place the other side of Regina, I believe.

Q. In the North-west Territories?—A. Between Regina and Moosejaw.

Q. Down to Rat Portage, including all Manitoba?—A. Yes.

Q. How many miles in extent would that be?—A. I cannot give you exactly.

Q. I do not mean exactly. From Rat Portage to Regina, can you give me that distance?—A. There is some Act passed, I believe, with reference to this division, which, I believe, would explain it fully.

Q. Is that correct, what some member says, that it is about a thousand miles?

An Hon. MEMBER.—Five hundred miles.

The CHAIRMAN.—From Rat Portage to Regina.

*By Sir Louis Davies:*

Q. I would ask the witness?—A. I do not know the exact number of miles.

*By Sir Charles Hibbert Tupper:*

Q. How much from Rat Portage to Winnipeg? It must be 100 miles?—A. It is about 150 miles, I believe.

*By Mr. Borden:*

Q. With regard to this cheque for \$25 that Christie has spoken of; to whom was that payable?—A. To me.

Q. Was any explanation given to you, oral or written?—A. None whatever, either oral or written.

Q. Who had given the information to the collector?—A. Mr. Davis. He had communicated it to me, and I communicated it to the collector.

Q. And this cheque was handed to you, payable to you?—A. Payable to me.

Q. With no instructions?—A. With no instructions.

Q. And you said Davis told you he didn't want any part of it?—A. I spoke to Davis, and he said he didn't want to receive any money from that source.

*By the Solicitor General:*

Q. Did you tell anybody, when you got that money?—A. I do not remember that I did.

Q. Did you tell Davis that you had the money at his disposal?—A. I do not remember that I did. I do not think that I did.

Q. Did I understand you to say on re-examination that your superior officers were aware of your connection with these different corporations?—A. Yes, they were.

Q. They had known it for years? Was your attention ever drawn to the Audit

person as aforesaid shall be in lieu of all fees, allowances or emoluments of any kind whatsoever, except actual and authorized disbursements, shares of seizures, forfeitures and penalties; and no such officer or person receiving a salary at or exceeding the rate of one thousand dollars per annum shall exercise any other calling, profession, trade or employment whatsoever, with a view to derive profit therefrom, directly or indirectly, or shall hold any other office of profit whatsoever, except in either case with the express permission of the Governor in Council." Did you have that permission?—A. I did not have any permission.

*By Mr. Borden:*

Q. You stated that you regarded the change in your position, the proposed change in your position, from deputy collector at Winnipeg to collector at Calgary, as otherwise than a promotion?—A. I did.

Q. Will you state your reason for that?—A. My reason is this: I filled the position of deputy collector at Winnipeg of a first class division. The salary attached to that was \$1,500 a year. I was requested to accept the position of collector of a sixth class division, of which the maximum salary is \$1,000 a year.

Q. Well, then, my learned friend, the Solicitor General, suggests to you that, nevertheless, you were to receive an increase of salary, going to Calgary. What have you to say to that?—A. I was to receive an increase of salary of \$200 a year, and I ascertained the difference, as near as I could, of the cost of living, which would amount to \$300 a year more in Calgary than in Winnipeg, for myself and family.

Q. You mean, of course, the \$200 a year was in addition to the \$1,500 you had previously been receiving. That is \$1,700 at Calgary?—A. Yes; \$200 of it was to take the position of inspector of weights and measures there, in addition to the collectorship.

Q. And, as I understand you, your idea was, that \$1,700 at Calgary would be no better than \$1,400 at Winnipeg. Is that what you mean?—A. Yes.

Q. And in addition to your salary or above the amount which ordinarily went to such a position?—A. Yes.

Q. And that increased salary you did not regard as equivalent to the salary you were then receiving at Winnipeg?—A. No, I did not.

## Public Accounts Committee.

COMMITTEE ROOM,

WEDNESDAY, 7th June, 1899.

The Committee on Public Accounts met, Mr. FRASER (Guysborough), in the Chair.

Dr. J. K. BARRETT was called, sworn and examined:—

*By Mr. Borden (Halifax):*

Q. You are Inspector of Inland Revenue at Winnipeg, doctor?—A. I am, sir.

Q. How long have you held that position?—A. Since May, 1885.

Q. Mr. Costigan was collector during the whole of that period?—A. He was not, sir.

Q. He was collector during what portion of that period?—A. His appointment commenced—I do not remember the date of the order in council, but his duties commenced on the 1st of January, 1887.

Q. As collector?—A. As collector.

Q. What are your duties as inspector?—A. Well, my duties as inspector are to audit the accounts of the division, the various accounts, and have a supervision over—I had no interference with the collector beyond that of inspecting his books and accounts and other routine work of the department which had to be submitted to me from time to time, such as when applications were made for licenses they had to be submitted to me for my approval. The accounts of the division, the expenses of the division had to be submitted to me also for my approval.

Q. Did you have anything to do with auditing his accounts or examining them in any way?—A. I did, sir.

Q. Do you recollect an absence of Mr. Costigan in January, during a portion of January and February, 1897, I think it was?—A. Yes, sir.

Q. Do you remember during what dates he was absent, during what period he was absent?—A. He was absent for some little time before it was reported to me by Mr. Christie, his deputy collector.

Q. And do you know what time he returned to duty?—A. I think he returned to duty on either the 15th or 16th of February.

Q. Did you make any report on the subject to the department?—A. Of his absence?

Q. Yes?—A. I did not, sir.

Q. You did not make any report?—A. No. When I say that, I wish to qualify that statement. Immediately on his return he made a report to me which in my covering report to the department was virtually a report of his absence.

Q. Do you remember the date of that report of yours?—A. I think his report was dated on February 15th and mine on the 17th. I have copies of the report with me.

Q. Do you know what was the occasion of Mr. Costigan's absence during the period mentioned?—A. Well, Mr. Costigan explains the cause of his absence in the last paragraph of his report to me dated 16th February.

Q. Have you any knowledge outside of that of the cause of his absence?—A. I have not, sir.

Q. Did you make any inquiries?—A. I did, sir.

Q. What investigation did you make?—A. I made some inquiries as to his absence and he was in the city of Winnipeg all the time, and I did not see him. I was awaiting his return for an explanation. I did not deem it necessary to make an instant report to the department. I wanted to find out from himself what was the cause of his absence, as anything else was mere hearsay or rumour.

Q. Are you aware of any official business on which he was absent from the office?—A. I am not, sir.

Q. You didn't see him at all between 20th January and 15th February, when he returned?—A. I did not, sir.

Q. But you say you satisfied yourself he was in the city of Winnipeg at that time?—A. I did, sir.

Q. Yes. Did you go to his house to see him during that period or to his lodgings?—A. I cannot say that I did.

Q. Now, your letter contains a reference to some money, \$93.20, received from Virden?—A. Yes, sir; Mr. Costigan mentions that in his own report to me.

Q. That seems to have been duty for two packages of spirits—54.83 proof gallons, collected at Virden by the sub-collector?—A. That is what it was, sir.

Q. That was received at what time; I mean received in the Inland Revenue office at Winnipeg at what time?—A. I really have not the date here and I do not remember, but I think it was on or about the time that he left the office, or a day or so before, if my memory serves me right.

Q. I think according to Mr. Costigan's letter it was received on the 20th; I think he states that in his letter of 16th February?—A. Yes, sir, I think that is it.

Q. What is the ordinary course with regard to the receipt of a remittance of that kind?—A. The ordinary course in a case of that kind is that the money comes to the office and is sent away with the first remittance. In a large office like Winnipeg we generally remit daily; the regulations of the department require that a remittance should be made when the sum collected exceeds \$100.

Q. Well, then, when it is remitted to Ottawa some entry is made in your own books or when it is received?—A. No, the entry accompanies it.

Q. Well, what was the practice as to keeping the money until it was remitted; what was done with it?—A. I do not understand what you mean.

Q. A sum of money, \$93.20, is received at the office at Winnipeg, either immediately or shortly after it should be remitted to Ottawa as I understand?—A. It is generally handed to the man in charge of the cash, and he remits it with the first remittance that goes if the entry is correct. Sometimes when we receive an entry we require to hold the money until we can send the entry back for correction.

Q. Where is the money kept till it is remitted?—A. It is kept in the cash drawer of the safe.

Q. Do you know where this was kept?—A. Well, it was in Mr. Costigan's possession I believe as he explains in his own report here.

Q. Did you make any investigation of the drawer in which these monies are usually kept?—A. Well, I asked the deputy collector if he had it in his drawer and he said he had not. I could not very well make an investigation into Mr. Costigan's drawer as he had the key of it.

Q. Did you make any investigation or cause any to be made?—A. Well, I did look into the matter, yes, certainly.

Q. What did you look into?—A. Well, I looked to see if the entry was to be found anywhere in the office.

Q. Where did you look?—A. I looked among the papers in the safe.

Q. Was that the place where the money was ordinarily kept?—A. Where the entries were generally filed and the money handed over to the accountant or deputy collector.

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Q. Well, did you look in such places as you thought likely to find the money?—  
A. I did, sir.

Q. And did you find it?—A. I did not, sir.

Q. Did you open any drawer that was locked?—A. I did. In the safe there was a drawer there made of very light material and I lifted it up with a paper knife and opened it.

Q. And you found nothing there?—A. I found nothing there; I found the entry there.

Q. The entries of what?—A. The entry covering the amount of \$93.20.

Q. The entry from Virden do you mean?—A. Yes, sir.

Q. You found the entry but you did not find the money?—A. Yes, sir.

Q. Whose drawer was it, who keeps the key?—A. Mr. Costigan.

Q. Well, about what date was it when you made this investigation?—A. Well, I really could not say; it was some time before I had heard, before it was reported to me that the collector was absent. I could not fix the day now, but it was some time about the 20th January and 1st February.

Q. Between the 20th January and 1st of February?—A. Yes, sir; some time between those dates. I would like to explain to the committee the reason I opened this drawer was because it was a drawer where Mr. Costigan kept some papers and I felt sure that I would find the money there, because I know that when he gets registered letters sometimes in the mail that he generally puts them in the drawer, and I felt sure that if I opened that drawer I would find the contents there and that is why I did it.

Q. Was anyone with you?—A. I did not ask anyone to accompany me. It was in the general office so it is possible there may have been someone looking on; I do not know; I did not ask anyone to accompany me. I did not feel that I had to ask anybody's consent for what I had done.

Q. You do not remember whether Mr. Christie was with you?—A. I do not, sir. He was probably in the office.

Q. This safe was in the general office?—A. In the general office.

Q. Mr. Costigan has an inner office?—A. Yes, there is the collector's office and there is the general office and besides that there is a laboratory or room where we do our testing.

Q. This was in the general office?—A. This was in the general office.

Q. Do you recollect of Mr. Costigan being absent the following summer for any particular period?—A. Yes.

Q. During what period?—A. I have nothing to show.

Q. Have you no report that would show you?—A. Except the verbal report from the deputy collector.

Q. When was that made to you?—A. It was made to me on the 6th or 7th of October, immediately after my return from inspecting the Calgary office.

Q. The 6th or 7th of October?—A. Of August, sir; I left for Calgary about the 20th of July and I returned on the 6th of August or the 7th, I would not be sure which, and Mr. Christie called at my house that evening and reported that the collector had left about the end of the month of July and that he had not yet returned.

Q. Did you make any report on the subject to Ottawa?—A. I told Mr. Christie that probably the collector was down at St. Paul on similar business to that which brought him down there in the previous May and that we had better hold the matter over for a time to see if he would return; I expected him back every day.

Q. Had he communicated to you the fact that he intended to be absent?—A. Well, he could not do so very well as I was at Calgary and he was in Winnipeg.

Q. How long had you been in Calgary?—A. I left about the 20th of July and before I left I saw the collector in his office attending to his duties, and I returned on the 6th or 7th of the following month.

Q. He did not leave any letter for you explaining his absence?—A. No, sir.

Q. At what time did he return?—A. Well, Mr. Christie wired me on the 21st of September, I think, that he had returned. I was in Rat Portage and Mr. Christie wired me the collector had returned.

Q. What date was that?—A. I think it was the 21st of September. I thought I had the telegram here but I do not see it.

Q. Did you have any communication from Mr. Costigan in the meantime?—A. No, sir.

Q. Did you report the matter in the meantime to the department?—A. I did, sir.

Q. Under what date?—A. Under date of the 19th of August.

Q. The 19th of August. Will you just read that report, doctor?—A.

August 19, 1897.

E. MIALI, Esq.,

Commissioner of Inland Revenue,  
Ottawa, Canada.

SIR,—On the 6th inst., when I returned from the West, after inspecting the Calgary division, I was informed by Mr. deputy collector Christie that the collector had left here on the 30th ulto., without saying where he was going, but Mrs. Costigan told him, on the 5th inst., that the collector was in St. Paul, Minn., on departmental business.

The deputy pointed out to me that he could not issue bonding warehouse licenses to Richard & Co., and to the executors of Alex. McIntyre's estate, because the bonds and fees which they claim were executed and handed to Mr. Costigan, cannot be found.

I suggested to Mr. Christie that Mr. Costigan was probably in St. Paul on the same business which brought him there last May, and which was reported to you in a letter dated 24th May last, and advised him to hold the matter over until the collector returned.

After waiting a reasonable time for his return, we instituted an inquiry which elicited the information that he had left St. Paul for Winnipeg; that he had arrived in Grand Forks on the 15th inst., and has not since been seen. All our attempts to further locate him have failed. I, therefore, deem it proper to report these facts to you as well as his prolonged absence from his office.

I have the honour to be, sir,

Your obedient servant,

JOHN K. BARRETT,

District Inspector.

Q. What is the absence in May that you refer to in that letter?—A. Mr. Costigan was looking up some illicit importations of tobacco into Manitoba which was going on, and he visited St. Paul for the purpose of locating some smugglers.

Q. These were smuggling tobacco?—A. From the United States into Canada.

Q. Was any seizure ever made?—A. Yes.

Q. Subsequently to this?—A. After this.

Q. What time?—A. Well, I think the seizures, the first seizures, were made by Mr. Christie in January, if I remember right, 1898.

Q. What year?—A. 1898.

Q. Mr. Christie made a seizure in January, 1898?—A. I think so. I would not be positive as to the date, but speaking from memory.

Q. In consequence of any information which Mr. Costigan acquired?—A. No; in consequence of information which I acquired at the office.

## Public Accounts Committee.

Q. You acquired at what office?—A. At the Inland Revenue office.

Q. What was the seizure of?—A. Of imported smoking tobacco, imported cut tobacco from the United States into Manitoba, at Gretna, along the international boundary.

Q. How was the smuggling consummated? What were the nature of the operations?—A. Those people went over to the United States to some tobacco store over there, I presume, and they bought this tobacco which they purchased for about 30 cents a pound, and brought it into Canada without reporting it to the customs. That is all I know about it.

Q. They simply bought it at tobacco stores and brought it in without reporting?—A. That is what I believe. I cannot swear that.

Q. What quantity was there?—A. Five or six tins, I think; pound tins.

Q. Five or six pound tins?—A. As far as I can remember. It might be more, it might be less, but it was in that neighbourhood somewhere. It was a small quantity.

Q. I understand, doctor, that you acquired this information yourself in Winnipeg?—A. I was in the Inland Revenue office. Christie and I were both present and detective Mackenzie came in with a Menonnite who lives down on the Menonnite reserve there and they gave us certain information that I deemed best to investigate and I sent Christie to make inquiries. The result was that this tobacco was found on four different parties and they were prosecuted and fined fifty dollars each, if I remember right, for the offence, or rather they submitted to a penalty of fifty dollars.

Q. Where was this tobacco purchased in the United States, do you know?—A. I cannot say.

Q. Do you know of any result of Mr. Costigan's trip to St. Paul on this occasion, assuming it to be for this purpose?—A. No.

Q. When did you first learn that he was in St. Paul? You do not seem to have been aware of it on the 19th of August?—A. Oh, yes, I was aware of it on the 6th of August. I said in my report "on the 6th instant when I returned from the west."

Q. Oh, yes, I misconstrued your letter. What you say is that after waiting a reasonable time for his return you instituted an inquiry which elicited the information that he had left St. Paul for Winnipeg, that he had arrived at Grand Forks on the 15th inst. and had not been seen since. Where is Grand Forks?—A. It is a station between Winnipeg and St. Paul. I do not remember the distance.

Q. In the United States or Canada?—A. In the United States, North Dakota.

Q. Is it a town or village or what?—A. A town.

Q. Do you know what size?—A. I cannot say. I passed through it, but I cannot say. I have passed through it en route to other places, but I cannot say what size it is.

Q. After locating him there on the 15th you were not able to locate him further?—A. No, sir.

Q. What inquiry did you make at Grand Forks?—

*By Sir Charles Hibbert Tupper:*

Q. Is that East Grand Forks?—A. I believe the river divides the town. East Grand Forks, I believe, is in Minnesota and the other in Dakota, if I remember rightly.

*By Mr. Borden:*

Q. What inquiry did you make at Grand Forks?—A. I did not make any inquiry at Grand Forks. I got Mr. Christie, rather, I might say.

Q. You got Mr. Christie to make inquiries?—A. Mr. Christie was very active in making inquiries for Mr. Costigan at that time. I think he made some arrangement with some man that was travelling as some express messenger who had seen

Mr. Costigan—I am now speaking of things that I do not know anything about of my personal knowledge, but from what I heard—and he got this messenger to make inquiries at St. Paul. I do not know whether the information came from him or some other party who was sent down there later.

Q. Well, were you making any effort yourself to locate him during this time?—

A. I was.

Q. You were anxious to locate him?—A. I was very anxious.

Q. When did you next make any report to the department?—A. On the 20th of August.

Q. Well, will you read that?—A. It is as follows:—

August 20th, 1897.

E. MIALL, Esq.,

Commissioner of Inland Revenue,  
Ottawa, Canada.

SIR,—Referring to my report of the collector's absence and in view of the inconvenience which that absence may cause should he not return at the close of the month, Mr. Christie asked me to request that the salary cheque be drawn in such a way that he may be able to pay the officers their salaries when due.

I remain, sir,

Your obedient servant,

JNO. K. BARRETT,

District Inspector.

Q. What do you mean by the salary cheque?—A. I mean that it is customary for the department to send an aggregate cheque for the payment of the whole staff to the collector and he issues individual cheques to each member of his staff. He deposits that money in the bank and he issues individual cheques to each officer of his staff.

Q. How had that been done in July? Had it been done before Mr. Costigan left?—A. I do not know as I was absent in Calgary. I know Mr. Christie told me that he was in the office on the 29th of July and issued cheques.

Q. Whose?—A. Mr. Costigan's.

Q. And cheques were issued all right in July?—A. As far as the information I received from Mr. Christie.

Q. Then you wanted a similar cheque made in Mr. Christie's name, so that the officers could be paid in August?—A. August; yes, sir.

Q. Was that done?—A. It was done.

Q. When did you next make any report to the department here?—A. On 31st August.

Q. Is there not a telegram in the meantime—on the 28th of August—about contingencies?—A. "August 28. E. Miall, Commissioner of Inland Revenue, Ottawa.

"Sundry contingencies for July and August, amounting to two hundred and fifty dollars, require payment. Christie says he has no funds to meet it. Did department send contingent advance current year to collector? Forward three hundred to Christie. J. K. BARRETT."

Q. Would you be good enough, doctor, to explain that statement, what contingencies are?—A. Well, the contingent expenses mean the general running expenses of the office.

Q. Outside of salaries?—A. Outside of salaries we require a sum of money for the purpose of meeting current expenses as they arise, and it is usual for the department to send the collector an advance cheque early in July for the purpose of meeting these contingencies.

Q. Well, had any cheque been sent for this?—A. Well, that is what I inquired of the department in this telegram.

## Public Accounts Committee.

Q. You got an answer, did you?—A. I did, sir.

Q. Will you be good enough to read the answer?—A. On the 31st—my telegram was on August 28—and on August 31st I received the following telegram:—"J. K. Barrett, Inspector Inland Revenue, Winnipeg. An advance of four hundred dollars was sent July 13th. A further advance of three hundred dollars goes forward to Christie. E. MIALL."

Q. You have not with you a copy of the letter from Mr. Christie of the 30th of August?—A. I have not, sir.

Q. Well, the \$400 was sent on July the 30th?—A. The 13th.

Q. It had been sent on the 13th?—A. Yes, sir; that is what the department says in their telegram to me:—"An advance of four hundred dollars was sent 13th July."

Q. Well, why was not this advance of \$400 available, I mean the advance of \$400 which had been sent to Mr. Costigan on the 13th of July?—A. Well, Mr. Costigan was absent, and consequently there was no one there; it was not available on account of his absence. I do not know whether it was in the bank or whether he had it with him; I suppose he had a portion of it with him, at least, for expenses.

Q. Did you make any investigation as to that?—A. As to the \$400?

Q. Yes, as to where it was between the 13th of July and the 30th of August?—A. I did not, sir.

Q. You made no investigation, it is not part of your duty?—A. Well, what investigation could I make?

Q. I do not say you could, doctor, I want to know whether it was part of your duty?—A. It was part of my duty, all such matters are my duty.

Q. Well, you say you did not?—A. Well, how could I ask the collector what he did with \$400 when he was absent?

Q. Well, when he came back?—A. When he came back he dealt with the department directly. I was absent, and he dealt with the department direct.

Q. And, therefore, you did not personally make any investigation in that matter?—A. I made no investigation further than the report of his absence, which I have already read. When he returned, he reported to the department direct; I had no explanation from him as to his absence.

Q. Had you anything to do with the question of his expenses during his absence?—A. Well, all the expenses of the division come before me for audit.

Q. Did you make any report on that subject to the department?—A. I do not think I did make any report to the department. The next thing I see here, after the last report I read, is a report I sent to the department of an inspection of the division which I made, dated 6th September, during Mr. Costigan's absence. Do you wish that report read?

Q. Yes; you may as well read us that.

WINNIPEG, 8th September, 1897.

E. MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa, Ont.

*By the Solicitor General:*

Q. What date is that?—A.

WINNIPEG, 8th September, 1897.

E. MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa, Ont.

SIR,—Although I sent you my inspection report of the Winnipeg division on the 24th June last, yet in view of recent circumstances in that division, I thought

you might like an up-to-date inspection. I, therefore, submit to you the inclosed statements.

I have carefully inspected the licensed manufacturers and warehouses in the city of Winnipeg and the town of Rat Portage. Comparatively speaking these places cover the largest quantity of excise goods in the division. I am happy to say that as far as my inspection has gone everything was correct and in good order.

I have the honour to be, sir,

Your obedient servant,

JNO. K. BARRETT,

District Inspector.

P.S.—I have heard nothing further of the absent one. J.K.B.

Q. There is a postscript to that, I think?—A. Yes. There is a postscript "I have heard nothing of the absent one. J.K.B."

Q. "Party" it is here?—A. "Party?" Well, I have it "one."

Q. That referred to Mr. Costigan?—A. That referred to Mr. Costigan.

Q. What were the recent circumstances in the division that you adverted to in the early part of the letter?—A. The circumstances adverted to were my reports in previous reports to the department.

Q. The fact that Mr. Costigan was absent?—A. That Mr. Costigan was absent.

Q. Now the next report I think you make was on the 22nd September, 1897, at least that is the next I have?—A. No, sir, that is not the next.

Q. That is not the next. Would you be good enough to give us the next?—A. As an explanation of his report which I am about to read I may say that after the collector's report to me he made out his general account for the division and he made out a preventive account for his expenses on preventive service. The department require us to keep these two accounts separate, and hence I had presented separate accounts to the department. He had a contingent account of preventive service and he sent me the account, and I returned the account to him with this letter:—

H. A. COSTIGAN, Esq.,

Collector of Inland Revenue,  
Winnipeg.

Q. Doctor, pardon me one moment before you read the letter. Can you tell me whether the account you refer to states the amount of Mr. Costigan's expenses during the trip to St. Paul?—A. Yes, sir.

Q. Do you happen to remember or can you state from anything in your letter what the expense was?—A. If you allow me to read this letter you will hear it—

2nd October, 1897.

H. A. COSTIGAN, Esq.,

Collector of Inland Revenue,  
Winnipeg.

Sir,—Referring to voucher No. 3, \$78.90 of the account herewith returned, I have to say, as the expenditure was incurred outside my district, I would suggest that you take the same course in this case as you did last May when you visited St. Paul. If on that occasion you deemed it advisable, without consulting me, to report to the department and ask its authority for the payment of the expenses incurred, I am quite sure you must realize the much greater necessity of doing so in the present instance, before sending the inclosed account to me. I deeply regret being forced to return you this account, but I cannot possibly approve of No. 3 voucher without a direct order from the commissioner.

I have the honour to be, sir,

Your obedient servant,

JNO. K. BARRETT,

District Inspector.

## Public Accounts Committee.

Q. What is the date of that report?—A. That is on the 2nd of October.

Q. But I asked you about the 22nd September. You said that was not the next. I think it must have been the next?—A. I have no such report.

Q. In the report there is this:

RAT PORTAGE, 22nd September, 1897.

E. MIALL, Esq.,

Commissioner of Inland Revenue,  
Ottawa, Canada.

Christie wires me that Costigan returned to his office yesterday afternoon.

JNO. K. BARRETT.

A. That is a telegram that I sent when I received a telegram from Christie that the collector had returned. I received it on the 22nd of September, and I immediately wired the department.

Q. You did, then, send this telegram?—A. Yes. I sent that telegram, but I have not a copy of it. The reason I haven't it here is, that I did not keep a copy of it.

Q. That is all right. I only want to get the thing, as far as possible, in consecutive order. You did, then, send this telegram on the 22nd of September: "Christie wires me that Costigan returned to his office yesterday afternoon.

"JNO. K. BARRETT."

A. I did, sir.

Q. The voucher was for \$78.97?—A. Yes, sir.

Q. While the cheque which had been sent to Mr. Costigan on the 13th of July for contingent expenses, was \$400?—A. Yes, sir.

Q. What return was made of the balance of the money?—A. I don't understand you.

Q. Mr. Costigan would receive this \$400, and he would require to send back the balance after these expenses were allowed?—A. I will explain. On the 13th of July "his cheque was sent from the department for \$400 to meet these contingent expenses, and at the end of every month he would have to make up the expenses for that month, which is paid out of the \$400 by the collector. Then, this account is audited by me and forwarded to the department, and after the approval of the commissioner, a cheque is issued for that amount. We will say the amount is \$350. That cheque is sent back to restore the \$400, so that the collector will have at the beginning of each month the original amount sent him to meet expenses; so, he has not to account for that \$400 in any way until the close of the month. At the close of the fiscal year, the requirements of the department are, that when the expenses for June are paid, that the account must be forwarded to the department sufficiently early to be there on the 28th of June, and whatever balance is left, that balance you are talking about now, is returned them, as a refund on contingencies, to the department, and again, at the beginning of the fiscal year, they send another advance for the next year.

Q. Of course, I don't understand very clearly the workings of your department with regard to that. But what I want to call to your attention is this, that \$400 was sent to Costigan on 13th July, 1897, and I ask you where that money was between that date and August the 20th, and you said you did not know, personally?—A. Mr. Costigan would expend it.

Q. During that period it was not available for the purpose for which it was intended?—A. It was not available for Mr. Christie's use, inasmuch as the collector was absent.

Q. Not for contingencies?—A. In the absence of the collector.

Q. In consequence of that absence, the \$300 was sent to Mr. Christie about 30th August, 1897, as I understand?—A. Yes; on 31st August the commissioner wired that further advances have been forwarded to Christie. He received it in the early days of September.

Q. But it was for the purpose of paying these contingencies, that in the ordinary course would be paid out of the \$400?—A. If the \$400 was available.

Q. What I want to know is: what disposal was made of the \$400 during Mr. Costigan's absence, or after his return?—A. As I explained to the committee before, Mr. Costigan is the custodian of that amount of money, and has the sole charge of it, and has to make no return to me of it. He has to account for it at the end of the fiscal year, and return the balance in his hand, which I presume he did.

Q. You don't know about that?—A. I do not know anything about it.

Q. It is not part of your duty to know of it?—A. I know that at the end of the fiscal year the contingent money was accounted for. I know that, because I audit the account. I took the draft, and sent the refund back to the department. Therefore, I know.

Q. Do you know whether it was used to pay the contingencies at any time?—A. Why, certainly it was.

Q. During what period?—A. It was used for the July account.

Q. I thought the \$300 was used that was sent to Mr. Christie?—A. Oh, yes; it was used for July. On Mr. Costigan's return, he used it for the meeting of expenses at the end of September. These expenses, I think, extended over the quarter; they were expenses that had been paid by Mr. Christie. I forget the amount, but it will be on record in the department.

Q. Do you know anything about two sums of \$20?—A. I know nothing about it, further than Mr. Christie's report to the department.

Q. You have no personal knowledge, beyond Mr. Christie's report?—A. No.

Q. In connection with the smuggling at St. Paul, or from the United States, does the collector of customs at Winnipeg have nothing to do with that?—A. I suppose the collector of customs has charge of his department.

Q. Well, you see, doctor, what I want to get at is, whether this would be the duty of the Customs department?—A. Well, I suppose it is directly the duty of the collector of customs; but when we find that tobacco, or any other goods that will interfere with our collections, are coming into the country, we take the thing into our own hands. We are there to protect our own revenue, and we propose, as far as we are able, to prevent anything coming into the country that will interfere with our collections.

Q. Do you interfere with the customs authorities?—A. I never communicate with them, and have nothing to do with them.

Q. It would not be part of your duty?—A. It would not be part of my duty in the least.

Q. Do you remember of Mr. Costigan being absent at any time during the months of November and December, 1897?—A. I do, sir.

Q. During what periods?—A. Well, he was in the office—I was absent, but it was reported to me by Mr. Christie that he was in the office—at the end of the month and paid the salaries of the officers; that is, the end of November.

Q. When did you become aware of his absence?—A. I became aware of his absence early in December.

Q. Will you refer to your report of 7th December, and see what it says?—A. The 7th of December?

Q. There is one here of the 7th of December. There may have been an earlier one; if there is an earlier one, you might give us that?—A. Yes, there is a private letter here that I have written to Mr. Miall on 7th December.

Q. Will you be good enough to read that?

The SOLICITOR GENERAL.—Is that paper on the file?

Mr. BORDEN.—Yes.

*Private.*

December 7th, 1897.

DEAR MR. MIALL.—I regret exceedingly to have to inform you that the collector of Inland Revenue has not been in his office since 27th ult. (This is founded on Mr.

## Public Accounts Committee.

Christie's verbal report to me.) On that day he came to the office and issued cheques for his staff's salary, and then went out. This absence would not have caused any anxiety to me, had he not been drinking heavily; because I knew he was trying to locate some illicit importation of manufactured tobacco about which he had consulted me. I was absent from the city from the 27th to 30th ult., and only heard of the absence of the collector on the 2nd instant. (That answers the question you asked about the date I learned of his absence.) Since then I have been making investigations into the matter, and here are the circumstances, for the truth of which I cannot personally vouch: On the evening of the 27th, he was seen at the Manitoba Hotel, under the influence of drink. This continued until Wednesday, the 1st December. On that day he was seen on the street about noon, apparently heading for the N. P. station, and under the influence of liquor. I thought he might have gone south on that train; but the conductor who was in charge of that train, informs me that Mr. Costigan was not on board. All attempts to locate him, either in the city or out of it, has failed.

On inquiry at the office, I find that none of the contingencies for November from outside points have been received, or, if received, have not been filed. The office contingencies, including the messenger's salary (\$60) and temporary officer Conklin's (\$41.66), have not been paid. The deputy collector informs me that he has no funds to pay these, or to meet current expenses. Of course, it is possible that Mr. Costigan may turn up any day and be able to satisfactorily explain his absence; but should you not hear from me by wire, I think it would be well to send the deputy a cheque for \$300 to meet present expenses.

Yours truly,

JNO. K. BARRETT.

E. MIALL, Esq.,  
Ottawa.

Q. Do you know when Mr. Costigan returned, on that occasion, from that absence?—A. On the 21st of December, I think.

Q. Did you make any further report in the meantime?—A. I sent a telegram to the commissioner at the time:

21st December, 1897.

E. MIALL,  
Commissioner of Inland Revenue,  
Ottawa.

The party inquired for returned to city this afternoon. I have not seen him yet, and know nothing of his intentions.

JNO. K. BARRETT.

This telegram I sent to the commissioner on his return.

Q. What is the date of that?—A. December 21st, the day he returned.

Q. In the meantime, you had made a report on the 15th December, I think?—

A. Do you wish that read?

Q. Yes, if you please.

15th December, 1897.

E. MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa, Ont.

SIR,—I herewith inclose you a report from Deputy Collector Christie, which explains itself.

In forwarding this report, I have only to say, while the collector's conduct is inexcusable from a purely departmental standpoint, yet I am positively certain that no act of personal dishonesty was contemplated by him. It is only attributive to the unfortunate effect produced on his mind by alcohol. I am sure, drink completely unhinges his mind, and, while under its influence, he is, morally speaking, as irre-

sponsible for his acts as the veriest lunatic. I deeply regret his conduct, and, though compelled to report it, feel equally bound to state what I strongly feel to be true, in exculpation of an otherwise unpardonable act.

I am, sir, &c.,

JNO. K. BARRETT,

District Inspector.

Q. And on the 16th of the same month, you sent a telegram to Mr. Miall, about the contingent account?—A. On what date, sir?

Q. 6th December?—A. "Please send Christie cheque to meet contingencies."

Q. What were the circumstances with regard to that cheque? Had the cheque been sent to Mr. Costigan, or not?—A. A cheque for \$400 was sent, but was not available, on account of the absence of the collector.

Q. It was not available, on account of his absence?—A. On account of his absence.

Q. Therefore, this cheque had to be sent to Mr. Christie?—A. Therefore, I requested it to be sent to Mr. Christie.

*By Mr. Fitzpatrick:*

Q. Was it sent, as a matter of fact?—A. It was not, if I remember rightly.

*By Mr. Borden:*

Q. It wasn't sent?—A. I think—

Q. There is a telegram which may bring it to your mind later. Will you be good enough, in the meantime, to look at the telegram of Commissioner Miall, on the 18th December, 1897?—A. Do you wish that read, sir?

Q. If you please.

OTTAWA, 18th December, 1897.

To J. K. BARRETT,

Inspector of Inland Revenue,  
Winnipeg, Man.

Suspend Collector Costigan, pending inquiry. Kindly assume charge of division yourself until further orders.

E. MIALL.

Q. What is the date of that?—A. The 18th of December.

Q. Then, on the 20th December, you received a telegram from Mr. Miall?—A. On the 20th.

Q. At least, that is the date of the copy taken from the return. It is to this effect: "Return collector's pay cheque." Do you remember that?—A. Oh yes, I remember that telegram, but I haven't it with me.

Q. What did that refer to: "Return collector's pay cheque; new one being mailed to-day"?—A. It means that the pay cheque is sent to the collector in the usual form, and I presume the intention of the commissioner was, when he heard of the absence of the collector, or rather, when he was suspended, to send a new cheque, payable to the order of the deputy, so that the salaries for December could be paid. In fact, I believe that is the reason. I think so, but I am not positive.

Q. But, as a matter of fact, you think the cheque to Mr. Christie was not sent?—A. No; you are getting the contingency cheque mixed up with the pay cheque. This refers to a different cheque.

Q. The contingency and pay cheques are kept different, are they?—A. They are kept different altogether. There is no connection whatever between them.

Q. On the 22nd of December, you received a telegram from Mr. Miall, the commissioner of Inland Revenue?—A. On what date?

Q. On the 22nd December?—A. Yes, sir.

## Public Accounts Committee.

Q. Give us that, please?—A. Ottawa, Dec. 22nd, 1897; To J. K. Barrett, District Inspector, Inland Revenue, Winnipeg, Man.:

Minister desires you to hold official investigation and report facts fully to the department.

EDWARD MIALL.

Q. This is on the same day Mr. Costigan applied to you for leave of absence for three weeks, and on the 23rd you received permission to grant it?—A. Yes, sir.

Q. There was a letter from Mr. Costigan to you on the 27th December?—A. On the 27th?

Q. At least, that is copied from the returns which were brought down?—A. I have no such letter, sir.

Q. The letter, as it is brought down, is this:

INLAND REVENUE, WINNIPEG, 27th Dec., 1897.

To J. K. BARRETT, Esq.,  
District Inspector of Inland Revenue,  
Winnipeg.

SIR,—I beg herewith to submit, for your approval, an account for \$78.90, being expenses incurred by me?—A. What date is that?

Q. The 27th of December?—A. There is a mistake about that.

Q. The letter is in the return. It reads:

I beg herewith to submit for your approval an account for \$78.90, being expenses incurred by me on a visit to St. Paul on preventive service, in the interests of the revenue. You will likely recall that I have before sent you this account, but you then stated you were not justified in passing it owing to St. Paul being out of your district. I may say that I reported the circumstances and particulars of this visit to the department on 22nd of September, 1897, and on receipt of your notice that you could not pass the account, I wrote the department on 6th October, asking for the authority, but have not yet received a reply. I submit that from a fair standpoint this account should be paid, as I certainly secured very valuable information, and such as has helped materially in protecting the revenue, and deterring smuggling of tobacco, cigars, and cigarettes.

I remain, sir, your obedient servant,

H. A. COSTIGAN,

Collector Inland Revenue.

—A. I may say that the reason that I have not that letter on my file is that I inclosed it to the department.

Q. Transmitted it to the department?—A. To the department.

Q. Do you remember receiving such a letter?—A. I do, sir.

Q. What about the information to which Mr. Costigan referred? Do you know anything about it?—A. I believe that he placed some information in the hands of the Customs Department, at Winnipeg, at least I heard so, that he had given the Customs Department some information after his return, but as far as I am concerned, I cannot say, beyond talking over matters in my office, in private conversation, telling me some things he did while there, which I cannot now recollect. He made no official report to me that I know of.

Q. You are not aware of any information?—A. Not personally. I was told by some customs officials or some person, it was so long ago now that I cannot remember the circumstances, that he had made a report to the Customs Department, but what the nature of the report was I do not know.

Q. I suppose that information of that kind, or would information of that kind be the subject of a special report?—A. It might to the department, but not necessarily to me.

Q. As far as you are concerned there was no official report to you?—A. No, there was no such official report to me as such.

Q. There was a sum of money, reported to you by Mr. Christie, as having been received by Mr. Costigan in the city of Winnipeg?—A. Yes, sir.

Q. And that was the subject of a report, from Mr. Christie to yourself, dated 14th December, 1897, and this was reported on in your letter to the department of 15th December, 1897, which you have already read?—A. Yes, sir.

Q. This sum of \$209.64 was made good to the department, I believe?—A. Yes, it was.

Q. By whom?—A. Well, I received—I suppose—have I to state here the private letters which I received on this subject?

Q. No, I do not want you to go into any private letters. Just state very briefly where and by whom it was made to you?—A. It was made good by my personal cheque to Mr. Christie, as far as the cheque went, but I did not pay the money at all. While I gave my personal cheque for that amount of money, I was only using funds placed at my disposal.

Q. By Mr. Costigan's friends?—A. By Mr. Costigan's friends, I presume.

Q. And at what date was it made good? Can you give us the date?—A. Oh, yes. I think I could give you the date. On 22nd January, I made my report to the Commissioner of Inland Revenue, of my report of the inspection of the division as follows:—

22nd January.

E. MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa, Canada.

SIR,—I herewith mail you my report of inspection of the Winnipeg division up to 31st December, 1897. I am pleased to say that the warehouses are correct and the general affairs of the division in first-class order.

The item of \$209.64 shortage was cancelled by entry No. 1,662, of 29th Dec., 1897. Regarding the contingent advance, that is in the hands of the department for adjustment, I know nothing further of it than already reported to you.

As Mr. Costigan intends leaving here for Ottawa on next Wednesday or Thursday, I would ask you to advise me by wire, on receipt of this letter, if it is still the wish of the hon. the minister that I hold the investigation ordered by him, before Mr. Costigan leaves for the east. I cannot see that the investigation can possibly reveal any more than has been already reported to the department by me.

I am, sir, &c.,

JNO. K. BARRETT,  
District Inspector.

*Enclosures.*

Q. Would you let me look at that for a moment, doctor? I didn't quite catch what you said?—A. There it is, sir.

Q. This then, indicates, this report indicates, does it, that the \$209.64 shortage was made good on the 29th of December, 1897?—A. It means exactly, that is exactly what it means.

Q. And was that the date at which you were placed in funds by Mr. Costigan's friends?—A. I cannot say. I could not swear to that.

Q. About the date?—A. About that time. You may be sure I did not delay the matter or hold the funds.

Q. I did not suggest that, doctor. I am merely asking in order to get your evidence. The contingent advance referred to is the contingent advance for necessary expenses outside of salaries?—A. Yes, sir. That was the old \$400 again.

## Public Accounts Committee.

*By Sir Charles Hibbert Tupper:*

Q. The same old thing?—A. The same old thing.

*By Mr. Borden:*

Q. When did Mr. Costigan leave? When did he cease to be collector?—A. When he was suspended by me, on the 18th of December.

Q. And he never was reappointed to that position?—A. Yes, sir, he was reinstated, I think, on the 1st of April.

Q. 1898?—A. 1898; and drew his salary as collector at Winnipeg until the 30th of June, when he was transferred to Ottawa.

Q. Did he draw his salary during the period he was suspended?—A. Not to my knowledge.

Q. When he eventually left the position of collector, what position did he take?—A. He was made collector. I know he is collector at Ottawa, although, to my personal knowledge, I know nothing further about it, and he is now holding the position of collector at Ottawa.

Q. I understood you to say that he was under suspension from the 18th of December until the 1st of April?—A. I wish to qualify that statement. All I know is that I suspended Mr. Costigan on the 18th of December, and on the 1st of April his name was restored to the pay list, at Winnipeg, and I sent him his cheques for April, May and June.

Q. Between 18th December and 1st April did he act or discharge the duties of collector of Inland Revenue at Winnipeg?—A. He did not, sir.

Q. He did not? You told me, I think, already that he was not paid a salary during that period, as far as you were aware?—A. I will repeat what I said. I said that on the 18th of December I suspended him by order of the commissioner, and at the end of April a new form of pay-lists was sent to Winnipeg and his name appeared on it as collector, and he was paid for April, May and June, and then his name disappeared off our lists.

Q. So far as the period from 18th December to 1st April was concerned he was not paid a salary to your knowledge?—A. To my knowledge he received nothing.

*By Sir Charles Hibbert Tupper:*

Q. That is the effect of his suspension?—A. I do not think there is a term of suspension.

Q. But the effect of suspension is that a salary cannot be paid while the suspension lasts?—A. Until the suspension is removed no salary can be paid.

*By Mr. Borden:*

Q. During April, May and June, until he left for Ottawa, he discharged the duties of collector, I suppose?—A. From the 1st of July until the 18th of December, when he was suspended.

Q. I referred to the period from the 1st of April until he left for Ottawa?—A. He was collector of Winnipeg division.

Q. Did he discharge his duties?—A. No, he was acting collector at Ottawa, I believe.

Q. During April, May and June?—A. I am only speaking from hearsay, I know nothing about it.

Q. And you have told me his name was on the Winnipeg pay-lists during April, May and June?—A. Yes, he was paid for April, May and June. I remitted his cheque every month to him at Ottawa.

Q. Who discharged the duties of collector at Winnipeg during that period?—  
A. I did, sir; I was acting collector by the order of the commissioner from the date of his suspension until I installed his successor, Mr. Gosnell.

Q. When was Mr. Gosnell installed?—A. He was installed early in July. The first week in July. No, about the middle of July, I think, he was installed. I can tell you—anyway it seems I haven't got the telegram here, but I received a telegram early in July from the commissioner to instruct Mr. Gosnell to proceed at once to Winnipeg, and after he had gone over the division with me (I being acting collector took him over the division) and after he had satisfied himself that everything was all right, I installed him. But he was by Order in Council collector of Inland Revenue from the 1st of July.

Q. Going back to the sum of \$93.20, I think, which had been received on the 20th of January from the collector at Virden, to which you have referred in the early part of your examination, do you know when that money was restored to the department?—A. It was restored on the—I mentioned that in my report here. It was restored immediately that the collector was discharged from the hospital on the 15th of February.

Q. 1897?—A. 1897. I would not be positive, but it was either the 15th or 16th it was restored on.

Q. And it was restored by whom?—A. By Mr. Costigan, simply when he came out of the hospital he went up and deposited the money to the credit of the Receiver General, and had it sent away that very day in the usual manner.

Q. Did he give you any intimation, on the 20th of January or before his absence on that occasion, that he wanted to be absent?—A. No, sir.

Q. And you received no communication from him between the 20th of January and the 15th of February?—A. I received no communication from him whatever, except the one letter that he wrote me, which I have read to the committee, that is dated the 16th of February.

Q. I think you told me you knew nothing about Mr. Costigan's settlement?—A. I know nothing personally.

Q. That was arranged with the department?—A. It was adjusted with the department. I do not know whether it was paid or remains unpaid.

*By the Solicitor General:*

Q. When did you first join the service, Dr. Barrett?—A. My appointment is dated the 1st of September, 1873.

Q. You were then appointed in what capacity?—A. In the capacity of a third-class exciseman, at \$600 a year.

Q. And you went on in the usual progress until finally you have reached the position of inspector, you were appointed to that position when?—A. I was appointed by Order in Council dated the 20th April, 1885, my duties to commence the first of the following month.

Q. How long have you known H. A. Costigan?—A. I have known him since the 29th of May, 1885, when I arrived in Winnipeg.

Q. He was then in the service of the government at Winnipeg?—A. He was then in the service of the government and had been for some time previous.

Q. From the time you reached Winnipeg, in 1885, down to 1898, you were close to him?—A. Yes.

Q. And exercising constant supervision over all his doings?—A. Yes.

Q. And you followed him during all these years, down to 1897?—A. Yes.

Q. In the month of February, on the 17th of February, 1898, did you make a report to the department?—A. I did, sir.

Q. Will you read that report?—A.

## Public Accounts Committee.

17th February, 1897.

E. MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa, Canada.

SIR,—The inclosed letter from Mr. Collector Costigan is, I believe, a frank, truthful and voluntary statement of a most unfortunate episode on which it is unnecessary for me to enlarge.

However, in submitting it to the department, I would like to say:—

(1.) That for over ten years, while in charge of the Winnipeg division, Mr. Costigan's official conduct has been most exemplary, and his devotion to duty constant and painstaking.

(2.) The delay in making this remittance would never have occurred had it not been for the unfortunate circumstances stated in his inclosed letter to me.

(3.) As soon as he could return to duty, he not only rectified the matter, but called the attention of his superior officer to it and expressed regrets for what happened.

Under these circumstances I would recommend the department to accept the conditions which Mr. Costigan has proposed, viz.: absolute abstemious conduct, which was the direct cause and only reason of the offence, or the forfeiture of his position in the service.

I know the fixed policy of the department on this question, and it is only the exceptional circumstances surrounding this case and the hitherto praiseworthy conduct of the collector, that prompts this recommendation

I have the honour to be, sir,

Your obedient servant,

JNO. K. BARRETT,

District Inspector.

Q. What you say there was true?—A. I swear it was true.

Q. And that is the result of ten years' experience of Mr. Costigan?—A. The result of more than ten years' experience, because Mr. Costigan occupied the responsible position of inspector of weights and measures for some time after I arrived.

Q. Read his letter to you of the 16th of February, which you inclosed in that report?—A. It is dated

“INLAND REVENUE OFFICE,

“WINNIPEG, 16th February, 1897.

“J. K. BARRETT, Esq.,

“District Inspector, Inland Revenue,

“Winnipeg.

“SIR,—I beg to report that on the 20th ult., I received from Virden an entry for 2 packages spirits—54:83 per gallon. Duty \$93.20. Mr. Deputy Collector Christie, who has charge of the cash, being absent at the time with sickness, I placed the entry in my drawer in the safe intending handing it to him, but just at this time was myself taken ill with la grippe and was unable to attend office regularly up to the 5th inst. when I was taken to the hospital. In the meantime I quite overlooked the entry. However when in the hospital I thought of it and, as I expected to return to duty from day to day, I intended attending to it. I was only discharged from the hospital on Saturday evening, 13th inst., and returning to duty yesterday, 15th, I put the entry through, No. 2215.

“I make this explanation to you as a duty I owe to show how the delay occurred, and I regret very much my neglect which would not have happened but for my illness. In conclusion I wish to frankly admit that, quinine and whisky having been prescribed as a medicine for la grippe, their use unfortunately caused an abuse which I deeply regret, and should this unfortunate circumstances be overlooked I pledge myself to

forever abstain from the use of liquor or place my resignation in the hands of the department.

“H. A. COSTIGAN.”

Q. Do you know anything about the time when the Richard and McIntyre bonds were executed?—A. They were executed some time after Mr. Costigan returned.

Q. When he accounted?—A. When he paid that money.

Q. The practice is to forward the money for licenses at the time the bonds are forwarded?—A. Yes, sir.

Q. Absences from the service, I suppose, occasionally occur, don't they?—A. Well, the department is very strict on that matter, there is no absence allowed from the service at all, but they sometimes occur quite frequently.

*By Mr. Fitzpatrick:*

Q. Mr. Christie was ostensibly very anxious about Mr. Costigan while he was away?—A. Yes, he was most anxious.

Q. Apparently anxious to know all about his doings and his whereabouts?—A. He did everything that a friend could do to find out where Mr. Costigan was, and no one could have been kinder to his family than he was.

Q. A sort of a very true friend to Mr. Costigan?—A. I would say I don't think there was for years anything more friendly up to the last than the friendship which existed between Mr. Costigan and Mr. Christie.

Q. Continued up to the present time?—A. I can't say, sir.

Q. Do you know whether Mr. Costigan took the gold cure in December, 1897?—A. He did so.

Q. How has he behaved since, to your knowledge?—A. To my knowledge he has behaved—he has been sober, and of course I have no official relations with him in the office, and from all I could hear—I can only speak from hearsay—but all I could hear from his friends, he is a changed man from what he was before.

Q. As an employee, what were his capacities?—A. I look upon Mr. Costigan as an official child of my own. At the time I asked the Minister, who was his father, to promote him, he positively refused to do it. In fact, I may say that he told me I had better go home and mind my own business, in his usual blunt manner, saying that his son had not the experience to properly fill that position.

Q. What is his capacity as an employee?—A. I told the minister that I thought I understood his son's capacity better than he did himself, as in my official relations with him as inspector of weights and measures I had opportunities of judging. He was appointed, and I do not think there is in Canada to-day a more efficient collector or one more qualified to fill any advanced position in the service.

Q. That is the opinion in the department, including that of Mr. Miall, the commissioner?—A. That is the opinion they have always expressed themselves to me.

*By Mr. Borden:*

Q. In your report of the 17th February, 1897, you speak as follows:—“I know the fixed policy of the department on this question.” Will you be good enough to explain what you meant by that?—A. I mean simply that the fixed policy of the department is that money shall be returned to the department in accordance with the regulations of the department; that is as soon as the sum of money collected exceeds \$100 it must at once be remitted to the department, that is what I mean by the fixed policy of the department, and I know that the department is very particular and will visit with very grave censure any contravention of that rule, that is what I mean, sir.

## Public Accounts Committee.

Q. In this letter of Mr. Costigan's which is referred to in this report, he refers to the illness of Mr. Christie on the 20th January, do you know anything about that?—A. I do not, sir.

Q. Do you know anything of Mr. Christie's absence?—A. I believe he was absent, because I made inquiries and I found that Mr. Christie had been absent, I do not know how long, but he was certainly absent.

Q. You do not know the date?—A. I do not know.

Q. Can you fix it?—A. I cannot fix it. All I know is that he was absent.

Q. You said that the Richard's and McIntyre's bonds were executed on Mr. Costigan's return?—A. Yes.

Q. In September, 1897?—A. In September, 1897.

Q. About what date?—A. It was some time after the 21st of September, he returned on that date, and it was shortly after that, I can't tell the exact date the bonds were put through.

Q. You personally know about this?—A. Yes, I know that I checked in the examination and audit of the books. I checked it in the registry book where these bonds were issued with the cash book and the stub of the license book.

Q. Have you any personal knowledge of the actual execution of the bonds by these persons?—A. I have not, but that is on record in the department, which I suppose the committee can get in the department. I never made a note of it. But our office books will show in Winnipeg and so will the records of the department.

Q. What I mean is this, that if the bonds had been executed and delivered to Mr. Costigan, immediately before his absence, would there be anything in the records of the department to show the actual date of the execution and delivery to him?—A. Yes, the bond on the face, if they were executed before his absence, will show the date of the execution because they will bear that date.

Q. The date in the bond is always the date of execution?—A. Yes, sir, but you know the bond can be partially executed; for instance, as sometimes happens with us, a man applies for a license and he pays his fee and brings in one of his bondsmen while the other bondsman may be out of town or may live in some other part of the country, and we may have to send the bond to the collector in that district in which he lives to get it executed before the collector; such things have occurred; I don't know whether any of the obligators to these bonds were absent at that time, but I think the bond was partially executed and I think one of the bondsmen was absent.

Q. In this particular case?—A. Yes.

Q. In one of these cases?—A. Well, I am not speaking from official knowledge of the matter, but I have heard that.

Q. You have heard that?—A. Yes, I have heard it. Of course that can be readily settled by reference to the department where the bonds are stored.

*By Mr. Costigan:*

Q. If I understand right the examination of this witness is over, that is for the present, Mr. Chairman.

The CHAIRMAN.—Yes.

*By Mr. Costigan:*

Q. I would like to ask a few questions of the witness because I think he is aware of some facts I wish to bring out. With regard to the service at Winnipeg it is very important, great importance is attached in the public interest, that the duties have been properly collected and forwarded and the services have been properly performed for all salaries received. Have you any knowledge of other

employees there? Have you any knowledge of a man by the name of Martin Macdonald being in the service of the department at Winnipeg?—A. I have, sir.

Q. In what capacity?—A. Preventive officer.

Q. How long, about?—A. Well, really I cannot answer that question, Mr. Costigan. It was not very long.

Q. Well, several months?—A. Yes.

Q. What duties did he perform?—A. He was not under my charge, he was in the charge of the collector, Mr. Costigan. I do not know that he discharged any duties except drawing his salary.

Q. The collector was my son?—A. Yes, sir.

Q. Was the Martin Macdonald referred to by one of the prosecuting attorneys here—

Sir Charles Hibbert Tupper objected to this language being used as it was personal and not necessary. He said there was a Martin Macdonald who was his brother-in-law and there was no prosecuting attorney and he denied the right of Mr. Costigan or any one to refer to him in this manner. After further discussion the chairman suggested that perhaps Mr. Costigan should not call Sir Charles Hibbert Tupper the prosecuting attorney. He thought that Mr. Costigan could get all the facts out without that, and the committee could judge. After further discussion Mr. Fraser said, "I do not rule upon the matter; but when a brother member of the committee says it is offensive I would just withdraw it."

Mr. COSTIGAN.—I wish to draw out the fact that Martin Macdonald was employed for some months?—A. Yes.

Q. Drew his cheque and was paid regularly?—A. That, Mr. Costigan, is a question I cannot answer because it didn't come within my personal knowledge that he drew any cheque.

Q. He was paid?—A. He was paid monthly by the collector. I forget the amount. It was a very small amount.

Q. And to your knowledge he performed no duties for that time?—A. To my knowledge he performed no duties.

*By Mr. Bergeron:*

Q. What year was that?—A. Really I cannot tell. It was some years ago.

Q. Do you know by whom he was appointed?—A. I cannot say whether it was by Mr Costigan or the Hon. Mr. Wood; but it was one or the other.

*By Mr. Somerville:*

Q. Did he resign?—A. Well, I think he did. I am not sure whether he resigned or was dismissed. He and the collector—he went into the collector's office one day, so the collector stated to me; I was not there—he went into the collector's office one day and was slightly the worse of liquor, and used some violent language to the collector, and the collector reported him to the department, and the department ordered me to investigate into the matter, and I investigated into the matter and made a report to the department.

*By Mr. Casgrain:*

Q. And what became of that report?—A. I cannot say. It is on the file of the department.

Q. Did he continue to be connected with the department?—A. I think he ceased to be connected with the department after the report went down. This was long ago, and was such a small question that it did not take up my attention at the time,

## Public Accounts Committee.

and I really forget. All I can charge my memory with is that I was appointed to make an investigation, and I brought him and the collector before me and took their sworn testimony and sent their testimony to the department.

*By Mr. Wood:*

Q. Did he leave after your report?—A. I think he did.

Q. And he is not now in the service?—A. No, sir.

*By Mr. Borden:*

Q. How long ago was this?—A. I really have no official knowledge. If I had my official records I could tell you.

Q. Give us an idea how many years ago?—A. It is not many years ago. Two or three years ago, I think. I would not be positive.

*By Sir Charles Hibbert Tupper:*

Q. I think it was about 1893.—A. Was it? It may be in 1893; I cannot really state when it was.

*By Mr. Wood:*

Q. Who was the minister at the time?—A. I think it was the Hon. Mr. Wood who was controller of the department at the time.

*By Mr. Casgrain:*

Q. How long was he an employee of the government?—A. As I said to Mr. Costigan, I really cannot say. He was not a regularly appointed officer of the department. He was appointed by order of the minister. He was not appointed by order in council.

Q. You said just now all you knew him to do was to draw his salary. Did you see him draw his salary several months?—A. I did not say that. I had no connection with the man. He was an officer of the collector's, and was paid out of the contingent fund of the department.

Q. If you can say, if you are sure enough of the facts to say, that he did nothing more than draw his pay, surely your recollection must go back enough to give the committee some idea of the time he was employed, during which he was employed, and drew his salary without doing anything for it?—A. All I know is that the collector said to me that he was of no service to him, that he did nothing but draw his salary. That is all I know about it.

Q. Then what you have just said is what Collector Costigan told you?—A. That is all about this officer until I was called on to investigate into the circumstances.

*By Mr. Bergeron:*

Q. Has that happened in any other case, that employees had nothing to do?—A. No, sir.

Q. Has it happened since?—A. He may have been working all the time.

Q. I know; but is there any one under salary now who is drawing a salary and doing no work?—A. Not in my district.

*By Sir Charles Hibbert Tupper:*

Q. As I understand you, Dr. Barrett, Mr. Martin Macdonald, a brother-in-law of mine, was appointed to the Inland Revenue service; that he did no work, drank, and

was dismissed from the service. Is that the whole story, or is there anything behind that?—A. I know nothing about the matter, beyond that I was called upon to make an investigation into the matter.

Q. And the result was, that he was dismissed?—A. The result was, he was dismissed.

*By Mr. Costigan:*

Q. He was suspended by the collector, and you were asked to report?—A. I think the collector suspended him and reported the case to the department, and the department referred it back to me, and asked for an official investigation.

*By Mr. Borden:*

Q. Who was the collector?—A. Mr. Costigan.

Q. And what did he suspend him for?—A. For using some abusive language to him in his office, when drunk.

Q. For being drunk and using violent language?—A. Yes. It appeared, from the report, that he came into the collector's office and used some strong epithets to him, and the collector took exception to them, ordered him out of the building, reported it to the department, and the department reported back to me.

Q. And the result was dismissal?—A. I think so; I cannot say what action the department took, but he disappeared from the pay-list—in fact, he never was on the list, but he disappeared from the department there.

*By Mr. Somerville:*

Q. In reply to Mr. Bergeron, you said there are no employees up there simply drawing their salaries now?—A. There are no employees in my district that are not necessary for the work of the division; in fact, I have applied to the commissioner two months ago for extra help, and have not received it.

Q. Were there any others in 1893, besides Mr. Macdonald, who did nothing but draw their salaries?—A. No; I do not know any officer in my department, and I do not know that of Mr. Macdonald, personally.

*By Mr. Bergeron:*

Q. Is Mr. Macdonald in the department's service now?—A. Not as far as I know; certainly not in my division.

*By Sir Charles Hibbert Tupper:*

Q. Just one question: Some one was talking about the officers employed at Winnipeg. You are an officer of long experience, as you have stated; are you able to say that Mr. Watson is a capable and efficient officer for the position that he holds in Winnipeg?—A. I think he is a capable man, but he has not got the technical knowledge, which it would be impossible for any man to have without experience.

Q. Well, had he, when appointed, sufficient technical knowledge to make that a proper appointment?—A. Well, of course, being a civil servant, I have a strong objection to any new man being put in over the heads of others to responsible positions, because I claim that a man requires to be educated in the service to fill it capably and efficiently; but he has filled it as efficiently, and his attention to duty has been as intelligent, as any other man could do under the circumstances.

Q. Is there any necessity that the collector of that division should be a man of experience in Inland Revenue work?—A. A collector, most assuredly.

Q. Well, is there any necessity that a man holding Mr. Watson's position should be a man of experience?—A. Well, in the absence of the collector, the deputy collector

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is the collector, and, of course, a new man, being put there, I do not care what his capabilities, would not be much use for a time, until he got experience in the working of the office.

Q. So, as the collector has to be away, the qualifications he requires should be possessed by the man who acts for him?—A. Yes, sir.

Q. Now, had Mr. Watson any qualifications, when appointed?—A. He had no departmental experience, certainly.

Q. Had he any experience that you are aware of, that would assist him in his duty in connection with the protection of the revenue?—A. He had no technical knowledge, as I said, regarding his duties.

Q. You would call him inexperienced?—A. Certainly; I would not call him incompetent, though.

Q. You would call him inexperienced?—A. Yes.

Q. What effect would his inexperience have in connection with the cost of the service—the fact of his holding office?—A. Well, he might make mistakes that would seriously affect the collection of the revenue, unless he had some one that he might refer the matter to.

Q. I would like you to listen to this letter, which I will read, and ask you afterwards what you have to say about it:

31st December, 1897

EDWARD MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa, Canada.

SIR,—Assuming that there may be a vacancy in the Winnipeg collectorship, I wish to respectfully call your attention to a few facts particularly bearing upon this office. In the interests of the department, it is almost an imperative necessity that the collector of this division should be a man of undoubted ability and large experience: (1) because of the vast territory covered by the division, and, consequently, the large expense that has to be incurred in visiting outlying offices. If an inexperienced person be placed in charge, the expense incurred in his monthly inspections would be worse than useless, not only in the fact that the inspection would be useless, but chiefly because the officers at these points could not receive from him that direction in various details of their duties which are constantly cropping up, owing to his inability to give them proper reply. The result would be, that the inspector would have to redouble his inspections, thus greatly increasing his travelling expenses.

(2.) This being a new country, in which everything is developing rapidly, and changing constantly, questions are continually arising, in the administration of the division, which require to be handled with promptitude and judgment. Any delay or mistake might, and most probably would, entail serious consequences to the revenue.

In the interests of the department, and as the officer directly responsible to you for the proper conduct of its affairs in this province, I deem it my duty to bring this important matter under your notice.

I am, sir, your obedient servant.

JNO. K. BARRETT.

District Inspector.

Q. Would you still say that these are your statements?—A. I swear to every word of it.

Q. You have not changed your opinion?—A. I have not, sir.

*By Mr. Wood:*

Q. How long is it since Mr. Watson was appointed?—A. He was appointed some time last spring; he entered on his duties on the 1st of April.

Q. Has he made, in the time he has been there, an intelligent deputy collector?—A. He has intelligently and capably performed all the duties he was called upon at the time to perform.

Q. And in the course of a year or so will make an experienced collector?—A. Well, I would not like to say that; I would be sorry to say that a man taken into the service at fifty-five—it would be most improbable, that an officer that would enter the service, as deputy collector, at fifty-five—could be educated to acceptably fill the advanced position as collector.

*By the Solicitor General:*

Q. Who is the collector at Winnipeg?—A. Mr. Gosnell.

Q. Is he an intelligent and efficient officer?—A. One of the most competent and efficient men in Canada.

Q. In the service for many years?—A. In the service for twenty-three years.

*By Mr. Bergeron:*

Q. Will you go on to finish your other answer?—A. The hon. gentleman asked me a question: Might it not be probable that in a year or so this man would fill the position of collector acceptably? I say that a man appointed to the service at the age of fifty-five cannot possibly—well, he could possibly, but very improbably—become so well acquainted with the technical details of the duties of a collector as to fill the position acceptably, and I will tell you why. At the present time he is deputy collector, and that requires that he should take a position in the office, that his duties are confined to the office. Now, in our department the duties are very technical, and the best officers we have are officers who began at the foot of the ladder, who were appointed to the third class and sent out in different services, working up step by step. Now, this is the kind of a man Mr. Gosnell is, that is the kind of man Mr. Christie is, and these are the men that fill the position of collector acceptably, because they know when an officer outside finds any difficulties arise, how to advise him. If any of the outside officers of the Inland Revenue Department come to the collector, and if the collector has no experience in that line, how can he direct these officers? That is the reason why Mr. Watson is not competent, I think; but he is very acceptably filling the duties.

*By Mr. Sutherland:*

Q. I would like to ask, whether the law does not provide for the appointment of men to the position of deputy collector who have not been in the office before?—A. Yes, sir; the deputy collector is the only officer in our department that can be appointed from the outside.

Q. You do not understand; that is the law at the present time?—A. Yes, sir.

Q. And it has been customary to appoint deputy collectors throughout the Dominion that have not been in the department before?—A. Yes, sir.

Q. I understand, that in the service many of the best men have been appointed deputy collectors without experience in the department, and they have taken examinations, and by close study have turned out to be very valuable men in the service?—A. They have, if they are appointed when they are young.

*By Sir Charles Hibbert Tupper:*

Q. Do you know any man who was appointed deputy collector at Winnipeg before Mr. Watson who had not the qualifications for the position?—A. At the time Mr. Costigan was appointed, he had not, but he had experience previously in the Inland Revenue Department, in one branch of it, the weights and measures branch, and had efficiently fulfilled the duties in that branch, and he also had a knowledge of the workings of the department which an outsider would not have.

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Q. How would you compare his qualifications with those of Mr. Watson's, when he was appointed?—A. I would say that Mr. Costigan was a much more valuable officer, because he had official experience that Mr. Watson did not have.

Q. Since Mr. Watson's appointment, how often has the collector been absent, so that the duties of managing that office fell upon him?—A. The collector is generally absent from three to four days on occasions, sometimes even a week.

Q. On many occasions has he been absent for any period during Mr. Watson's incumbency?—A. No, he has not been absent for any period, excepting for the purpose of making his inspections of the division, which he is required to make monthly.

Q. And will that keep him away three or four days each month?—A. It would keep him away three or four days a month.

*By Mr. Bergeron:*

Q. As I understand it, it is a question of appointing a man of fifty-five years of age to fill that position. You don't blame the man, but you blame the appointing power?—A. I do not blame anybody. I don't presume to blame the appointing power. I say that that power has been in existence for years; that is all I have to say about that.

Q. But it is not proper to appoint a man of fifty-five years of age?—A. Looking at it from my standpoint, certainly not; but I do not make the appointment.

*By Mr. Fitzpatrick:*

Q. Has there been any complaints of Mr. Watson's inefficiency since he has been there?—A. He has been very efficient.

Q. Has there been any complaints made?—A. No, sir.

Sir Charles Hibbert Tupper requested that the questions by Mr. Fitzpatrick, and the answers thereto, be read, which was done.

Dr. BARRETT.—I did not say he was an efficient officer; I said he was an intelligent officer, but I certainly did not say that he was an efficient officer, because, as I said before, he lacks experience.

*By Mr. Hughes:*

Q. You said that the deputy collector performed such duties as are assigned him. Does he perform all the duties of the deputy collector now?—A. He is performing all the duties that have been assigned him by his superior officer, and performs them acceptably.

Q. What are the duties of the deputy collector?—A. The duties of a deputy collector are to obey his collector.

Q. Has he performed all the duties that an experienced deputy collector usually performs?—A. No.

*By Mr. Costigan:*

Q. Are you aware that, under the law formerly, some persons in the civil service and certain officers in the department were made exempt from examination, such as collectors of Customs and collectors of Inland Revenue?—A. Deputy collectors.

Q. No, collectors; do you remember that being the law?—A. No, sir.

Q. I was minister at the time; there are some members here will remember it—that will remember the discussion in parliament upon the question. Certain offices were left open: positions were available for persons who could not, at such an advanced age, study up and pass the examinations, and acquire this technical knowledge, such as city postmasters, collectors of Customs and collectors of Inland Revenue. These were all exempt from having to pass examinations. I ask the question because I want the committee to understand what the law provides, and why such provision

was made?—A. I am aware, sir, that such a provision exists for deputy collectors, but I was not aware that it existed for collectors.

Q. I know it exists for deputy collectors, but I thought perhaps you would recollect the original law, but it was changed, I think I recommended the change to parliament?—A. Oh, yes, certainly it was.

Q. I asked parliament to change the law and to make that provision apply to deputy collectors?—A. Yes, that is right.

Q. You have been asked to give reasons, why, and what would constitute an efficient deputy collector. I would just make this statement of the reasons given to parliament for a change of law. I asked that where the collectors for excise and customs were eligible without examination that the change should be made because I, as Minister of Inland Revenue, saw that the appointment to these positions, of men without any technical knowledge, would have a bad effect upon the service, that if you allowed a collector to come in without examination you would be getting an officer at the head of a department who would not know as much as a third-class official under him, would not have any technical knowledge at all, and I said we will leave the deputy collectorship open to appointment of any outsider, because if we insist upon the collector being a trained and useful and efficient man, we will have efficient supervision. I would have the head officer a technical man who was thoroughly qualified, and this change was agreed to unanimously, and I am asking Dr. Barrett, as the inspector of a division, holding the office that he does and holding strongly to the views which he does as to the necessity of technical knowledge, if it would not be a logical conclusion to arrive at that the deputy collectorship rather than the collectorship should be held open to outsiders?—A. It was a vast improvement. It was a revolutionary improvement.

*By Sir Charles Hibbert Tupper:*

Q. Now, Dr. Barrett, when you say that no complaint was made against Mr. Watson, of course, you have overlooked the complaint before this committee in the petition from Mr. Christie to this effect:—"4. That Mr. Watson, who has been appointed deputy collector at Winnipeg, does not possess any of the technical knowledge which is essential to enable him to protect the public revenue?"—A. Yes.

Q. What I want to ask is apropos of that, from your knowledge of Christie and your experience with him, is he possessed of the necessary knowledge to be able to tell whether a man was possessed of the technical knowledge essential to enable him to protect the public revenue?—A. That question is a very long one. I cannot grasp its meaning.

Q. I can shorten the question. You know Mr. Christie, and from what you know of him would he be able to judge whether a man had the technical knowledge to suit him for the service?—A. He would certainly, because I considered Christie one of the best officers, one of the best qualified officers we have.

*By Mr. Sutherland:*

Q. If you thought he had a very strong prejudice or personal feeling against a man, do you think his opinion would be a fair one or an impartial one.—A. I would rather—

Q. His character; I want to know your opinion whether you have had any chance as to whether it would be a fair opinion?—A. All I must say, if I am forced to answer that question, is that Mr. Christie and I have been friends for years.

Q. Well, I will not press the question.—A. And I have known nothing that was not upright and honourable of Christie in the service of my department.

*By Mr. Hughes:*

Q. The witness has heard the question of Sir Charles Hibbert Tupper regarding Christie's information or complaint against this deputy collector. Do you endorse

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Christie's complaint?—A. I would endorse that statement generally made about any collector recently appointed.

*By Mr. Borden:*

Q. Does Mr. Watson perform all the duties, as deputy collector, that Mr. Christie performed as deputy collector?—A. He is doing exactly the same office work that Christie was doing there.

Q. Mr. Christie had technical knowledge that Mr. Watson does not possess?—A. Certainly he had. He has technical knowledge that Watson never will acquire.

Q. Just one more. Did Christie, in performing his duties as deputy collector, use this technical knowledge, as far as you are aware?—A. Whenever occasion required.

Q. When occasion required?—A. Very frequently, in the absence of the collector.

Q. In a first-class division, Winnipeg is a first-class division?—A. Yes, sir.

Q. In a first-class division, can you point to any instance during late years, in which a deputy collector not possessing these technical qualifications has been appointed?—A. I cannot just charge my mind with any such division at present.

*By Sir Henri Joly de Lotbiniere:*

Q. I want to ask a question, Dr. Barrett. Since Mr. Watson was appointed as deputy collector have you had reason to complain of his conduct?—A. I have every reason to be pleased with his conduct officially.

Q. Very well. Has he committed any mistake which might have led to any loss or damage being suffered by the department?—A. No, sir.

*By Mr. Fitzpatrick:*

Q. As the result of Mr. Costigan's connection with the department has there been any loss to the public exchequer?—A. No, sir.

Witness discharged.

COMMITTEE ROOM,

FRIDAY, 9th June, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guysborough) in the chair.

Mr. W. J. CHRISTIE recalled and further examined:—

*By Mr. Borden:*

Q. Mr. Christie, you were asked to make search for a letter from Sir Charles Hibbert Tupper to you in reply to a communication of yours to him. Did you make any search?—A. I sent to Winnipeg for the letter.

Q. Did you get it?—A. Yes.

(Letter produced.)

Q. This is the letter referred to?—A. That is the letter.

(Letter filed and marked Exhibit "E.")

Q. Some suggestion was made by the Hon. the Solicitor General in regard to the building in which you are interested being called "Poker Block" or something of that sort?—A. Yes, sir.

Q. Have you anything to say with regard to that?—A. All I have to say is that this block was purchased by a gentleman who now lives in Toronto, or the property was first purchased by a gentleman who now lives in Toronto and myself, and we paid \$27,000 for the property, subject to a mortgage for \$15,000; \$6,000 each. We purchased it eight or nine years ago and held it for about four years. There were frame buildings on it at the time which we rented, and about four years ago we erected a building which cost about \$17,000. I may say this \$15,000 mortgage came due some time after we purchased it, and we paid off \$3,000 and renewed it for \$12,000, or rather we placed another mortgage on it for \$12,000.

Q. Then you say you erected a building which cost \$17,000?—A. About four years ago we erected a building which cost about \$17,000, and in order to complete this building we borrowed \$6,000, making a total mortgage of \$18,000. I will swear positively that there was not one cent of money invested in that building which was gained by cards in any way. I am anxious to make that clear. The question was asked apparently not to get any information, as I can see. If they had wanted to know whether I had played poker or not why didn't they ask this question, or why didn't they ask whether I had placed money in this block the gain of playing cards? But the question was put apparently to cast a reflection on me without any relation to the case whatever. That is the only inference that I can draw.

Q. You were also asked with regard to some \$25 which you received from a person named Davis?—A. With reference to this \$25 I will explain the matter fully. A man by the name of Davis called at the office and reported that there was a still some place near Ncepawa, and after I got all the particulars I told Davis, I said, if we got a conviction there will be some money for the informer, and Davis said that he was a strong temperance man and he did not want to have it said that he had placed this information for the purpose of receiving the informer's fee, and therefore he would not receive any fee. Mr. Costigan went out and made the seizure, and some time after that he told me he had received a cheque from Ottawa to pay the informer, and he gave me his own cheque for \$25. I asked him what this was handed me for and he stated that "you can do as you like with it." That it was sent by the—that it was a portion of a cheque sent by the government. He never told me the amount of that

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cheque but he said "I have been to a lot of trouble in connection with this case and I am going to send a policeman a small portion of it and keep the balance myself."

Q. Do you know the total amount received there?—A. I never ascertained; it would be on file in the department.

Q. The cheque you received was for \$25. Mr. Costigan's personal cheque?—A. His personal cheque.

Q. The departmental records will show the amount of the cheque he received?—A. Yes.

Q. The cheque, you say, was Mr. Costigan's personal cheque payable to your order?—A. Payable to my order.

Q. You spoke about a letter from Wood, was it?—A. A man by the name of Wood, yes.

Q. You spoke about a letter from a Mr. Wood. Can you produce that letter?—A. I think I can.

Q. This Mr. Wood to whom you refer in your examination in connection with Mr. Costigan's visit to St. Paul?—A. Yes.

Q. And this is the letter that you received from that gentleman?—A. The letter I received from Wood.

Q. Dated the 11th of August is it, or the 17th?—A. The 11th I think. It may be the 17th, the 11th or the 17th.

(Letter filed and marked Exhibit "F.")

Q. Reference has been made, Mr. Christie, to the friendship which existed between Mr. Costigan and yourself up to a certain date, I believe, and also respecting a supposed breach of that friendship and the circumstances under which it arose. Do you wish to say anything in regard to that?—A. All I wish to say is that up to the end of 1896, or some time in 1897, Mr. Costigan and I were on friendly terms, and I was informed on the best of authority, a man who I have no doubt as to his veracity whatever, came to me and he said "I was in an office" or he was in an office in Winnipeg, when Costigan made the statement, in presence of a number of Liberals that I had used my office, that is the office in the Inland Revenue Department for political purposes, during the campaign between the Hon. Hugh John Macdonald and the Hon. Joseph Martin. I spoke to Mr. Costigan about this and he said in reply, he contradicted it in a way, and stated that this Mr. Watson had called on him both at his rooms and at his office.

*By Sir Charles Hibbert Tupper:*

Q. What Mr. Watson?—A. Now deputy collector of Inland Revenue Department, called at his rooms and at his office and wanted to get that in writing. I was afterwards handed a letter written, as it was stated, by Watson, I do not know Mr. Watson's handwriting, to Mr. J. A. Macdonell, member, I think, for Selkirk, stating that Costigan—something to this effect; I cannot give the words of the letter, it may be produced later on, I believe—to the effect that Mr. Costigan was willing, if called on by the department, to state that I had used my office for political purposes during the campaign between the Hon. Hugh John Macdonald and the Hon. Mr. Joseph Martin. I thought, after this, that any friendship that existed between Mr. Costigan and I was certainly at an end.

Q. As a matter of fact did you use your office for such purposes?—A. I did not.

Q. Had you taken any part whatever in the campaign?—A. No.

*By the Hon. Mr. Fitzpatrick:*

Q. Give me the date that you received the information you spoke about?—A. I cannot give you the exact date; it was sometime, I believe, in the end of 1896 or in 1897.

Q. About what time would you call the end of 1896?—A. In November or December.

Q. Can you give me the exact date?—A. I cannot give you the exact date because I didn't take any memorandum at the time.

Q. Somewhere between the month of November, 1896, and February, 1897?—A. I would not be positive.

Q. Can you not place it at all?—A. I cannot positively. Sometimes you can place a thing through some other circumstance that was going on, or by some persons being in the city, or something like that, but I cannot really place the exact date.

Q. Without giving it exactly, can you give it within four or five or six months?—A. I think it was within six months of 1897.

Q. Within six months of 1897?—A. Within six months of the 1st of January, 1897.

Q. It will be somewhere within the first six months of the 1st of January, 1897? Mr. BORDEN.—The witness did not state that.

*By Mr. Fitzpatrick:*

Q. I want you to fix the date. (I will get the details of it in a minute.) Can you say it was within six months of the 1st of January, 1897, or within six months of the 1st of November, 1896?—A. I cannot say positively.

Q. Can't say for sure?—A. No.

Q. No information that enables you to fix the date any way?—A. Yes, I know it was before this matter.

Q. What matter?—A. This first defalcation of Mr. Costigan.

Q. Before the Virden matter?—A. Before the Virden matter.

Q. That's right.

*By Mr. Borden:*

Q. Then it must have been after the election?—A. Yes.

*By Mr. Fitzpatrick:*

Q. You did not think it was quite fair that Mr. Costigan should have done that?—A. I naturally would not think so.

Q. You kept that in your mind, didn't you, you didn't look upon him as being friendly after that?—A. Kept the date or the fact?

Q. Not the date, the fact?—A. Yes, I think it was a pretty hard thing to allow to get out of your mind.

Q. Of course, the fact of your having heard that statement as having been made by Mr. Costigan did not influence you at all in the way in which you dealt with his conduct afterwards, did it?—A. Probably it did.

Q. That's right. Who was the man that gave you this information?—A. I will tell you—it was given me certainly in a private way—but if it is necessary I can give the man's name.

Q. Oh, yes, if you had dealt with it as a private matter nobody would have asked you about it, but as you have made the greater part public we want the balance of it.—(No answer.)

Q. Who was the man?—A. James Carley.

Q. What does he do?—A. His business is to adjust loans for insurance companies.

Q. Where does he live?—A. Winnipeg.

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Q. Is he still there?—A. Still there. He was there a month or so ago.

Q. Where did you meet him when he told you this? Where were you?—A. It was on Main street, I believe, in Winnipeg.

Q. What reason can you suggest as having prompted him to give you this information?—A. This Mr. Watson had been canvassing for some time before for my position, being a member of the Liberals there, and Mr. Carley stated—he came to me and stated: “Now, I don’t think that you need be afraid, as far as your position is concerned, of anybody outside—of any outside party. You had better look after the parties in the Inland Revenue office.” I said: “Who is it is making statements there?” and he said: “It is a man in the office.” I said: “Is it the head of the department, or at the other end?” and he said: “The head of the department.” I said: “Is it Dr. Barrett?” and he said: “No.” I said: “Then it must be Costigan,” and he said: “Yes.”

Q. So that the suggestion was that an attempt was being made to get rid of you?—A. Apparently.

Q. And that the attempt was being fostered and abetted, not by outsiders, but by employees in the office?—A. Not at all; only one of them.

Q. By Mr. Costigan?—A. Now, I want to modify that. This Mr. Watson, as I stated, was around and trying every way to get something damaging against me.

Q. And this suggestion from this gentleman was that Costigan was the man that was endeavouring to help Watson to get rid of you? That is the man within the office?—A. I would say that he was.

Q. That was the result of the conversation that you had?—A. That’s everything.

Q. That is the impression the conversation made on your mind at the time?—A. That is the impression.

Q. And I have no doubt you thought you might as well get rid of Costigan as let him get rid of you?—A. Not at all. I did not make any effort to get rid of Mr. Costigan.

Q. But your feelings were not the same towards him as before?—A. Not the same.

Q. You spoke of a letter written by Mr. Watson to Mr. Macdonell. Can you produce it?—A. I cannot produce it just now.

Q. Where is it?—A. I think it is in Winnipeg.

Q. In whose possession?—A. I think probably it is in my house.

Q. When did you get it?—A. It was handed me some months ago; I can’t exactly say when.

Q. This letter was written by Mr. Watson, the present deputy collector, to Mr. Macdonell, member of parliament?—A. I can’t say it is in Mr. Watson’s handwriting.

Q. But it is purported to be written by him?—A. I cannot exactly say that, I only got a portion of the letter.

Q. Why did you say it was?—A. I said it purported to be.

Q. It purports to be written by him?—A. Yes.

Q. How did you come into possession of it?—A. It was handed to me.

Q. By whom?—A. By a man in Winnipeg.

Q. Who is the man?—A. Mr. Carley.

Q. How did he get it?—A. He, I believe, found it in the office.

Q. In what office?—A. In the office that Mr. Watson and his brother or some of them had jointly.

Q. That was a private letter written by Mr. Watson to Mr. Macdonell?—A. I don’t know that it was.

Q. Where did he find it?—A. I don’t know.

Q. Did he explain where he found it?—A. He said he found it in the desk.

Q. This was a private letter written by Mr. Watson to Macdonell found in Mr. Watson's private desk and handed to you by Mr. Carley? What justification did Mr. Carley give for taking that letter that did not belong to him?—A. He did not give any.

Q. You did not think it necessary to inquire how he came into possession of it?—A. He said he found it in the desk.

Q. But you did not think it necessary to make any further inquiries?—A. I did not.

Q. You may be able to produce it, I suppose?—A. I will try.

Q. And if you do not produce it, I suppose you will explain why?—A. I will try to produce it.

Q. Any more private letters you would like to hand about in the same way, which have been obtained in the same way as this?—A. None.

Q. No others you would like to tell about now?—A. None.

Q. Now let us get on to "Poker Block" after that. When did you buy that property?—A. I bought that about eight or nine years ago.

Q. What was your salary at that time?—A. My salary was, I think, \$1,500.

Q. Had been that for how long?—A. Since the date I was appointed deputy collector.

Q. When was that?—A. That was in 1887, I believe.

Q. What was your salary previously?—A. I forget now, I think it was about \$1,200. We got 40 per cent when I went up there for maintenance.

Q. You were a married man with a family?—A. I was not then.

Q. You were single?—A. Yes.

Q. You paid at the time how much on that property?—A. \$6,000.

Q. As your share?—A. As my share.

Q. You subsequently built a block on that lot which cost you \$17,000?—A. Yes.

Q. You borrowed \$6,000 out of the \$17,000?—A. Yes. As I say, we jointly built the block, I had a half interest in it, and anything I am speaking of now is my half interest.

Q. But \$6,000 is in that which is your own?—A. Which is mine.

Q. The building cost you, independent of the mortgage, \$11,000?—A. Yes.

Q. Your share of that would be \$5,500?—A. Yes.

Q. That is \$11,500 you paid in cash? When was the building put up, about how many years after you got the ground?—A. Four or five years after.

Q. Within four or five years?—A. It was about four or five years after. I could tell by sending for a separate set of books that I keep for this investment. I could give you the exact dates, the earnings, the amount expended, and everything else.

Q. And since you got the block nine or ten years ago and paid \$11,000 for the building, had you any other resources besides your salary?—A. When I arrived in Winnipeg I had considerable money. I had made some money in London in stock investments. I had also some oil wells at Petrolea, which I made some money out of.

Q. Let us go back to that letter from Mr. Watson to Mr. Macdonell, is it a piece of a letter?—A. It is a portion of a letter.

Q. Would that portion appear to have been the original letter, part of which had been destroyed and that is a fragment?—A. No, it is a tissue copy of the letter.

Q. A tissue copy of the whole letter or a portion?—A. Tissue copy of a portion of the letter.

Q. So that this letter is a press copy?—A. Yes.

Q. What is the date?—A. I could not tell you.

Q. Is there a date on it?—A. Yes.

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Q. Is it signed?—A. No.

Q. How do you know it was written by Mr. Watson?—A. I believe it was written by Mr. Watson from knowing that Mr. Watson had asked for this information and had received it, as this Mr. Carley had told me.

Q. This is your reason for believing that it was written by Mr. Watson?—A. Yes.

Q. How do you know it was written to Mr. Macdonell?—A. It was addressed on the head of the letter to Mr. Macdonell.

Q. So that the date and place from which written and the person to whom it was written was on this portion?—A. Yes.

Q. Where is the portion of that letter?—A. I do not know.

Q. Did you inquire?—A. No.

Q. Well, you will produce it?—A. I will try, at any rate.

Q. When did you see it last?—A. Oh, it was about six weeks ago.

Q. It was then where?—A. Then in my house.

Q. Among your private papers?—A. Yes. That will be six or eight weeks ago.

Q. You have no reason to believe anybody has abstracted it?—A. No, I think I will be able to find it.

Witness retired.

Mr. T. S. GOSNELL, being called and sworn, testified as follows:—

*By the Solicitor General:*

Q. What is your present position, Mr. Gosnell?—A. Collector of Inland Revenue at Winnipeg.

Q. What position did you occupy in the service in 1894?—A. In 1894, the first of the year?

Q. Say in November, 1894?—A. I was appointed just about that time collector of Inland Revenue at Calgary.

Q. Previously you had been?—A. Accountant of the Winnipeg division for some years.

Q. Under?—A. Mr. Costigan.

Q. And did you then know Mr. Christie?—A. I knew Mr. Christie very well.

Q. Then at that time you were removed from Winnipeg where?—A. To Calgary.

Q. In what capacity?—A. Collector.

Q. When you left Winnipeg you were on good terms with Mr. Christie?—A. Certainly.

Q. You lived at Calgary till when?—A. Till July, 1898. I left there on the 8th or 10th of July.

Q. You were brought from Calgary to Winnipeg?—A. Yes.

Q. Where you assumed the duties of collector?—A. At Winnipeg, yes.

Q. Now, did you offer yourself for examination at any time?—A. Did I offer myself?

Q. Yes?—A. To the department, that is?

Q. Did you undergo the ordinary civil service examinations?—A. Yes.

Q. What date was it taken?—A. My first examination was in the city of London a year or two after I entered the service, in 1877 or 1878; I went in in 1876 and I think it would be the summer of 1878 or it might be 1877.

Q. What was the result of that?—A. I took a second class certificate.

*By Sir Charles Hibbert Tupper:*

Q. That is in your first examination?—A. Yes.

*By the Solicitor General:*

Q. You after offered yourself for promotion?—A. Yes.

Q. That would be?—A. In 1880.

Q. Where?—A. Toronto.

Q. What was the result?—A. I obtained a first class certificate.

Q. Had you failed previously?—A. Between these dates?

Q. Yes?—A. I had not gone for any examination between these two dates.

Q. Well, what was the year?—A. I do not know whether there was any examination or not, I would not be sure. However, I had not gone up.

Q. If you were in London, why go to Toronto?—A. I was not in the London office.

Q. Where were you?—A. I was in the Hamilton office.

Q. Why did you go to Toronto?—A. I went to Toronto because I was told by the collector to go up there.

Q. Why didn't you go to London?—A. I was told to wait for the coming week and go to Toronto.

Q. From the office at Hamilton?—A. Yes.

Q. There were civil service examinations at London?—A. Yes.

Q. And subsequently examinations were held at Toronto?—A. The coming week.

Q. To enable you to go to your examinations, either at London or Toronto, it was necessary for you to have the authority and sanction of your superior officer?—A. Yes.

Q. And he assigned Toronto for you to go to?—A. He assigned Toronto for my examination.

Q. So, you didn't go to London at all?—A. I did not.

Q. You went to Toronto?—A. Yes.

Q. And did you succeed?—A. I succeeded in getting a first-class certificate.

Q. Mr. Christie, being examined as a witness here the other day, was put this question: "And you charge in your letter," that is, in Mr. Christie's letter, "that he," that is, you, "passed his most important examination by means of a fraudulent scheme;" and he is asked what he has to say with regard to that. His answer is: "Well, on 27th July, 1880, there was an examination held at the city of London. At that time Mr. Gosnell was residing there." Is that true, or not true?—A. That is not true.

Q. He proceeds to say: "in Chatham or Windsor, west of London, and on the following week, I believe, there was to be an examination in the city of Toronto, on the 5th August, 1880. Notice was sent to the different officers that were anxious to be promoted, to attend this examination, and Mr. Gosnell did not attend the examination at London?"—A. I did not.

Q. The reason you didn't go was, that you were at Hamilton?—A. At Hamilton.

Q. Two officers, then going for examination, were sent to London?—A. Yes, sir.

Q. And two others, of which you were one, were sent to Toronto?—A. That is the reason.

Q. Mr. Christie swore that he wrote on the examination at London. "Gosnell attended the examination at Toronto, the following week. He went 120 miles farther than London to go to Toronto?"—A. That is wrong. I had only 45 miles, the distance between Hamilton and Toronto, to go, and that is much nearer than London.

Q. And you were sent by your superior?—A. Sent by my superior.

Q. Now, he goes on to say: "After the London examination the same papers were set at Toronto. Copies of these papers were sent or handed to parties that were

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going to write at the Toronto examination." Were the papers at Toronto the same as at London?—A. I think they were.

Q. Had you, when you went to Toronto, a copy of the papers that were used the previous week at London?—A. No, sir.

Q. You swear that?—A. I swear that.

Q. Now, this gentleman, again being examined as to your special examination, swore that a short time after your examination in Toronto you informed him, that is, Mr. Christie?—A. My examination in Toronto?

Q. A short time after the special examination in Toronto. Mr. Christie says you informed him you had received copies of the examination paper, of the papers used for that examination, from Joseph O'Brien, in Hamilton?—A. Was it in Toronto?

Q. Yes, sir?—A. I didn't attend the examination in Toronto.

Q. For the special examination?—A. No; I attended one in Toronto, the first one after 1880, whenever that was.

Q. Anyway, the first examination you attended, and I think you succeeded?—

A. That is, for the promotion?

Q. Yes?—A. I succeeded in getting a first.

Q. Now, limit yourself to that. After that there was a special examination?—  
A. A short time after that, in Hamilton.

Q. And you failed?—A. I failed.

Q. And a special examination in Toronto?—A. I failed there. Christie was at the first examination in Toronto, and also failed.

Q. At the subsequent special examination in Toronto you failed?—A. Yes.

Q. And did you offer yourself again at Toronto?—A. No, sir, I did not.

Q. So, you failed at special examinations both in Hamilton and Toronto?—A. And Toronto.

Q. At the examination at Toronto, did you have any papers that had been previously used at an examination at Hamilton, which had been furnished to you by O'Brien?—A. No, sir.

Q. Did you ever say to Mr. Christie that you had these papers?—A. At the examination at Toronto?

Q. Yes?—A. No.

Q. Are you positive about that?—A. I am positive about that.

Q. How do you qualify his statements, that you did tell him that?—A. In Toronto?

Q. Yes?—A. Did he make the statement, that it was the Toronto examination I was at?

Q. He said, a short time after the examination in Toronto?—A. What date was that?

Q. I do not care what date it was?—A. I never told him that.

Q. Mr. Christie said: "A short time after the examination in Toronto, Mr. Gosnell informed me that he had received copies of that examination paper, of the papers used for that examination, from Joseph O'Brien." Did you ever tell him anything of the sort?—A. No, sir; because I did not receive any papers from Joseph O'Brien, or any one else for the examination in 1887.

Q. Did you ever receive any examination papers from Mr. O'Brien?—A. No, sir; I never received any papers from Mr. O'Brien before my examination.

Q. Now, just explain what your relations with Mr. O'Brien were, with reference to this examination?—A. I had, possibly, better start in 1887.

Q. Did you receive any examination papers from Mr. O'Brien?—A. Before the examination?

Q. Before the examination?—A. No, sir; never received papers from O'Brien before the examination.

Q. Just explain what your relations with O'Brien were, in reference to the examination papers?—A. I had better start from the beginning. In 1887 the department

sent me from Hamilton to the Victoria division, in January or February of 1887. I arrived in Victoria in February, and remained there until September.

*By Mr. Borden:*

Q. What year?—A. 1887. I was then brought back to the city of Winnipeg, as an officer in the Winnipeg office. Some time after I was in Winnipeg, I found out that I was losing money by being there at the same salary as I had then in the east. I was getting \$1,000, and, I think, 20 per cent was taken off. Shortly after I arrived here, I wrote to Mr. Miall, the commissioner, through Inspector Barrett, telling him the position I was in there, losing money, and asked for an increase of salary. I asked for \$200 increase, and I based that on the idea that it was more expensive to live in the city of Winnipeg, and also that, by being in the west, I was prevented from going up for examination in Toronto in August or July: I was prevented from attending that examination. He did not give me the \$200, but wrote back, saying: "We will give you an examination, if you will take it." I thanked him for his kindness, and said I would take it; and in May—I think it was the 8th May—my examination came on in Winnipeg before Professor Hart at the college, and I got that examination, and got over the 1,200 marks that were required. During that examination, I took a copy of the questions myself on paper, as we had to hand the original papers back to the examiner. I took a copy of those papers, and brought them to the office; I did not make any bones about it. Some time after—I don't know whether it was that year or the beginning of the next year—Mr. O'Brien was going to pass some examination that was coming on. One thing the officers do is to pass examination papers they have had, on to others, so as to assist one another; and I sent them on to O'Brien, who is a friend of mine; we had worked together in the city of Hamilton, and I sent him those papers.

Q. What are those papers?—A. The papers that I wrote on in Winnipeg.

Q. And on which you had been successful?—A. I then sent the copy I had made to O'Brien, and, some time after, I asked him to return them, and, some time after, he sent a copy back in his own handwriting. He sent them back in his own handwriting, and I had it in the office at Winnipeg. When I left there, Mr. Code asked me to leave these papers for the boys, to assist them in passing any examinations that might be coming on, and I did so. These papers were lying around in the desk, which was not locked; there was no key to it, and no attempt to keep them private.

Q. You never passed any examination after you passed the examination at Winnipeg?—A. No. I had no other examination to pass.

Q. And these papers you left there?—A. Yes.

Q. And Mr. Christie was in the office at the time you were there?—A. Yes.

Q. He was your superior officer?—A. Yes.

Q. And you came away, leaving those papers there?—A. Yes. I had no idea they would ever be used.

Q. And that is the story?—A. That is the story, and I think Mr. O'Brien will bear me out, that I sent them to him.

Q. And you never used any papers sent you by O'Brien before the examination?—A. I never had any before the examination.

Q. And you never told Mr. Christie that you had them before your examination?—A. I did not. If I had, it would be a lie.

*By Mr. Borden:*

Q. The examinations you passed were first in 1877, as I understand?—A. I think so.

Q. You took a second-class certificate?—A. Certainly.

Q. The next one was—that was in Toronto?—A. No, that was in London.

Q. You were living then in Hamilton?—A. No, in Chatham, Ontario.

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Q. How far distant?—A. From Chatham to London?

Q. Yes?—A. Something over sixty or seventy miles.

Q. You next went up at Toronto?—A. At Toronto.

Q. You were living in Hamilton then?—A. Yes.

Q. You took on that occasion a first-class?—A. Yes.

Q. The next examination was, as I understand it, in 1888, at Winnipeg?—A. Yes.

Q. Will you give the dates now of your intermediate examinations?—A. The first one in 1880; I think it would be August. It was after the examination in Toronto, and it might be in September.

Q. In the same year?—A. In the same year.

Q. And you applied for a special class?—A. Yes.

Q. Where was that held?—A. It was held over our office, in the city of Hamilton.

Q. Who were the examiners?—A. Mr. John Davis, chief inspector; Mr. John Morrow, inspector at the Toronto division now; I think he was collector then; and Mr. Dickson, I fancy, was another; and Mr. W. J. Gerald, the present assistant commissioner, if my memory serves me right. These were the examiners.

Q. That examination was held in Hamilton?—A. Yes.

Q. The same year as you passed the previous one?—A. Yes.

Q. And you failed?—A. Yes.

Q. Who were the examiners in Toronto?—A. It strikes me, it was practically the same men.

Q. I do not know exactly what that means?—A. At the first, I would state that Mr. Godson was there, the chief inspector.

Q. Which examination are you talking about?—A. The special examination.

Q. Who were the examiners at the special examination in 1880?—A. Mr. Godson, Mr. Gerald, Mr. Davis, Mr. Morrow, and, I think, Mr. Dickson.

Q. Now, at the examination, the previous examination, in the same year at Toronto, were the same gentlemen examiners?—A. I think so.

Q. The same gentlemen were?—A. I think so.

Q. Who were the examiners at London?—A. The first time I was there?

Q. I mean the examination at London that you did not attend?—A. I do not know. I was not there, but I fancy it was the same men.

Q. You believe it was the same?—A. Yes, but I do not know.

Q. You next went up for a special in what year, after 1880?—A. It was either two years after, I think, in the city of Toronto—it was the next examination that was held.

Q. In 1882 or 1883?—A. Yes.

Q. Who were the examiners—the same men?—A. I think so.

Q. You did not go up for any further examination between that and 1888?—A. No, sir.

Q. Why didn't you?—A. There was only one held, if my memory serves me, and that was held in 1887, and at that time I was in Victoria, an officer in the Victoria division, and I had no idea of going down to Toronto. It never struck me to do so, and I had made no preparation, and had no idea of going down.

*By the Solicitor General:*

Q. That is Victoria, British Columbia?—A. Yes.

*By Mr. Borden:*

Q. Were you at Victoria—no, you were at Winnipeg, when you understood you were to have a special examination, in 1888?—A. I was in Winnipeg.

Q. You had come shortly before from Victoria?—A. In September, 1887.

Q. How long before this special examination at Winnipeg were you aware it was coming on?—A. When I wrote to Mr. Miall, the commissioner, at Ottawa, he wrote back, telling me he would give me an examination some time in the future.

Q. How long after did the examination take place?—A. In May.

Q. When did he write?—A. I fancy, some time in November, but I cannot give you the exact date to a month or two, but it was after I came to Winnipeg.

Q. What were the subjects?—A. Oh, the ordinary departmental subjects.

Q. Can you not tell me what they were?—A. Mensuration, Inland Revenue law, distillation, tobacco manufacture, malting, and there is the tobacco books or distillery books.

Q. Did any one else go up at this special examination?—A. No, sir.

Q. Was there only one examiner?—A. That is all.

Q. Prof. Hart?—A. Prof. Hart was the man the examination was to be under, but Prof. Campbell, one of the professors, was the one in the room all the time.

Q. Did this gentleman set the papers, or were they prepared at Ottawa?—A. They were prepared at Ottawa.

Q. All the papers were prepared at Ottawa?—A. All the papers; at least, they are dated Ottawa.

Q. Would you look at that? (Handing the witness Exhibit "C.") It is the written part of it, Mr. Gosnell, just at the end?—A. These bonded manufactures they didn't give.

Q. Are these the papers on which you passed your special examination at Winnipeg in 1888?—A. I think they are, sir.

Q. You think they are?—A. Yes.

Q. They are not the papers on which you passed your examination in Toronto in 1880?—A. No, sir.

Q. And they are not the papers on which, you say, Mr. O'Brien passed his examination in 1880?—A. In 1880?

Q. Yes. Mr. Christie says:—"A short time after the examination at Toronto, Mr. Gosnell informed me that he had received copies of that examination paper, of the papers used at that examination from Joseph O'Brien, at Hamilton, who is an officer in the Inland Revenue, and wrote at that examination and passed it. After Mr. Gosnell wrote on this examination in Winnipeg he informed me that the papers used there were the same papers as those used at the previous examination in Toronto, of which he had stated before he had a copy." That is the charge that is made, Mr. Gosnell; the charge that is made is that the papers which were set to you at this special examination in 1888, at Winnipeg, are the same papers on which Mr. O'Brien had written in 1880, and a copy of which you had obtained in the meantime?—A. These are not the papers that Mr. O'Brien had in 1880.

Q. Well, do you say you never received any papers from Mr. O'Brien?—A. I say I received these long after my examination.

Q. But you had sent them to him previously?—A. Yes.

Q. Have you ever received from him papers on which he had passed previously?—A. I fancy I have received papers, as the officers do pass around among themselves papers they had passed on or notes of old questions.

Q. Well, did you get any papers from him?—A. I think so.

Q. When was that?—A. After I found out the examination was coming on.

Q. When you found out that the examination was coming on, in 1888, you obtained papers from Mr. O'Brien?—A. Well, I do not know or not, but I fancy I did.

Q. Is your recollection not sufficiently clear to say yes or no?—A. I will say I did.

Q. Well, when did you receive these?—A. It would be some time after I found out that I was going to pass an examination, but what date I could not say.

Q. Have you any correspondence with O'Brien?—A. No, sir.

Q. Had you any correspondence with him?—A. I might have written a letter asking him to send them on.

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Q. You might have?—A. I must have asked him for them.

Q. Have you a copy of it?—A. No.

Q. Have you any letter from O'Brien in reply?—A. Not that I know of.

Q. He sent you the papers in reply?—A. That is all.

Q. Where was he living?—A. Either in Hamilton or Dundas. He was moved over to Dundas some time, but I don't know when.

Q. You don't know which?—A. No.

Q. Well, was that the occasion, Mr. Gosnell, when you received that paper produced?—A. No, sir.

Q. Where are the papers you did receive?—A. I do not know, sir.

Q. Why did you preserve that?—A. I did not get it from O'Brien at that time.

Q. I asked you why did you preserve that?—A. I asked O'Brien to send that back to me for the other young men in the office, if there was any further examination, and it was lying around the office; when I left it was lying there. I do not know that I preserved it, when I was leaving it was left there.

Q. Mr. Fitzpatrick says it was a private paper and you had preserved it. You say you left it round the office?—A. It was not private in the way that any one could not get at it.

Q. It must be private when Mr. Fitzpatrick says it was?—A. I do not care who said it was private.

Q. Why didn't you preserve the other papers; the other examination papers for the use of students in the office?—A. They were left there. I did not throw them away or anything. I did not pay any attention to them any more than to this one.

Q. You didn't leave them around miscellaneously?—A. Yes, the boys were using the papers miscellaneously.

Q. To what examination did the papers that you received from O'Brien relate?—A. He didn't send me any special papers for any examination. That is any special examination or promotion examination. He had a lot of questions that were given and he had notes and things of that kind.

Q. You say the papers were not set for any particular examination?—A. That would be my idea.

Q. Are you sure?—A. I would hate to say that any of them did not refer to any examination, but to tell you exactly I cannot.

Q. To how many examinations did they refer?—A. I cannot tell you that.

Q. You cannot give us an idea of any one examination to which they referred?—A. They were not for any particular examination, as far as I can remember.

Q. Did Mr. O'Brien understand, when he sent these papers to you, that you were going up for a special examination?—A. I do not know.

Q. You know that you wrote for them?—A. I suppose I wrote to him and said I was going up for the examination, but whether I said a special examination or not I do not know.

Q. You do not know if you gave him information on that subject?—A. I do not know. I wrote for papers.

Q. Had Mr. O'Brien, at this time, passed his special examination?—A. O'Brien had not been at a special examination before this time, I understand.

Q. He had passed first-class, merely?—A. Passed first-class.

Q. Was that in 1880?—A. I do not know when he passed it. I do not think it was in 1880—I do not know when he passed it.

Q. Going back to this examination, in 1880, I understand that you say about it, this, that you knew at this time that Mr. O'Brien had been up for an examination but you did not know he had been up for a special examination?—A. Certainly not.

Q. Going back to the examination of 1880, were there four men in your office who went either to London or Toronto?—A. Yes, sir.

Q. There were four of you?—A. Four.

Q. The examination in London was held first, the examination in Toronto the week after?—A. Yes, sir.

Q. Two of you went to London and two to Toronto. Did you all pass?—A. Yes, the four men passed.

Q. And you say you had not, at this examination in Toronto, any information as to the questions which had been set at London?—A. I did not know what papers were set at London or Toronto until they were presented to me at Toronto.

Q. Did the two of you who passed the examination at Toronto have any information written or oral as to the questions which had been set at London?—A. Either written or oral?

Q. Yes?—A. No, no special information.

Q. What do you mean by special?—A. I would understand you to mean, did any man give me any special pointers, and they did not.

Q. Had you any information at all?—A. I saw one of the men when he returned home to Hamilton.

Q. You kept a copy of the questions at your special examination in Winnipeg, as you tell us?—A. Yes, sir.

Q. Did any of these men in London take the same precaution?—A. Not that I know of.

Q. Did they make any notes?—A. Not that I know of.

Q. You did not receive any special information about the questions at Toronto?—A. No, sir.

Q. But you had some conversation with one of the gentlemen who had been at London?—A. I saw them when they returned, and left the Monday following for Toronto.

Q. Who set the date for your special examination in Winnipeg? Was it set on your own application, or was it fixed independently of you by the department?—A. Independently of me. I had nothing to do with the dates.

Q. You were told in November that you were to have a special examination sometime in the future and do not remember at what time you ascertained the exact date?—A. I ascertained the exact date when the civil service promotion examination shortly before that was advertised.

Q. That would be what time?—A. I cannot say exactly. It would be in the *Gazette*. And I think the commissioner wrote to me saying that an examination would be granted at that date. I did not apply for an examination.

Q. I understand what you say about it is this, that you applied for an increase of salary, and instead of getting an increase of salary they said they would give you a special examination?—A. Yes.

Q. And during that time you wrote to Mr. O'Brien for papers and got some?—A. I do not know that they were examination papers. They were papers and questions relating to Inland Revenue work or notes.

Q. Would this accurately describe it. "Questions put at similar examinations"?—A. My own impression would be it was notes in connection with Inland Revenue examinations. All officers often have questions and answers on distilling and tobacco manufactures, and all that kind of work, and it was notes of this kind that he gave me.

Q. You do not remember whether any of them happened to fit the circumstances in May?—A. I should fancy some of them, as they are four sets of questions that Mr. Miall had to prepare. It is obvious that several of them would apply to the examination, just as in the case of examinations for teachers or lawyers, it would be the same thing.

Q. Was there a special class examination in Toronto, in August, 1887, do you know?—A. Certainly there was. I had a notice it was coming on when I was in Victoria.

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Q. Why didn't you attend that?—A. Because I was in Victoria, I hadn't time to prepare for it and it was too far to go.

Q. You were notified of it in the usual way?—A. I think I was. I knew it was coming on.

*By Sir Louis Davies:*

Q. Did anybody come from British Columbia to that examination?—A. No, sir, no one, or from Manitoba either.

*By Mr. Borden:*

Q. No one went from British Columbia or Manitoba, you say?—A. No, sir.

*By Sir Louis Davies:*

Q. You would have to pay your own expenses?—A. I have paid my own expenses at all my examinations but one.

*By Sir Charles Hibbert Tupper:*

Q. But if you had gone from Victoria to Toronto on the order of the department, you would have had your expenses paid?—A. The department would not order me.

Q. On that notice?—A. I would have to pay. I might afterwards bring it to the attention of the department, but I do not know whether they would pay it or not.

Q. I think, in July or August, Mr. Christie informed you he was making charges against you?—A. He did that, sir.

Q. He did that to give you notice?—A. I have no doubt that was the reason.

Q. When acting as accountant in Winnipeg did you engage in outside work?—A. While accountant in Winnipeg, for the seven years I was there, I made \$125.

Q. How did you earn that?—A. I acted as auditor for the Permanent Mortgage and Loan Company.

Q. Would that interfere with your work in the office?—A. I did that usually after hours.

Q. And you were receiving a salary of what?—A. \$1,400; and I just made, I think, \$125.

Q. You did no other thing?—A. No; and I believe it was Christie who suggested this to me, and I believe even got the appointment for me.

*By Mr. Borden:*

Q. Did you at any time while you were at Winnipeg, Mr. Gosnell, I am not asking this to discredit you in any way but merely to get at what was the custom, receive any portion of any penalties on seizures?—A. Did I, when I was in Winnipeg?

Q. Yes?—A. I did receive one. I think it was only one.

Q. And that a small one?—A. It was not very large, but I do not know how much it was; not very large.

Q. The information had been given by an outside person or by yourself, which?—A. I gave the information to Mr. Costigan.

Q. And you did not rely upon any information from outside?—A. It was in this way—if I remember right, it was some parties, I do not know their names, brought some stuff to me for a test, and they claimed they bought these goods, there were spirits in them, and I questioned them where they got them. There was a certain percentage of spirits, I do not know how much, and I told Mr. Costigan where the stuff was made. I gave the information to him and the seizure was made

afterwards, and, as the informer, I was placed in the return by Mr. Costigan to the department, so I was a free agent, and I did not know who the other people were, and I got the information in that way, and as informer I took the money and kept it. It was mine.

Q. What was it, something that contained spirits?—A. A certain amount of it. I cannot tell you how much it was, whether two or three, but there was a certain amount of alcohol in the liquor.

Q. They brought it to you for the purpose of ascertaining that fact?—A. Yes, sir; and in my position at that time it was allowed me to get this reward according to law.

Q. You were quite within your rights?—A. Certainly, if I was not I would not have taken it.

Q. It was paid you by departmental cheque or how?—A. I cannot say definitely whether it was cash or departmental cheque, it was so long ago.

Q. I cannot hardly expect you to remember that?—A. You can hardly expect me to.

*By Mr. Fitzpatrick:*

Q. When that money was paid to you, you were not directed to pay it over to somebody else?—A. No, it was for myself.

Q. It was not intended that you should give it to somebody else?—A. No.

Q. If it had been, you would have given it to the party it was intended for?—A. Or else handed it back.

Q. Mr. Christie told you in August last year that he intended making these charges?—A. He told me so, it was shortly after I came back from Calgary to Winnipeg. Mr. Pool told me that Mr. Christie wanted to see me, and I went down to his office and had a chat, and he told me he had made certain charges against me. I asked him what they were and he said it was something about examinations. I asked him if he would give me something definite and he said no, he had sent it to the Hon. the Minister of Inland Revenue. He was not an official and he did not think it his duty to give it to me, but I could get it by writing to the department. I did not know what the charges were until—

Q. Had Mr. Christie left the service then?—A. At that time he was under suspension, he was not in the service.

Q. Did he say why he made these charges?—A. My impression now was that he stated he made the charges for the future that if they were not looked up now they would be in the future if he wanted to get back in the service or something of that kind, and that he had made those charges, and if they were not investigated now they might be in the future, something like that.

Q. He was preparing something for the future?—A. That is as I understood it. I asked him why he made charges against me.

Q. That is the reason he assigned at the time?—A. Something of that kind.

Q. As regards the civil service examination papers do you know that as a general rule the papers that are submitted to candidates for examination in connection with the civil service are printed each year?—A. No, or they haven't been lately.

Q. I am talking of the civil service papers?—A. Oh, the civil service, they are, I believe.

Q. Now, dealing with the Inland Revenue, are the questions that are submitted to candidates in the Inland Revenue service printed?—A. I think not.

Q. You say the custom is that they have not been printed in recent years?—A. Not that I know of.

## Public Accounts Committee.

Q. So the practice now is among the candidates, those who go up for examination, to circulate these papers round after the examination is passed?—A. I cannot say it is. It is the practice of the officers to help one another in every possible way, but whether they pass the papers round I do not know.

Q. Do you know that it is sometimes done?—A. I do not know.

Q. Do you know whether they are circulated or not?—A. I can't say that they are circulated.

Q. Do you know whether information is given as to the nature of the questions?—A. Certainly, if an officer after an examination should meet another officer he would probably tell him what they were, if he knew.

Q. The information that was communicated in that way is not more helpful to the candidates for examination in the Inland Revenue than the information contained in the civil service book?—A. It could not be any more valuable to the Inland Revenue officer than it would be to the party going up for the civil service examination.

Q. Speaking now of your special examination in Winnipeg, do you swear positively that O'Brien did not communicate to you the questions upon which you passed that examination?—A. I swear positively that O'Brien did not furnish those questions to me before examination.

Q. Do you swear that this document, Exhibit "C," was a copy or is a copy of the questions made by you and sent by you to O'Brien?—A. I swear that it is a copy.

Q. That is to say that you had passed your examination at Winnipeg before you made a copy of the questions?—A. I made a copy of the questions submitted to me at that examination.

Q. And that you made that copy of these questions upon which you passed and sent it to O'Brien?—A. I did.

Q. And he sent back to you at a subsequent period these questions?—A. He did.

Q. You are absolutely certain about that?—A. That is correct.

Q. And this Exhibit "C" was left by you in the desk?—A. In the desk in the Winnipeg office.

Q. And that is the way you account for its having come into the possession of Mr. Christie who picked it up there?—A. Yes.

*By Mr. Borden:*

Q. Do you understand why he sent you back a copy instead of your own document?—A. Only that it might be pretty well used up. That is the idea I have.

Q. You told my learned friend, the Solicitor General, that at the examinations in Winnipeg none of the questions that you answered were those sent to you by O'Brien; I understood you to tell me some of them may have been?—A. Did I tell the Solicitor General they were not similar?

Q. Yes, you did, and you told me the contrary. Now, what I ask you is whether in the questions sent to you by O'Brien after November, 1887, were those set at the special examination in May, 1888, and I understand you to say some of them may have been the same?—A. I say some of them.

Q. Would it not impress itself on your recollection?—A. I do not think so. Remember this was 1888, a long time ago.

Q. Did you at that examination in May, 1888, have any information as to the questions asked at the special examination in Toronto in August, 1887?—A. I had not any information.

Q. None whatever?—A. None whatever, outside of the general idea that I got from officers that the questions were going—a certain line of questions—I didn't know what I was going to get; when I got my questions I did not know what was coming before me.

Q. Do you say that none of the questions Mr. O'Brien sent you between November, 1887, and May, 1888, were among those set at Toronto in August in 1887?—  
A. I think no question that Mr. O'Brien sent me had any connection with those that I got.

Q. Among the questions sent to you by O'Brien in November, 1887, were there any questions which had been set at the special examination at Toronto in 1887?—  
A. I do not know, I could not tell you.

Q. Well, have you any information on that subject?—A. The only information that I have, as I gave before, was that there was a certain amount of similarity between them.

Q. I would like to get a more definite answer?—A. I would like to give it to you.

Q. I will make it as plain as I can. I want to know whether, among the questions sent to you by O'Brien after November, 1887, were there any questions which had been set at the special examination in Toronto in 1887?—A. I do not think there were.

Q. Well, why don't you?—A. Because my mind does not lead me to think that there were any questions, the way you put the question.

Q. You don't think there were?—A. I don't think there were.

Q. You have not Mr. O'Brien's letter on the subject?—A. I have not.

Q. What did you do with it?—A. It has not been in my possession for years. I suppose, like lots of other letters people get, it was destroyed.

Q. What did you do with it?—A. I do not know.

Q. He wrote you a letter?—A. I don't know whether he gave me a letter or not.

Q. I think you distinctly stated he didn't write a letter, and now you don't know what became of it?—A. Well, I could not tell.

Q. Well, what do you say now, did he write a letter or not?—A. I cannot tell whether he wrote or not.

Q. Well, did you write?—A. I must have.

Q. Did you write to any one else for questions?—A. For pointers.

Q. To whom?—A. To T. J. Barrett—I think he was at the examinations—the poor fellow is dead now.

Q. Any one else?—A. I wrote to Mr. Hobbs, of Hamilton.

Q. Any one else?—A. And I think I wrote to Mr. Crowe, of Windsor.

Q. Any one else?—A. Not that I know of.

Q. Well, from any of these people did you receive information as to the questions set at the Toronto special examination of 1887?—A. I think Mr. Crowe gave me one or two questions which he said he understood were set; he was not there himself, but heard some of the boys, I fancy, saying there were a couple of questions that were set at the examination in 1887.

Q. At the special examination?—A. At the special examination.

Q. Do you know whether the paper set for May, 1888, was the same paper set at Toronto in 1887?—A. The same paper.

Q. You say you received information as to two questions?—A. I think two questions Mr. Crowe said; remember he was not there, it was what the officers told him.

Q. So you had information as to two questions?—A. Only two.

From all this correspondence?—A. Mr. Barrett told me he had nothing.

*By Sir Charles Hibbert Tupper:*

Q. I would like to ask you whether you will undertake to swear that there are any questions you received from Mr. O'Brien that were not asked at that special examination in Winnipeg?—A. Certainly.

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Q. Will you say so, positively, that there were any questions that you received from Mr. O'Brien that were not asked at the special examination?—A. Yes. The questions that are answered or the notes O'Brien gave me covered more ground than the examination.

Q. That is not the question I put. I put a very simple question, whether you are prepared to state positively that there are any questions received from O'Brien that were not asked at the special examination?—A. I would be prepared to say that the questions O'Brien sent me did not apply to the examination of 1887, or mine of 1888, other than in a general way.

Q. That is your answer?—A. That is my answer, as near as I can get.

Q. You don't remember the questions O'Brien gave you?—A. No.

Q. Or the questions at your own examination?—A. Some of them.

Q. But you still say your answer to my first question is correct?—A. What is that?

Q. The question I put to you as to whether you are positive that the questions you received from O'Brien that were not asked at the special examination of May, 1888?—A. That were not asked, certainly.

Q. Although you do not remember what you got from O'Brien or the examiner?—A. I know some of them I got from the examiner: you have them there.

*By Mr. Borden (Halifax):*

Q. Was it Mr. Dow or Mr. Crowe you said you got these two questions from?—A. Mr. Crowe.

Q. How did you come to write to him, if he was not at the examination?—A. Mr. Crowe was second officer at the distillery—

Q. Where?—A. At Windsor. He was an old friend of mine, and I wrote him in connection with the distillery work.

Q. Can you tell me how many points you made at the two examinations at which you failed?—A. I do not know.

Q. Have you any idea?—A. At the first I stopped when I had been about a day and a half at work. Mr. Davis informed me there was no chance, as I had failed in one subject, and would have less than 50 per cent.

Q. How many points did you make in the other?—A. I do not know.

Q. Could you give me an idea?—A. I think I made well on to 1,100, but I do not know, sir.

Witness retired.

Mr. JOSEPH O'BRIEN was called, sworn and gave the following testimony:—

*By Mr. Fitzpatrick:*

Q. What is your position in the civil service?—A. Excise officer.

Q. Where?—A. In Dundas.

Q. How long have you been in the service?—A. Since 1882 I think, 1882.

Q. You were appointed then to what place?—A. Hamilton division.

Q. Did you offer yourself for an examination in August, 1887, at Toronto?—A. No, sir.

Q. Had you any knowledge of the questions that were to be submitted at this examination?—A. No, sir.

Q. When did you pass the special examination?—A. In 1891.

Q. Will you look at the document produced here as Exhibit "C" and say in whose handwriting it is?—A. Yes, sir, that is my writing.

Q. Your handwriting?—A. Yes, sir.

Q. Can you not recollect when you sent that to Mr. Gosnell?—A. Well, I cannot. I know it must have been in 1889 or 1890. But I cannot exactly tell you the date, you know.

Q. What did you copy that document from?—A. I copied that from some copy of Mr. Gosnell's writing that he sent me after he had passed that examination in 1888. I knew he was through his examination and I wrote, expecting him to have a lot of matter I could use in other examinations.

Q. I understand you to say that when Mr. Gosnell passed his special examination at Winnipeg you then applied to him for a copy of the examination paper on which he had passed?—A. No, sir, I applied for any papers that might be of use to me, and among others he sent me this.

Q. That is, that might be of use to give information of the general character of the examination?—A. For any examination. There was some young fellows going up in the Hamilton division and we used to work together.

Q. And you wrote for this information?—A. For anything he had touching the examination, and among others he sent me that.

Q. Sent you papers of which this is a copy and you swear then that this was sent you after he passed his examination?—A. I do positively.

Q. And then how did you come to send him this Exhibit "C"?—A. The copy he sent me was not in good shape.

Q. How do you mean, "not in good shape"?—A. It was kind of disconnected. The numbers were not in good shape and the writing kind of irregular and done a little fast, and I took a copy and sent him that copy, and I do not know what happened the other copy; whether he got it or not. That is the reason I took that, when he asked me, there was some young fellows going up in Winnipeg and he asked me if I had anything to send it to him, and I sent that.

Q. The copy you received from him had been used by you and handed around in Hamilton?—A. Yes, sir.

Q. And after you used the papers in that way you made a copy?—A. Yes.

Q. And that is the story?—A. That is the story.

Q. And you swear positively these papers were sent to you after Mr. Gosnell had passed his examination, as you were informed?—A. I do swear positively.

Q. Do you make any distinction as to what you do swear positively and what you don't swear positively?—A. I might have left that out, I suppose.

Q. Mr. O'Brien, have you stated to anyone since you came to Ottawa that you never sent any examinations papers to Gosnell at any time?—A. What do you mean?

Q. Just what I say. Have you stated to any one since you came to Ottawa that you never at any time sent any examination papers to Mr. Gosnell?—A. I may have stated that I never sent anything to him before his examination.

Q. Before his examination?—A. That is, in the way of the papers I was accused of sending him.

Q. You qualify it in that way?—A. I may have said that because that is the way I mean.

Q. You say that the original document, of which this was a copy, was disconnected?—A. No, it was not disconnected, it was written in a hurry, I suppose, and was not written as I would like it, in good shape, and I made a copy. Besides I had used it around with the boys in the office; we had studied from it and had become delapidated, and I said, "here, I will send a decent copy," and that is why I copied it.

Q. The writing was a little irregular and fast, and didn't look well, and you made a copy and sent it back?—A. When he asked me.

## Public Accounts Committee.

Q. The writing was just as good as when it came to you, wasn't it?—A. The writing, as far as that goes, yes.

Q. If it was disconnected you could fasten it together, I suppose?—A. Certainly.

Q. And you made a copy of it, and this is the copy?—A. That is the copy.

Q. Now, you sent some papers to Mr. Gosnell subsequently to 1887, as he has told us. You heard his evidence?—A. Yes.

Q. What time did you send him this?—A. I cannot say.

Q. You don't know. Did he write to you for that?—A. Yes.

Q. Did you write in reply?—A. I cannot say.

Q. Where did you get the papers you sent?—A. Since I have been, nearly ever since I was in the service, any old papers I could get hold of, I always either copied or kept them.

Q. Do you know where you got these—what examinations they relate to?—A. Which?

Q. Those you sent to Gosnell?—A. I cannot say.

Q. You don't know?—A. No, sir.

Q. Do any of them relate to the Toronto special examination of 1887?—A. No, sir.

Q. How do you know that?—A. Because I never had this paper until Gosnell sent them down to me in 1888, when I asked him.

Q. What did he send to you in 1888?—A. He sent me a lot of papers, among them this copy.

Q. Of the examination in 1887?—A. Of the examination he wrote on.

Q. I asked you as to whether or not you had sent him any papers set at the Toronto special examination of 1887, and you told me, in reply, "No." You never got these until he sent them to you, didn't you?—A. I said I didn't have a copy of the examination papers of 1887 until I got them from Mr. Gosnell.

Q. And when did he send them?—A. After the examination.

*By Mr. Borden:*

Q. I am asking you about the Toronto special examination of 1887, and you were talking to me about Gosnell's examination of 1888. You do that, I suppose, because you understand the papers were the same?—A. I do not know whether they were the same or not.

Q. But why did you tell me that you got from Gosnell papers for the Toronto examination of 1887?—(No answer.)

Q. I will just repeat the question. When did you first get the Toronto papers set at the Toronto special examination of 1887, and from whom?—A. I first got a copy of that paper after Mr. Gosnell had passed his examination in 1888.

Q. From whom?—A. From Mr. Gosnell.

Mr. FITZPATRICK.—That is not what the man meant to say.

WITNESS.—I said—

Mr. BORDEN.—I will put the question again.

Q. When did you first get the papers set at the Toronto examination of 1887?—

A. I did not get the examination, not that I know of.

Q. You did not?—A. Not that was set at 1887 examination.

Q. You did not? What papers did you get?—A. The papers I got here from Mr. Gosnell, and I made a copy of that.

*By Mr. Fitzpatrick:*

Q. Of what?

*By Mr. Borden:*

Q. Refer to it as Exhibit "C."—A. I got a copy of this from Mr. Gosnell after he went up to his examination in 1888.

Q. Did you understand that that contained the questions set at the Toronto special examinations in 1887?—A. I did not know anything about it.

Q. Then, why did you make the answers to me that you have been making for the last five minutes?—A. I did not understand what you meant.

Q. Well, then, I must be unable to express myself. How many sets of examination papers did you send to Gosnell after November, 1887?—A. I cannot say.

Q. No idea at all?—A. I sent a lot of questions and papers, but I don't know what they were quite; anything I ever had, I sent to him.

Q. And you never got them back?—A. I never got them back.

Q. But you got this particular examination paper, or one of which this is a copy?—A. I got that back, a copy of that back, after Gosnell passed the examination.

Q. You got a copy of this back?—A. I got the original of this back.

Q. I do not quite understand you?—A. I do not quite understand you, either.

Q. Look here: you told me you got this paper back from Gosnell?—A. No, I did not.

Q. Well, what did you tell me?—A. I got the original of that paper from Mr. Gosnell, and sent him that copy back.

Q. Did you not say, just now, that you sent the original of that paper back to Mr. Gosnell?—A. I did not.

Q. Did you not use the word "back," in answering me, a moment ago?—(No answer.)

Q. Did you not tell me that you got the paper of which this is a copy, back?—A. I can't say.

Q. You told me, not five minutes ago, that you got the original of that paper back from Mr. Gosnell?—A. What I said was, that I got, after Gosnell's examination in 1888, when he went up for examination, I got the original of that paper from him. That was in 1888, and I sent this paper back to him some time after—I don't know just when.

Q. Did you speak of getting anything back from Gosnell, five minutes ago, or did you not?—A. I did not get back any papers that I sent him back.

Q. Did, or did you not, say you got that back from Gosnell, five minutes ago?—A. I don't know.

Q. You say you don't know?—A. I don't know whether I answered that way or not.

*By Mr. Johnston:*

Q. As a matter of fact, you didn't get anything back?—A. I did not.

*By Mr. Borden:*

Q. Then, why did you say you got anything back?—A. I don't know.

*By Sir Louis Davies:*

Q. It was the learned counsel used the word "back," and not the witness.

*By Mr. Borden:*

Q. You understand exactly what I mean to say. You passed your examination in 1891, the special examination, where?—A. In Toronto.

The witness was discharged.

The committee adjourned.

# Public Accounts Committee.

COMMITTEE ROOM,

TUESDAY, 13th JUNE, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guysborough) in the chair.

Mr. W. J. GERALD was called, and testified as follows:—

*By Sir Charles Hibbert Tupper:*

Q. You said you had only one of these papers which I asked for?—A. Yes.

Q. Where are the others?—A. I cannot locate the circumstances from the memoranda which I received.

Q. Which one have you got?—A. You asked for a cheque which was sent to the collector, referring to the revenue. I have it here.

Q. Then, there is a seizure at Glenboro'?—A. I haven't anything by which to locate the seizure at Glenboro'. If you could give me the name, I may be able to find it.

Q. Then, have you the contingent accounts?—A. They are now before the Public Accounts Committee, so I am informed by the Auditor General.

Q. You mean, that one slip?—A. I mean, the accounts themselves, the actual accounts themselves, are before the committee.

Q. Where are they?—A. They are before the committee; that is, all the expenditure accounts, so the auditor informs me.

Q. He means, in his book, I suppose?—A. I do not know where it is. I sent for them, and that was the reply.

Q. Will you produce the other papers?—A. I produce application of 15th June. The application for a bonded warehouse license made by the estate of Alexander McIntyre, dated 15th June, 1897, and the bond given when the license was issued, dated 6th July, 1897. Also an entry, dated 10th September, 1897, remitting the license fee under the bond. (Exhibit "H.")

Q. Just give the same abstract of information with regard to the others?—A. This is a similar application for a bonded warehouse by Richard & Co., dated 14th July, 1897, and the bond dated 16th July, 1897, and an entry remitting the license fee on 27th September, 1897. (Exhibit "G.")

Then, there is this entry of 29th December, 1897, remitting \$209.54 for methylated spirits supplied to the medical health officer at Winnipeg.

*By Mr. Borden:*

Q. Is there any bond in connection with that?—A. There was no bond in connection with that. I can explain that, if you like.

Application was made by the Winnipeg medical health officer for a permit to receive methylated spirits, and they asked that, as the bond had to be sent to Montreal to be executed by a guarantee company, that we send the spirit in advance of the bond; and we did that, and they never executed the bond, and we supplied no more spirit. I brought over a copy of the bond. (Exhibit "I.") I have been asked to produce the regulations of the department with regard to the receipt of money by officers, and here they are. (Exhibit "J.")

*By the Solicitor General:*

Q. Where is the bond in the Richard & Co case?—A. That is Richard's bond that I produced. (Exhibit "G.")

*By Sir Charles Hibbert Tupper:*

Q. Then, there were some papers in the case of the Queen vs. Irvine?—A. That is the cheque. (Exhibit "K.") That is all the papers. I cannot locate the other seizure that you refer to.

Q. What is that money for?—A. To pay the informer one-fourth of the penalty imposed, but not collected.

Q. That was sent to Mr. Costigan?—A. Sent to Mr. Costigan.

Q. With instructions?—A. Always with instructions.

Q. Have you got the instructions?—A. No; the cheque itself says, "to pay informer."

Q. Are there any other instructions?—A. The collector, in a letter formally re-mitting the cheque, would be told "to pay informer, as per cheque."

Q. About the contingent accounts for the amounts paid for expenses of the trips to St. Paul; what have you to say?—A. Well, these accounts must be here.

Q. But have you not got them in the department?—A. No, they are not in the department.

Q. Don't you keep a copy?—A. No; the originals go to the Auditor General for audit, and then they are laid before the Public Accounts Committee, and I understand they are before the committee.

Q. And if they get lost, have you no copies?—A. No, except the duplicates in the hands of the officers outside.

Q. And the original goes to the auditor?—A. The original goes to the auditor.

*By Mr. Borden:*

Q. You do not obtain any voucher from the informer for these payments?—A. No.

Q. His name is withheld?—A. His name is held sacred.

Q. You send the cheque to the collector of the district?—A. Yes.

Q. With instructions to pay the informer?—A. Yes. The informer's name is known only to the officer who makes the seizure.

Q. The penalty in this case was \$600?—A. It must have been, for that is one-fourth of it, and it is a cheque for \$150.

Q. You have copies of the letters you send with these cheques?—A. Yes, but they are simply letters inclosing the cheques and pointing out that the cheque is to pay informer.

Q. But containing no more instructions than appear on the face of it?—A. No, sir, nothing.

The witness was discharged.

## Public Accounts Committee.

COMMITTEE ROOM,

THURSDAY, 15th June, 1899.

The Select Standing Committee on Public Accounts met, the chairman, Mr. FRASER, presiding.

The Hon. Sir HENRI JOLY DE LOTBINIERE, Controller of Inland Revenue, offered to make a statement, and, being sworn, testified as follows:—

Mr. Chairman, I must begin by stating that I was very much surprised, when I heard Mr. Christie say that I had never invited him to bring the matter of his complaint before the House. I was so thoroughly under the impression that I had done so, that I looked in all my letters and copies of letters, to try and find some sign of my having so invited him, but I may say that I cannot find any; so, I must conclude that I was mistaken, in saying that I had invited him to bring the matter before the House, as I said at the time in the House. The fact is, I have had, several times, occasion to invite people who did not appear satisfied with my decisions, to bring the matter before the House, and I must have mixed that matter with other ones.

It will be remembered that, on the motion of Mr. Roche for papers connected with this affair, a certain document, a certain record, was filed before the department, and that, a few days afterwards, it was stated by my hon. friend, Sir Charles Hibbert Tupper, that the return did not appear to be complete; I will say that, in order to put it in as mild a form as possible, and I did not understand what Sir Charles Hibbert Tupper meant until I saw another motion of Mr. Roche on the notice paper, asking for documents connected with the Virden affair, which the members of the committee will remember was brought before the committee. The moment I saw that notice of motion on paper, I went at once to Mr. Miall, and I said to him: "How is it that we haven't got all the returns that have been asked for; what is that Virden affair?" Mr. Miall told me: "It is true; I remember, now that you have mentioned it, that there was such an affair, and that such a complaint had been brought against Mr. Costigan; and I am going to try and look for the papers." Well, they looked for them in the office among the official documents, and could not find them until, all of a sudden, Mr. Miall said: "I remember, I have them now in my desk; you told me to consider them as confidential, and not to place them with the records of the department." So, we then got the papers. They are not very long: they consisted of a couple of letters, and I am now going to read them, to explain why they were filed there, why I gave the order to Mr. Miall not to place them in the records, and looked upon them as confidential. Here is the letter, dated 17th February, 1897, and written by Mr. Barrett, the district inspector, to Mr. Miall, the commissioner, and I am going to read this letter: "Sir,—The inclosed letter from Collector Costigan is, I believe, a frank, truthful and voluntary statement of a most unfortunate episode, on which it is unnecessary for me to enlarge."

I may say, the committee will remember all the evidence connected therewith.

"However, in submitting it to the department, I would like to say:

"(1.) That for over ten years, while in charge of the Winnipeg division, Mr. Costigan's official conduct has been most exemplary, and his devotion to duty constant and painstaking.

"(2.) The delay in making this remittance would never have occurred, had it not been for the unfortunate circumstances stated in his inclosed letter to me.

"(3.) As soon as he could return to duty, he not only rectified the matter (that is, the money), but called the attention of his superior officer to it, and expressed

regrets for what happened. Under these circumstances, I would recommend the department to accept the conditions which Mr. Costigan has proposed, viz.: absolute abstemious conduct, the absence of which was the direct cause and only reason of the offence, or the forfeiture of his position in the service.

"I know the fixed policy of the department on this question, and it is only the exceptional circumstances surrounding this case, and the hitherto praiseworthy conduct of the collector, that prompts this recommendation.

"I have the honour to be, sir, your obedient servant,

"JNO. K. BARRETT,

"District Inspector."

Well, I just say, that this affair of Virden was the first complaint of any description that I have ever heard against Mr. Costigan.

Here is the letter of Mr. Costigan himself to which Mr. Barrett alludes, and which he sent to Mr. Miall, and is dated 16th February, 1897. It is addressed to Mr. Barrett, and is as follows:—"Sir,—I beg to report that on the 20th ultimo I received from Virden out office an entry for two packages spirits, 54·83 per gallons; duty, \$93.20.

"Mr. Deputy Collector Christie, who has charge of the cash, being absent at the time with sickness, I placed my entry in the drawer at the safe, intending handing it to him, but just at this time was myself taken ill with la grippe, and was unable to attend office regularly up to the 5th inst., when I was taken to the hospital. In the meantime, I quite overlooked the entry. However, when in the hospital, I thought of it, and, as I expected to return to duty from day to day, I intended attending to it.

"I was only discharged from the hospital on Saturday evening, 13th inst., and returned to duty yesterday, 15th. I put the entry through: No. 2215.

"I make this explanation to you, as a duty I owe, to show how the delay occurred, and I regret very much my neglect, which would not have happened but for my illness.

"In conclusion, I wish to frankly admit, that quinine and whisky having been prescribed as a medicine for la grippe, their use, unfortunately, caused an abuse, which I deeply regret, and, should this unfortunate circumstance be overlooked, I pledge myself to forever abstain from the use of liquor, or place my resignation in the hands of the department.

"I remain, sir, your obedient servant,

"H. A. COSTIGAN,

"Collector of Inland Revenue."

Well, we considered this matter carefully with Mr. Miall, and I decided to give another chance to Mr. Costigan, as I had given to several other officers in my department since I was head of this department. I did not think that I would be justified in not taking sufficient interest in my officers, especially when I got a good report from them, not to try and give them a chance of redeeming themselves, and I had done it for several of my officers under circumstances similar to this. I told Mr. Miall that I would like him to write to Mr. Costigan, and this is what he wrote:

OTTAWA, 20th February, 1897.

MY DEAR COSTIGAN,—Mr. Barrett's letter, inclosing one from you to himself, was duly received. I have not placed either on file, by consent of the honourable the controller. So far as your relations to the department are concerned, your frank and manly avowal (unasked), coupled with your long and faithful, as well as more than ordinarily intelligent, service, may be held to have fully offset the accidental error into which you have fallen. Personally, having a great respect for you, and a real desire for your success, I am sorry that the breach has occurred in the wall of defence you have wisely erected and so long kept intact; but it may not be an unmixed evil to realize that your strength, at best, is weak, and constantly wants supplementing from a source which never fails. Wishing you God-speed in your renewed resolution.

Yours faithfully,

EDWD. MIALL.

## Public Accounts Committee.

*By Sir Louis Davies:*

Q. Is that from Mr. Miall?—A. This I got Mr. Miall to write to Mr. Costigan.

*By Sir Charles Hibbert Tupper:*

Q. What is the date?—A. That letter is dated the 20th of February. It was written immediately on the receipt of the correspondence. Now, I must say, that I was hopeful that no other break would occur in Mr. Costigan's conduct, but, unfortunately, there was a second one, that occurred at the end of July, and all the details have been set forth in the evidence. Mr. Costigan left on the 30th of July, and he only returned on the 21st of September. On the 29th we sent two telegrams to inquire about the whereabouts of Mr. Costigan, and to try to get an explanation of his absence. On the 22nd of September Mr. Costigan wrote, explaining his absence. His letter is a long one, but I think I might as well read it. Mr. Costigan wrote to Mr. Miall, as follows:—

“With further reference to the matter of smuggling of tobacco and cigars and cigarettes into this country from the United States, as reported in my letter of 24th May last, I beg to report having left here on 30th July for St. Paul, on receipt of information from a person living there whom I had engaged for the reward to keep me posted, to visit St. Paul and Minneapolis, where shipments of these goods were being made from, with the view of tracing the names of the parties concerned, and the points at which the goods were to cross the international boundary line into Canada.

“I reached St. Paul on 31st, and remained there and at Minneapolis till August 13th, and succeeded in getting in possession of the names of some of the parties, as well as the points at which the goods are being brought into Canada. Tower, in Minnesota, on the Iron Range Railway, and adjacent to Rainy Lake, is one of the principal points, and Stevens station, on the Great Northern Railway, in Minnesota.

“I left St. Paul on 13th August for Winnipeg, and reached Grand Forks, North Dakota, where I was taken ill with a low fever and rheumatism, and was unable to come to Winnipeg till yesterday, 21st. I had not sufficient funds on my person to go to the hospital or employ professional services, and stayed with a man named Larsen, a short distance from Grand Forks. I reported my illness on 20th August to the department by letter, which I have learned has not reached the department. I am pleased to report that the duties of this office have been very satisfactorily performed during my absence by Mr. Deputy Collector Christie. I regret the unfortunate circumstances which caused my absence, but trust that you will see it was unavoidable.”

Well, this is what I consider the second break of Mr. Costigan, and it gave me considerable anxiety, as every one will readily understand. By one of the telegrams that are included in this, it will be seen that I telegraphed, some time after Mr. Costigan returned, to set him to work again; and he resumed work, and things went on until what I consider as the third bad break, which began on the 27th November.

This is described in Mr. Barrett's letter of the 7th December, 1897, which is addressed to Mr. Miall, and is as follows:—

“I regret exceedingly to have to inform you that the collector of Inland Revenue has not been in his office since the 27th ultimo. On that day he came to the office and issued the cheques for his staff's salary, and then went out again. This absence would not have caused any anxiety to me, had he not been drinking heavily; because I knew that he was trying to locate some illicit importations of manufactured tobacco, about which he had consulted me. I was absent from the city from the 27th to 30th ultimo, and only heard of the absence of the collector on the 2nd instant. Since then I have been making investigations into the matter, and here are the circumstances, for the truth of which I cannot personally vouch:

On the evening of the 27th he was seen at the Manitoba Hotel, under the influence of drink. This continued until Wednesday, the 1st of December. On that day he was seen on the street, about noon, apparently heading for the N. P. station, and under the influence of liquor. I thought he might have gone south on that train, but the conductor who was in charge of the train, informs me that Mr. Costigan was not on board. All attempts to locate him, either in the city or out of it, have failed.

"On inquiry at the office, I find that none of the contingencies for November from outside points have been received, or, if received, have not been filed. The office contingencies, including the messenger's salary (\$60) and temporary officer Conklin's (\$41.66), have not been paid. The deputy collector informs me that he has no funds to pay these, or to meet current expenses. Of course, it is possible that Mr. Costigan may turn up any day, and be able to satisfactorily explain his absence; but should you not hear from me by wire, I think it would be well to send the deputy a cheque for \$300 to meet present expenses."

On the 14th of December, of the same year, there is a letter on the record to show that Mr. Barrett wrote to the department here to say that the matter of the methylated spirit, that cheque for \$209.64, had been settled. Now, I am not going to take the time of the committee by entering into all the financial transactions connected with Mr. Costigan's work in the department, which have already been explained by the witnesses, and, among others, by the documents filed by Mr. Gerald, one of our officers. All I can say, in connection with the matter of the moneys which had passed through Costigan's hands and have not been accounted for, all I can say on this subject—and it will be proved by the evidence given in the committee—is, that all these sums were paid long before Mr. Costigan left to come down here. It will be found out, on referring to the evidence before the committee and the documents, that all these sums were completely paid up. On page 36 of the record, it will be seen that the department received a letter, addressed to Mr. Miall on the 15th of December, written by Mr. Barrett, the inspector, in which he says:

INLAND REVENUE DEPARTMENT,

WINNIPEG, MAN., 15th December, 1897.

E. MIALL, Esq.,  
Commissioner of Inland Revenue,  
Ottawa.

SIR,—I herewith inclose you a report from Deputy Collector Christie, which explains itself.

In forwarding this report, I have only to say: While the collector's conduct is inexcusable from a purely departmental standpoint, yet I am positively certain that no act of personal dishonesty was contemplated by him. It was solely attributive to the unfortunate effect produced on his mind by alcohol. I am sure drink completely unhinges his mind, and, while under its influence, he is, morally speaking, as irresponsible for his acts as the veriest lunatic. I deeply regret his conduct, and, though compelled to report it, feel equally bound to state what I so strongly feel to be true, in exculpation of an otherwise unpardonable act.

I am, sir, &c.,

J. K. BARRETT,

District Inspector.

Now, it will not be wondered at, if, after I had considered this third break, I suspended Mr. Costigan on the 18th December, and he remained so suspended till the 1st of April without receiving any salary.

*By Sir Louis Davies :*

Q. On the 18th of September?—A. From the 18th of December to the 1st of April, when he came down here. On the 22nd of December, 1897, Mr. Costigan

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applied to me for leave (but he had been suspended then) in order to take what is called the gold cure. On the 4th of January, 1898, Mr. Costigan wrote to Mr. Miall the following letter. I think it is useless to read it all, it is a very long letter and I only want to read a part which refers more especially to what I wish to make the committee understand in connection with this matter. This is an extract from the letter:

"I presume the department felt quite justified in suspending me on a report that I had been drinking. I am prepared to admit that previous to my departure for St. Paul I had been drinking, but when there I was not, and in proof of this may refer to Mr. Dennis Ryan, Mr. F. J. Sheppard, Mr. Bartlett, manager Standard Oil Co., all of St. Paul, for substantiation. I attended properly to the duties I had before me and acted in the best interests of the department so far as I knew how.

"However, as I had made a promise to the department in February, 1897" (that is the promise contained in the first letter) "to abstain entirely from the use of liquor, I had no expectation nor any desire of being reinstated as collector here, but I do make an appeal to you that I be transferred to some point east. I would not even ask this but that I feel certain that I will hereafter never use liquor again. I am now undergoing the 'gold cure treatment,' which will have been completed by the 19th instant.

"With a firm belief that the department will consider and weigh my past conduct and services, and do what is just and fair, I am prepared to accept its decision.

"In the event of the department being unable to overlook my conduct and effect a transfer, I purpose applying for superannuation.

"I remain, sir,

"Your obedient servant,

"H. A. COSTIGAN,

"Collector Inland Revenue."

That was the letter of the 4th of January. I had suspended him on the 18th December, and I must say I was not disposed to continue his services. I thought, in fact, that it was my duty not to resume his services. Then, on the 14th of January I received a letter from our late friend and colleague, Mr. Jameson, from our dear friend, Mr. Jameson, which is not in the record, and of which, Mr. Chairman, I got a duly certified copy, certified by Mr. Miall, which I now beg to join to the record.

Letter produced, filed and marked Exhibit "L."

As I said, on the 14th of January I received the following letter from Mr. R. W. Jameson, who as then one of the members of the House of Commons:—

*(Exhibit "L.")*

WINNIPEG, 14th January, 1898.

Hon. Sir HENRI JOLY,  
Minister of Inland Revenue,  
Ottawa.

DEAR SIR HENRI,—Mr. Henry Costigan has asked me to send you the accompanying certificate. I understand that Mr. Costigan is under suspension and many persons here have asked me to recommend them for the position. I should be glad to know how the matter stands and what are the intentions of the department. Having known the effects of this cure upon other persons here, I have no doubt that by having undergone this treatment Mr. Costigan has placed himself beyond the reach of the temptation in respect to this failing in the future.

I remain,

Yours faithfully,

R. W. JAMESON.

Certified a true copy,  
EDW. MIALL.

(With Exhibit "L.")

THE EVANS GOLD CURE INSTITUTE,  
WINNIPEG, MAN., 13th January, 1898.

This is to certify that Mr. H. A. Costigan has been under treatment in our institute since 29th December for alcoholism, and is now thoroughly cured of this disease, and we can assure with full confidence that he is competent to resume his official duties and will in future abstain from any alcoholic stimulants. We certify as above knowing it to be the case and by virtue of the treatment which he has undergone.

EVANS GOLD CURE,  
Per KELLY, Manager.

Certified to be a true copy,  
EDW. MIALL.

It is signed Evans Gold Cure per Kelly, manager. I must say I was very much struck with Mr. Jameson's letter. I know the amount of pressure that would have been brought to bear by his political friends at Winnipeg in order to obtain Mr. Costigan's dismissal at Winnipeg and that appointment, and I was very much struck with the generosity with which he attempted to plead, as it were, in favour of Mr. Costigan by sending me the certificate which showed that at all events as far as human faith could go it would be a habit that Mr. Costigan would not in future succumb to—that unfortunate vice of drunkenness. In the document before the House there is an allusion made to the suspension of the investigation that I had ordered in December last. In December last when I suspended Mr. Costigan at the same time I ordered an investigation, and there has been a doubt cast on the meaning of a telegram which was sent from the department on the 27th of January, "Don't investigate, the facts are patent." Well, there was a kind of doubt there.

*By Sir Louis Davies :*

Q. Who is that from?—A. That is from the department; from our department here.

*By Sir Charles Hibbert Tupper:*

Q. What is the date?—A. 27th February.

And this was quoted in order to show, to lead one to believe, that I had then decided to overlook Mr. Costigan's breaks, but when we read the letter of Mr. Barrett addressed to the department on the 22nd of January, 1898, it will be understood why the department sent the telegram saying not to go on with the investigation. Mr. Barrett concludes his letter of the 22nd of January, 1898, by the following words: "I cannot see that the investigation can possibly reveal any more than has been already reported to the department by me," and that was the reason why we stopped the investigation, because we were perfectly acquainted with all the facts, as Mr. Barrett says, he could not see that any investigation would reveal anything more than had already been reported by him.

Matters remained in that way for some time as I was in considerable doubt how to act. In March, 1898, I decided not to keep Mr. Costigan any longer in Winnipeg, and on the 22nd of March, 1898, I made a recommendation to the government to bring Mr. Gosnell to Winnipeg—he was then collector at Calgary—and to send Mr. Christie to Calgary at the same salary that he received at Winnipeg, plus \$200, that is, he was to get \$1,700. Mr. Gosnell's salary at Winnipeg was to be \$1,800, which was the minimum salary of an officer of that class in the Winnipeg division, and orders in council were passed for these two appointments.

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Now, why did I choose to bring Mr. Gosnell to Winnipeg from Calgary to replace Mr. Costigan and to send Mr. Christie to Calgary? Mr. Gosnell had been in the service since November, 1877, Mr. Christie entered the service in October, 1880, so Mr. Gosnell was three years the senior of Mr. Christie in the service. I had equally good reports of both of them, but I exercised the perfect undoubted right that I have in choosing between the two and in bringing Mr. Gosnell with three years more service than Mr. Christie to Winnipeg. By and by I will allude to my relations to Mr. Christie, and the accusations, if I may so call it, brought by him, but first I will end with Mr. Costigan. On the 26th of March I recommended the superannuation of Mr. Battle, who had reached at that time the age of past 69, he was over 69 years old, between 69 and 70. I recommended his superannuation, and I recommended the appointment of Mr. Costigan in place of Mr. Battle.

*By Sir Louis Davies :*

Q. What date was that?—A. The 26th of March was the date of the recommendation.

Mr. Costigan received \$2,200 a year as collector at Winnipeg; he is receiving here only \$1,600. His is not the only case that I have had to deal with. I do not know if the temptations in the Department of Inland Revenue are harder than in the other departments of the government service, but I have had to deal with at least ten officers since I have been at the head of the Department of Inland Revenue who had got into the same trouble as Mr. Costigan, that is to say, who had unfortunately become more or less addicted to drink. In my dealings with these officers I have always tried to deal with kindness; I have not availed myself of the chance of filling up the offices with political friends by dismissing them as I might strictly, perhaps, have the right to do, but I have done what a friend ought to do. I have tried to give them every chance, I have tried to remove them from the places in which their failure had created a scandal and I have removed them to other places; and I am happy to say that in my dealings with these eight or ten men I have nothing to regret. Some of them were suspended without salary for a more or less long period and others were removed from one place to another. I am perfectly certain that there is not one of them with whom I have dealt as severely as with Mr. Costigan; on the other side, certainly his offence is more serious than the others and I think that by making him lose \$600 a year and \$2,200 for six and a half months I have inflicted severe punishment. If it had not been for Mr. Jameson's letter and if he had not offered, as he voluntarily did, to adopt the only means known, with the help of Providence, to get over that terrible curse of drink—that is, taking the gold cure—I would not have taken back Mr. Costigan; but when I saw that he was trying by every effort in his power to cure himself from that unfortunate failing I decided to meet his prayer that he should be taken away from Winnipeg, and I decided to bring him down here. Since then, from all the reports I have received, I have only to congratulate myself on what I have done. He has discharged his duty faithfully and is showing a greater activity in that discharge, and so I am perfectly satisfied with him and I am in earnest hopes he has cured himself of the only vice that appears in his character.

Now, the whole of this matter began in connection with my dismissal of Mr. Christie, so I must now recur to that event. When Mr. Christie was informed that the department had decided to send him to Calgary—

*By Sir Louis Davies :*

Q. What was the proposed increase of salary he was to get on the transfer?  
—A. \$200.

Q. How much was he getting?—A. \$1,500, which will be an increase to \$1,700.

*By Sir Charles Hibbert Tupper:*

Q. Under the law had you any authority to increase his salary at Calgary?—  
A. Yes, I may explain in a moment how I came to do it. I will say at once I did not increase Mr. Christie's salary as an excise officer, but I gave him \$200 as inspector of weights and measures and that made the \$1,700 and I left his salary at the same amount. But before going on to this—and my honourable friend may be perfectly certain that I won't miss that point—I want to state what took place between Mr. Christie and myself. Mr. Christie asked leave to come down to Ottawa about the end of March. He came down about the beginning of April and he asked me to superannuate him. But when you consider that Mr. Christie was born in 1856, that he was only 42 years of age, and that he was in perfect health, I could not see my way to recommend his superannuation.

*By Sir Louis Davies:*

Q. You know the Treasury Board would refuse to do it?—A. Yes. The only reason that I could give was that he refused to leave his post at Winnipeg and go to Calgary, and it certainly was not a reason that would lead the Treasury Board to grant his superannuation at the age of 42.

On the 25th of June last Mr. Christie wrote a letter to me which I will comment upon by and by. On the 2nd of July Mr. Barrett, our inspector, wired our department that Mr. Christie declined to leave Winnipeg. He said: "Christie declines Calgary, and is still on duty in this office. What is wish of department?" On the 6th of July Mr. Miall wrote that he must obey: "Mr. Christie's duties and position have been determined by His Excellency the Governor General in Council, and he must meet the requirements of that order. Whether or not the minister on his return will reconsider the position I cannot say."

*By Sir Charles Hibbert Tupper:*

Q. Are these papers down, Sir Henri?—A. Yes, you will find them all there; I am just giving a summary of the case. On the 6th of July, Mr. Miall wrote that he must obey, on the same day Mr. Barrett wired, "Christie positively refuses to go to Calgary. Instruct me definitely what action to take." On the 7th July, Mr. Miall answered: "You are hereby instructed to suspend Mr. Christie," and on the same day the answer came: "In compliance with your telegram of to-day's date I have suspended Mr. W. J. Christie, collector of Inland Revenue for the division of Calgary." On the 8th July, the next day, Mr. Barrett wrote: "Christie wants to know if salary will be paid during suspension; if not will his accepting temporary employment prejudice his reinstatement;" and Mr. Miall answered at once the same day: "No, in both cases;" that it would not prejudice his appointment.

Q. Prejudice his what?—A. Reappointment; he wanted to know if he could follow some other occupation.

Then on the 8th of July, Mr. Christie wrote his second letter complaining—the letter has been produced and is found on the *Hansard*, and is there too, I think—of the maladministration of the department, bringing charges—

*By Sir Louis Davies:*

Q. That is after his discharge, is it?—A. Oh, yes—bringing charges against Messrs. Costigan, Gosnell and Watson, and asking for an investigation. Well, it will not be wondered at if I refused that investigation. That investigation, at the time when it was applied for, was certainly not—that application was not of the nature to expect that I would grant that investigation. If really Mr. Christie knew that there were such grounds of complaint against Messrs. Costigan, Gosnell and

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Watson, that in his conscience it was his duty to bring them before the department, he knew it long before he was suspended, and should have brought it before the department then; and I was not going to grant an application that was merely asked for the purpose of revenge, and there is no other purpose but that.

Now, I said I was going to allude to Mr. Christie's letter (Exhibit "A"), and in doing so I am going to answer the questions that have been put to me by Sir Charles Hibbert Tupper. This letter was written by Mr. Christie on the 25th of June, 1898, and it was read at full length in the House by Mr. Roche, who made the motion. Mr. Christie, in his letter of the 25th of June, says: "As the relation of my family and my own interests bind me so strongly to Winnipeg, you will pardon my discussing the subject of my removal at sufficient length to put the facts fully before you. I was appointed deputy collector of Inland Revenue at Winnipeg on the first day of January, A.D. 1886. I believe I can say that since that time I have filled that position with credit to myself and entire acceptance to the department. My services have received the highest approval from my superiors, and I have no hesitation in saying that my record is such that no fault of any kind can be suggested as to the manner in which I have performed my official duties. It is true, some time ago I heard, unofficially, that parties interested in obtaining my position had made charges against me, on the ground that I took an active part in the last election campaign. As I sent to you, 8th January, 1898, a direct and emphatic denial of any such action, demanded an investigation, and pointed out that if, on such investigation, my denial was found to be the slightest extent untrue, it would be highly improper that I should continue in the public service; and as I undertook to refute absolutely any such charges (if, indeed, such were ever seriously made), and as you did not do me the honour to acknowledge the receipt of the letter, and the matter was never officially communicated to me, I presume that either my information was incorrect, or my denial fully and frankly accepted.

"I must beg you to bear with me, if I dispute your suggestion, that the proposed change will be, 'in an official sense, an advancement of position.' Winnipeg, as you know, is a first-class division; Calgary, on the basis of the order in council numbered 216, dated 9th of January, 1899, is a sixth-class division. The maximum salary for a deputy in a first-class division is \$1,500 per annum; the maximum for a collector in a sixth-class division is \$1,000. As I am now in receipt of \$1,500 per annum, in what sense can such promotion be termed an advancement, even in an 'official sense'? It is true, I am temporarily offered an increase of \$200 per annum. This increase, after allowing for extra cost of living in Calgary, as compared with Winnipeg, is really a decrease of \$100 per year. The nominal increase is thus not only an actual decrease, but is of the most temporary and chameleon-like nature. There is no law or order in council authorizing its payment. I must, therefore, should I accept the change, be in receipt of a salary illegally paid, and in the constant anticipation of its reduction to the proper amount, should a political aspirant for office, or unkindly disposed person, choose to bring the matter to the official attention of the government."

Now, I had no right, had I been hostile to Christie—had I really wanted to hurt him, I would have had no right—to cut down his salary from \$1,500 to \$1,000. I found him there with a salary which had been appointed to him by order in council. I had a right to send him where I considered it was in the interests of the public service to send him, but I had no right to take away any part of the salary, when he had done nothing at all to deserve it. In Costigan's case, it is true, I took \$600 off his salary, when I sent him down here, because I felt that he deserved to be made feel that he had certainly forgotten completely what he owed to his duty, and I punished him by taking \$600 off his salary.

*By Sir Louis Davies:*

Q. Mr. Costigan was collector at Winnipeg; when you removed him here, you appointed him to that position?—A. I appointed him, as collector, at \$1,600, instead

of \$2,200, which he had had at Winnipeg. I took off \$600. I had a perfect right, and, in fact, it would have been the greatest injustice on my part, if, when I ordered Mr. Christie to go to Calgary, I had taken \$500 off his salary. He was appointed, he had a right to that salary of \$1,500, and I had a perfect right to give it to him.

Well, it can be seen at once that this was scarcely the proper way for an officer who began his letter by asking to be allowed "to discuss the subject of his removal at sufficient length to put the facts fully before me," and then to allude to my action as one which would tend to illegally give him a salary which I had no right to give him, and, in reading to the end of the letter, one will see how far that officer of mine went in his appreciation of my kindness:

"You suggest, however, that the proposed changes are deemed by your department to be in the best public interests. Could I believe this was the honest opinion of the department, I would, no matter what my own interests might be, cheerfully accede to your request. With extreme diffidence and great respect for your high office, I regret to say that I cannot believe such conclusion is honestly formed. You may be assured I would not assume to differ from the department on a matter so exclusively and particularly within their judgment, if I were not in a position to state reasons, direct reasons, incontrovertible reasons, and reasons of which I know you, sir, and the officers under you, have long had full and intimate knowledge, which absolutely and entirely prevent the conclusion you state."

Now, if, instead of sending to Calgary a man who was so thoroughly acquainted with the duties of the department as Mr. Christie was, I had taken an outsider, or had taken a man who did not understand the duties of the department, certainly there would have been just ground to say I had not acted in the interests of the country, but Mr. Christie, by his own showing, and by the records of the department, was a thoroughly efficient officer and one who was in every way qualified to take charge of the Calgary department. I decided to send him there, because I knew that I could not find a man better qualified to take charge of that department, and it was very much better that I should send there a man who understood exactly the business of the department. He goes on to say, in his letter:

"What are the proposed changes? Mr. Costigan, the late collector at Winnipeg, has been appointed collector at Ottawa. To make room for his appointment, Mr. Martin Battle, a tried and capable officer of the government, has been superannuated, against his own wishes and the protests of his friends. A vacancy having been thus created, Mr. T. S. Gosnell, collector at Calgary, is to be promoted to Winnipeg. I am to go to Calgary to fill his position, and Mr. Watson has been appointed deputy collector at Winnipeg to fill the office I am to vacate.

"Mr. Costigan's official record, as reported to your department, would scarcely lead one to suppose that his continuation in the public service was influenced by considerations of the public good. The details of his shortcomings have been fully and officially reported to you. You, sir, know from these reports, dated as far back as the early part of 1897, and recurring at only too frequent intervals since that time, and from official investigations, held under your instructions, that Mr. Costigan has time and again proven his total unfitness to hold any position of trust. You know, sir, that for two years preceding his appointment at Ottawa, his work was practically done by his fellow officials; yet this man is not only, 'in the public interests,' retained in the public service, but, with full knowledge of these facts, appointed collector at the capital of the Dominion of Canada.

"Mr. Gosnell was, until the 3rd November, 1894, accountant in the Winnipeg office under me, as deputy collector. Mr. Gosnell is one of those gentlemen, appointed to public office under the government of the late Hon. Alexander Mackenzie, who, while the Conservative party was in power, could not be accused of strong political activity, but who, since the change in government, have demonstrated what latent political fires may, under proper circumstances, smoulder unsuspected in the human breast.

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“As you know, sir, to become entitled to the appointment of collector, or deputy collector, of Inland Revenue, it is necessary to pass a most stringent special technical examination. The necessity of such examination is the protection of the public revenue. The determination of the amount to be collected is constantly based upon nice and accurate calculations and investigations of quantity and quality of manufactured and crude articles. Incapacity or inaccuracy would, therefore, lead to direct and, possibly, enormous loss to the public revenue. It is for this reason the high standard heretofore maintained in the Inland Revenue Department has always been insisted upon by the government of the day.

“Mr. Gosnell tried this examination twice, but was unsuccessful. Failing to win by ability, he determined to pass by strategy. He was notified to proceed to Toronto to try his examinations for a third time, on the 20th of August, 1887. He pleaded inability to make the journey. Having obtained from a friend in Hamilton a full copy of the questions which were set at the Toronto examination, and having prepared himself during eight months' study to answer these particular questions, he applied to the department for a special examination, knowing that the government, trusting, perhaps too implicitly, in the honesty of their employees, would not go to the expense of preparing special technical papers for the applicant. As was anticipated by Mr. Gosnell, the papers which had been used in the Toronto examination, were set before him. As one can imagine, his efforts were crowned with hard-earned success.

“I am not aware of his standing by marks; but, as promotion to the higher offices of the department goes largely by merit, and as Mr. Gosnell was put on the special list, limited to twenty-four for the whole Dominion, in priority to others who honestly passed on the same papers at the Toronto examination, I have no doubt that his merit was sufficiently demonstrated by the examination to recommend him for promotion.

“If you, sir, had ever attended a political meeting in Manitoba, it would be less necessary for me than it is, to discuss Mr. Watson. It is true, that he has been of the greatest assistance to the supporters of the present government, by his public utterances; utterances, however, exclusively and loudly made from the body of the meeting, and as interruptions to the speeches of his political opponents. So far as this is a recommendation for his appointment, he is entitled to it. So far, and no farther, for in all walks of life—as an implement agent on the farm, or as the proprietor of a Chicago commission shop—he has not displayed sufficient business ability to commend him to his creditors. He has passed no examination qualifying him for his present position; he is not a man of education; is not fitted to perform the first part of his technical duties; yet your department has placed him in charge, instructing his subordinates in office to show what he is to do, and how he is to do it. If they, sir, know enough to teach him his duties, and are honourable men, would it not be equally in the public interests to promote them, or to appoint some person who may have passed the necessary qualifying examination, rather than to place this high public trust in the hands of a mere political hanger-on, whose sole recommendation is influence and past political services?

“For these reasons, sir, I cannot conceive that the proposed changes are in the public interests. You will, I am sure, on the facts being thus stated, make such arrangements as will avoid a prostitution of high offices of public trust. Being forced by the circumstances above stated to take the view I do, I must respectfully refuse ‘to accept advancement, in an official sense,’ and decline to become the collector at Calgary.

“I have the honour to be, sir, your obedient servant,

“W. J. CHRISTIE.”

Well, now, one of us had to leave the service: it was either Mr. Christie or myself, and I decided that it would be Mr. Christie.

I was in Europe at the time, and I was welcomed by these letters on my return. I arrived in Ottawa on the 1st of August, and that letter was shown to me. On the 2nd of August I made the recommendation to council for Mr. Christie's immediate dismissal. Now, as to the accusation that Mr. Christie brought against Mr. Gosnell.

*By Sir Charles Hibbert Tupper:*

Q. Not to interrupt you, Sir Henri, who was acting for you while you were away?  
—A. The Hon. Mr. Paterson.

Q. When did you go away?—A. I left Quebec on the 11th of June, and was back here on the 1st of August, and these letters came during my absence.

Now, I have only one word more to add; for I do not think I ought to neglect drawing the attention of the committee to the accusation brought against Mr. Gosnell and against Mr. Watson. With reference to the former, the committee has now heard Mr. Gosnell's evidence, and the committee will draw its own conclusions from it. As for Mr. Watson, a point has been attempted to be made against me by my honourable friends for having appointed, as deputy collector, a man who had no experience whatever in the duties he would have to perform. As I have said on a former occasion, the law allows the appointment of a deputy collector without passing any examination; it appears like a door that had been left open in our department, in order to allow of a certain amount of more or less legitimate patronage. Now, I continued in the practice that has been followed by my predecessors, and what I have repeatedly done by myself, I took an outsider for the appointment of deputy collector, as I have taken a great many before. I am ready to discuss the procedure, that in a technical department, like ours, there should be any office that a man should enter without passing an examination; but there is the law, and I recommended Mr. Watson and, of course, I did not give him the highest salary, nor did I even give him the maximum. The maximum salary of a deputy collector in a division like Winnipeg is \$1,300 to \$1,500. I know he had no experience, but I was in hopes he would acquire that experience, but I did not like to give him at once the maximum salary for his station, and I appointed him at \$1,200. And I heard Mr. Barrett, in his evidence, in answer to a question, "Has Mr. Watson, ever since he was appointed at Winnipeg as deputy collector—has he ever committed any mistake, or given any reason for complaint?" And Mr. Barrett answered, as it will be remembered, that he had not committed any mistake, or given any reason for complaint against him. There is no doubt, I hope, he is an intelligent man, and that he will, in the course of time, learn his business; and I am glad to hear that, so far as every one here knows, since he has been appointed there has been no cause for complaint.

As for Mr. Gosnell, I leave it in the hands of the committee, by stating simply, that if I had ever thought for one second, which I do not now believe, that Mr. Gosnell has anything to do with what has been reported of him,—that he had illegally procured a list of the questions he had to answer—I would never, for one moment, have dreamt of appointing him to the position to which I have appointed him, but I would have dismissed him at once.

*By Mr. Borden:*

Q. I think you mentioned that there had been one other gentleman appointed by you to the position of deputy collector in a first-class position who did not possess first-class qualifications?—A. Mr. Watson's was a first-class position.

Q. Besides him, was there any other?—A. Oh, a number.

Q. Would you name them—in first-class divisions?—A. There is Mr. Frankland.

Q. Is that the Toronto man?—A. Yes.

Q. That is a first-class division?—A. That is a first-class division.

Q. What is his salary?—A. I do not remember now. I think, if I had a civil service return for last year, I could tell what his salary was. I really do not remem-

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ber what his salary was, but I will tell you; you can leave a blank, and the moment I get a civil service list, I will tell you.

Q. Do you know of any deputy collectors being appointed to first-class divisions before 1896 without passing the requisite qualifications?—A. I have a list here. At St. John, N.B., I do not remember exactly—oh, yes; I find Mr. Frankland's salary was \$1,500.

Q. Is that the maximum salary?—A. Oh, no, it's not the maximum salary, but I will tell you in a moment what the maximum salary is. The maximum salary of a deputy collector in a first-class division is from \$1,300 to \$1,500.

Q. Then, it is the maximum?—A. Yes, it is the maximum salary. I have here a list of deputy collectors that have been appointed since 1889, and I have marked those where there was promotion, and those which were new appointments. At St. John there was a new appointment.

Q. Did he not possess technical qualifications?—A. No, he was an outsider.

Q. What was his name?—A. J. A. Clark.

Q. When was he appointed?—A. I have not got it, but it was since 1889.

Q. About Mr. Clark, just one question?—A. Oh, I don't know anything about him only that I have his name on the list.

Q. I want to know whether his position there is next to the collector and whether he performs the duties of collector when that officer is absent?—A. I suppose so, but you are asking me about a lot of details that I do not know.

Q. I understand that it is otherwise?—A. Well, I do not know the details but I presume he does. Then there was Mr. Simon appointed and Mr. McLenaghan was appointed at Perth, Thos. Dowling at Victoria, Mr. Howden at Peterboro, Mr. Leighton at Vancouver, Mr. Richard at Joliette, Mr. Fiset at Montreal, Mr. Devine at Perth, Mr. Nicholls at Owen Sound, Mr. Stanley at Stratford, Mr. Harty at Perth, Mr. Colcleugh at Winnipeg, Mr. Moore at Charlottetown, P.E.I., Mr. Lauder at Toronto, Mr. Blundell at Vancouver, Mr. Pringle at Toronto, and so forth. There are very few promotions in this list. They are nearly all new appointments.

Q. How many of these are first class divisions?—A. Well, there is one at Toronto to begin with.

Q. Any others?—A. I see a man named James Pringle at Toronto.

Q. Was he appointed as deputy collector?—A. Yes, all these are deputy collectors.

Q. How many are there at Toronto?—A. There must be three or four. James Pringle, deputy collector Inland Revenue, class "B," he was appointed in 1895.

Q. Who was that?—A. Pringle.

Q. And do you say he had not the technical qualifications?—A. No, there are few promotions in that list. They are men who must have had more or less technical knowledge.

Q. You see my question relates solely to this. How many persons are appointed to the position of deputy collector of first-class positions who did not possess technical qualifications before 10th July, 1896, and who rank next to the collector in their positions?—A. If you want a statement of the whole thing, I will get one prepared, but at the same time I insist upon its being remembered that the law does not make any distinction whatever between first-class and second-class and "A" and "B" and we have a perfect right to put them where we please.

Q. I would like to read one or two questions from the evidence of Inspector Barrett. You regard Mr. Barrett a capable officer, don't you?—A. I would think so.

Q. I would judge that the impression he left on all of us was that he was a very perfect man?—A. Yes.

Q. He says of Watson in answer to the question, "Had he any experience that you are aware of that would assist him in his duty in connection with the protection of the revenue.—A. He had no technical knowledge, as I said, regarding his

duties." Would you consider that to be correct?—A. It is evident he didn't have much technical knowledge.

Q. Then he was asked, "What effect would his inexperience have in connection with the cost of the service, the fact of his holding the office," and he answered, "Well, he might make mistakes that would seriously affect the collection of the revenue unless he had some one that he might refer the matter to." Would you agree in that view?—A. Yes, but with that reservation, that he had in this case some one to whom he could refer later on. Dr. Barrett said that he had made no mistake which might have led to any loss or damage being suffered by the department.

Q. Then he says in answer to the question "and in the course of a year or so will make an experienced collector?" he answers, "Well, I would not like to say that, I would be sorry to say that a man taken into the service at 55—it would be most improbable that an officer that would enter the service as deputy collector at 55 could be educated to acceptably fill the advanced position of collector." I suppose you would agree with that?—A. If it did not come from that source I might agree.

Q. That is Dr. Barrett's evidence?—A. But by and by—

Q. I am asking you simply about Dr. Barrett. That is what he stated. Would you agree in that?—A. I certainly would not concur in the statement that a man would learn nothing in a year.

Q. No, what he says is, "I would be sorry to say that a man taken into the service at 55—it would be most improbable that an officer that would enter the service as deputy collector at 55 could be educated to acceptably fill the advanced position of collector." Would you agree with that?—A. I say it depends entirely on the intelligence of the man. I am convinced that an intelligent man who will apply himself to his work with a chief like Dr. Barrett ought certainly to learn in one year a good deal of his business, and the fact that, as Dr. Barrett says, he did not make any mistake to cause loss to the revenue seems to me to prove that.

Q. He says also, "I say that a man appointed to the service at the age of 55 cannot possibly—well, he could possibly, but very improbably—become so well acquainted with the technical details of the duties of a collector as to fill the position acceptably, and I will tell you why. At the present time he is deputy collector, and that requires that he should take a position in the office, that his duties are confined to the office. Now, in our department the duties are very technical and the best officers we have are officers who began at the foot of the ladder, and who were appointed to the third class and sent out on different services, working up step by step. Now, this is the kind of a man Mr. Gosnell is, that is the kind of a man Mr. Christie is, and these are the men that fill the position of collector acceptably, because they know when an officer outside finds any difficulties arise how to advise him. If any of the outside officers of the Inland Revenue Department comes to the collector and if the collector has no experience in that line, how can he direct these officers? That is the reason why Mr. Watson is not competent, I think, but he is very acceptably filling the duties"—A. He says that he is very acceptably fulfilling his duties.

Q. But he is not competent?—A. But he is very acceptably fulfilling his duties.

Q. Would you agree with that view?—A. If you want me to say that I think the law is right in allowing any one to enter this department without having passed his examination and qualifying; I am ready to say that I do not think it is, but nevertheless when I found the law ready made I do not think any one can reproach me for having applied it.

Q. But it is competent to fill these positions with men having qualifications?—A. Yes.

Q. One other selection from Dr. Barrett's evidence. He says: "I did not say he was an efficient officer. I said he was an intelligent officer, but I certainly did not say that he was an efficient officer because, as I said before, he lacks experience."

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I suppose that view would commend itself to you also?—A. I say that an intelligent man ought in one year to be able to do what Watson had to do, that is to discharge his duties without committing any mistakes leading to anything resulting in any damage to the revenue. That is what I say.

Q. Are you aware that the collector has duty away from his office during a certain time every month?—A. Sometimes.

Q. I think that Dr. Barrett said, it would average from 3 or 4 days to 10 days in each month?—A. Yes.

Q. During that period the deputy collector would be required to perform the duties of collector?—A. All the duties of the collector? Why, the collector is there. Mr. Gosnell. Then the inspector is there; one of the two ought always to be there.

Q. What is the practice during the absence of the collector, does the inspector or the deputy collector perform his duties?—A. It depends; if the deputy collector is thoroughly au fait of his duties, but if not he often has to apply to the inspector; but I think, as in Mr. Watson's case, he must have more than once to refer to the inspector.

Q. Well, in Mr. Christie's case I understand he has had to perform the duties of the collector; I understand that during the collector's absence, Mr. Christie had to perform the duties of the collector?—A. I suppose so, certainly.

Q. Well, is that the case now, does Mr. Watson perform the duties of a collector?—A. I suppose he does, getting the help of the inspector when the collector is away. Anyhow, Dr. Barrett says he has discharged his duties without mistake during the whole year. I would like you to read the evidence.

Q. I know that. Now as far as the duties of the collector are concerned it would require technical knowledge which Mr. Watson has not and therefore he could not take charge?—A. He could not when he took it first.

Q. Does he now?—A. Well, let me tell you I may admit that I have learned very much since I came to the Department of Inland Revenue.

Q. You almost think you are able to take the collector's place?—A. No, I do not, but I confess this, that I am afraid I will not remain long enough in the department to understand all its mysteries; but I have learned a little.

Q. You speak of these three occasions—January and February, 1897, July to September, 1897, and November to December, 1897—as breaks on the part of Mr. Costigan?—A. Yes.

Q. Now, what do you say the first break consisted of?—A. Oh! that was at Virden.

Q. What is your understanding of what that break was?—A. My understanding—as Mr. Costigan explains himself in his letter—was that the whole thing arose from his unfortunate addiction to drink, and I think that whole thing explains about his keeping the cheque. I understand the whole thing was due to his deathly habit of giving away to drink.

Q. Well, do you understand that he retained in his possession this money received from Virden between the 20th of January and the 15th of February?—A. I certainly understand it and it was explained in his letter, that he was lying sick in the hospital and I understand that the moment he got out that money was returned.

Q. Did you come to any conclusion as to the reason that led him to take that away?—A. Drink.

Q. Do you mean he was drunk before taking this money?—A. Yes, it was proved by the evidence, it was proved by Dr. Barrett that it was drink which was the cause.

Q. Did you consider that not worthy of investigation?—A. I understood it was caused by drink by reading Dr. Barrett's letter as well as Mr. Costigan's letter and

the letter I got Mr. Miall to write to him. In Mr. Costigan's own letter he says that it was quinine and whisky that had done the mischief.

Q. There might be two views of this; you suggest one view, there might be another?—A. You were asking for my views and I am telling them to you.

Q. I asked did you think that the circumstances called for an investigation?—A. I have told you all I know.

Q. But you do not know whether Mr. Costigan was under the influence of drink when he took that money?—A. I am convinced from all the evidence given here.

Q. There is no direct evidence in the department?—A. You asked me and I am convinced that he was under the influence of drink.

Q. Where is there any direct evidence of that?—A. There is the evidence of Mr. Costigan when he admits that it was through drink, and there is the evidence of Dr. Barrett in that letter when he says that up to that same month of February Mr. Costigan had given full satisfaction and was a good officer.

The further examination of the witness was postponed.

## Public Accounts Committee.

COMMITTEE ROOM,  
Wednesday, 21st June, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guysborough) in the chair.

Sir HENRI JOLY recalled and examined as follows:—

*By Mr. Bennett:*

Q. I think the 25th of June, 1898, was the first date you had any communication with Mr. Christie with reference to his complaint?—A. Well, you know I was away in England so I cannot exactly say.

Q. In the notes I have before me it would seem that was the date?—A. Well, it was the department you know; I was away on the 25th of June; I was in England.

Q. When did it first come to your notice, please, as to this complaint made by Mr. Christie?—A. Do you mean these letters?

Q. Mr. Christie's letters asking for an investigation and making a formal complaint?—A. I only got this on the 2nd of August when I returned from England.

Q. Did you consider the case then of such importance as to warrant an investigation?—A. Are you speaking of Mr. Christie's letters to me?

Q. Yes, of the 25th of June?—A. I stated I did not.

Q. You did not consider it of sufficient importance to have an investigation?—A. No, as I said in my answer to your questions the other day I considered that Mr. Christie must have been acquainted with these facts for a long time, and it was only as a matter of revenge that he brought these accusations against these officers after being notified of his dismissal, and under these circumstances I certainly did not consider it was my duty to give an investigation.

Q. Dealing with Mr. Costigan's case, did you consider the absence of an officer from the 20th of January to the 15th of February and again from the 30th of July to the 21st of September to be a matter to be overlooked?—A. No, I did not consider it to be a matter to be overlooked, and I did not overlook it either.

Q. When you first learned of these matters, the absence of Mr. Costigan and the complaints that were being inquired into, did you at that time think it was a matter for investigation?—A. Certainly I did, and I got an explanation of the first fact by the letters I read the other day. That is to say the absence in January and February, 1897—the Virden affair as it is called, and I explained exactly how I got acquainted with that first break, as I call it, and how I decided to deal with it. I explained it in my examination. It was all explained.

Q. In your own mind, at the time, did you think it was of such a nature that it should be placed on the files of the office?—A. No, in the first one I decided not to place it on the files, and I gave an explanation at the time I gave my evidence.

Q. He was a public officer, why should not every matter in that connection be made public?—A. Because I took on myself not to make it public in the hope that such a thing would not occur again. I explained the whole thing in my statement.

Q. You say here in your evidence in chief, "Mr. Miall told me (it is true I remember now that you have mentioned it) that there was such an affair and that such a complaint had been brought against Mr. Costigan, and I am going to try and look for the papers." Well, they looked for them in the office among the official documents and could not find them, until all of a sudden, Mr. Miall said: "I remember

now, I have them in my desk; you told me to consider them as confidential and not to place them with the records of the department?"—A. Yes.

Q. And so at that time you considered the occasion was of such a nature on the part of the collector, that it would not be well to leave it where it might afterwards be inquired into by the records and papers?—A. I did not think of that at all. I merely thought I had a right and power to decide how to deal with my officers, and I thought the explanation he had given and the answer I had sent him would be of such a nature as to prevent a repetition of what had taken place.

Q. You stated in your evidence in chief the other day?—A. I haven't the evidence, I have not read it, but I think I remember it pretty well.

Q. That you had given chances to other officers?—A. Yes, I did.

Q. Well now, would you please tell us one case?—A. I will tell you what I will do; I will tell you what I am going to do in this case. There are eight or ten of these officers that are still in the service, and I do not think you would like their names to appear in public, but I am willing to give you a list confidentially.

Q. Without mentioning names at all?—A. Unfortunately all that happened since I am in charge of this department and as I explained in my examination in chief, which I haven't had time to read, the principal, probably the whole, of these offences were in that same direction from the unfortunate weakness of indulging in liquor.

Q. How many of these cases in all, are there?—A. There are, as far as I can remember, one, two, three, four, five. I find eight cases, and I can, in a few words, explain what the thing was. Now, there is one case that happened quite lately, and I suspended the officer who had already been suspended once in May, 1897, for that thing.

*By Sir Charles Hibbert Tupper:*

Q. For what?—A. Drink in every case, indulgence in drink.

*By Mr. Bennett:*

Q. Are these eight cases all for being intoxicated?—A. Every one of them for making an abuse of spirituous liquor. The first one was suspended for two weeks in May, 1897, with a loss of salary, but did well until just about six weeks ago.

Q. Perhaps we can avoid going into particulars?—A. Then I suspended him again for three weeks, and I really think from his expressions and the solemn promises that he made me that I won't have to suspend him a third time.

Q. May I ask this, then; out of these eight cases, were any of these parties absent from the office without leave through intemperance?—A. Well, I do not think so; it is not mentioned there whether they were absent, but it is very likely some of them while under the spell might have been absent.

Q. Well, then, the complaint in eight of these cases would be that in the discharge of their duties, they could not properly attend to the matters entrusted to them on account of intemperance?—A. That is what it was.

Q. Well, then, can you tell me in these eight cases if any of them was for alleged defalcations while under the influence of drink?—A. None of them, it is not marked there.

Q. Would any of these eight cases be regarded by you as being as serious a dereliction of duty as Mr. Costigan's?—A. You must remember I answered once before the other day, that in any case, I was persuaded it was only owing to drink that Mr. Costigan had committed a dereliction of duty, and that in no case did I consider him guilty of dishonesty or of any wish to appropriate money not his own; you must remember that I said that the other day, and I repeat it now.

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Q. Now, on the occasion of the first trouble, that is in the January-February months of 1897, did any person see you in reference to the replacing of Mr. Costigan in his position or the dropping of the complaint?—A. No. I cannot remember that any one spoke to me but Mr. Miall; it was between Mr. Miall and I.

Q. So then there was no complaint after the January-February affair until the July-September business?—A. Yes, that is so.

Q. When did you first learn about the September business; I think you said on the 4th of August after you returned from the old country?—A. You are mixing the year; it is in 1898 that I returned from the old country, and this whole business was in 1897.

Q. Then the reference to your absence was 1898?—A. In 1898 while these letters of Mr. Christie's came, but this business of Mr. Costigan's was in January, 1897.

Q. Then you were in Ottawa and in your office in August, 1897, during this business?—A. Yes.

Q. Can you tell me about the first date, you heard that Mr. Costigan had left his duties on the 30th of July?—A. Well, I really do not remember.

Q. Well, tell me this, when you heard first of the absence of July, 1897, were you annoyed at it?—A. I should rather think I was.

Q. In view of what had happened early in the year?—A. Certainly.

Q. Had you written Mr. Costigan yourself at all, giving him any warning in the January-February business?—A. No. I read you that letter of Mr. Miall's—I asked Mr. Miall to be kind enough to write to Mr. Costigan. We both spoke over it, and the letter Mr. Miall wrote covered exactly what his views and mine were on the subject. This is the letter on page 4, and Mr. Miall wrote a letter I would like to have written myself.

Q. Well, then, coming down to the second break, as you term these occurrences, when did you first learn that Mr. Costigan had left in the summer of 1897?—A. Well, I heard of it some time—I must have heard of it about August or September, because he left on the 30th of July, and I must have heard of it some time about September, because there are some telegrams of mine in connection with this matter. If I had the records I might, perhaps, find them in it.

Q. As I understand it, there was a lot of correspondence going on between the inspector and Mr. Christie and the department here during July and August?—A. Yes.

Q. Can you fasten about the first date that you heard then about the July business?—A. I do not know; I am looking into the documents. I know there are some telegrams of the department sent at my request, telling him he might set to work again after his return in September. Here is a telegram of the 22nd of September, 1897.

Q. Oh, but prior to that, please; that was after the return?—A. That was after the return. What the telegram says is: "Assume your duties, pending decision of department." And this was sent by Mr. Gerald.

Q. Now, what I want to learn is: after the 30th of July, what was the first notice the department had that the collector was absent after the 30th of July?—A. The correspondence will be found; there are a number of letters here in August connected with this.

Q. Well, give me the date of the first one, please?—A. Oh, here it is. The first letter I find here is of the 19th of August, addressed to Mr. Miall, informing him—it was written by inspector Barrett on the 19th of August—that the collector had left on the 30th of July.

Q. On the 19th of August?—A. 1897.

Q. Would that be the first information that the department had here of Mr. Costigan being absent?—A. I do not know. I am simply speaking from the record.

Q. Of course, that is to say—?—A. Here, on the 19th of August, that is the first document I find.

Q. Well, when did that letter come to your notice? When were you first aware of the collector's absence?—A. I cannot say exactly when it come. I cannot remember.

Q. Were you in the city about that time?—A. It is very difficult for me to remember, because I know that, during the summer, after the session was over, I went home several times.

Q. The case is one that would impress itself on your memory; was it not an important case?—A. A most important case.

Q. In your own department?—A. It was a very important case, but I cannot remember when the matter was brought to my attention for the first time.

Q. Have you any recollection when you saw that letter: anywhere near the date, at all events?—A. No, I cannot say.

Q. Whatever the date may have been, would you say what was your recollection as to your action, or the instructions you gave to the department, as to what was to be done?—A. I cannot trust to my memory in itself, but I am looking to the record to try and find out. During that summer, I may have been away a good deal, and I may have left completely in Mr. Miall's hands, and I think Mr. Miall, by looking at the record, may perhaps be able to state—

Q. I want to know your own impression at the time when the matter was brought to your attention?—A. That must have been brought to my notice in August, or the beginning of September, perhaps.

Q. Why do you say, in September, perhaps?—A. Because it was in September he came back.

Q. Yes, I know; but in the meantime, according to the evidence, there was a lot of trouble in the office about it?—A. I cannot remember when it was brought to my notice.

Q. Speaking from memory now, when you learned, at all events, whether it was in August, say the 19th of August, had you arrived at a conclusion then as to what was to be done in his case—whether it was to be condoned or what?—A. I had not arrived at a conclusion until he came back. I was very anxious about it. We were all very anxious about it, but we had not come to any conclusion until he came back.

Q. And before that, please, up to this time, say the latter part of August, you were aware of the fact, that he could not be located, were you not?—A. I do not think so; I do not think I was aware of the fact in August. I tell you, I cannot remember.

Q. But, surely, in a matter of this important character, the collector of an important point like Winnipeg being away for weeks and weeks at a time, it would have impressed itself upon your recollection?—A. Yes; but I remember that I am under oath, and under oath I do not want to speak of anything that I can't speak of with perfect confidence. I was away a great deal during August and September.

Q. Was it a matter of concern to you at all, the absence of the collector at an important point like Winnipeg?—A. You have already asked that question, and I said: the moment I became aware of it, it was a matter of concern to me.

Q. Were these inspector's reports brought to your attention, or the letter of the inspector of 20th August, asking that money should be sent to Mr. Christie in order that the clerks in the office might receive their salaries?—A. No, I do not know anything about that. Mr. Miall was in charge.

Q. Then, again, on 28th August, the inspector asked for \$300 to pay the contingent expenses of July and August?—A. I did not know anything about that.

Q. On 6th September, 1897, the McIntyre and Richard case was reported to Mr. Miall, and instructions were asked for as regards the alleged defalcation. Were these brought to your notice?—A. I do not remember.

Q. On the 8th September, 1897, the inspector reports to Mr. Miall: "Nothing heard about that party." Do you remember that?—A. I do not remember.

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Q. May I ask you this question? You say, it was a matter of concern to you. Did you speak to Mr. Miall as to what was being done in the Winnipeg collector's case?—A. I must have applied to him.

Q. But you say, you have no recollection; that is, as to whether Mr. Miall told you about all this correspondence he was having?—A. No.

Q. Speaking from memory, have you any recollection of Mr. Miall reporting to you this trouble, that the collector was away and a cheque had to be sent to Mr. Christie?—A. I do not remember him telling me that money had to be sent. It is one of those matters, it was, as it were, one of those official matters that concern the inward administration, rather than the policy of the department. I cannot remember that. The fact is, the only thing I can remember clearly is what I see in writing here, and when you think it is time for me to mention it, I will refer to it. It is that telegram that was sent on the 22nd of September.

Q. Apprising you of the collector's return?—A. Apprising me, and I see a telegram is addressed to Mr. Costigan: "Assume your duties, pending decision of department."

Q. Prior to this, before that telegram reached you, was there a feeling in your mind as to what public comment might be as to the conducting of the office?—A. I did not care about public comment.

Q. That was a happy frame of mind to be in?—A. It was a happy frame of mind to be in; but when a man is trying to do his duty, he doesn't care much what public comment may be.

Q. Did you regard your duty to the public, as a minister, was not of such a nature that, when an important officer, like the collector at Winnipeg, was away for weeks at a time, some action should not be taken to dispense with his services or locate him?—A. The only thing I can tell you, in relation to the stand I took, was the telegram of 22nd September.

Q. Had he not turned up to the 1st of October, would matters have gone on in the same way?—A. He had turned up before the 22nd of September; so, we need not care what would have been done in such an event.

Q. But when he was absent, was it not a matter of concern to you how the office was being conducted?—A. I told you a half-dozen times it was a matter of concern to me, and you cannot make me say that it was not a matter of concern.

Q. That is very true; but afterwards, if you will pardon me, you said that the reports that Mr. Miall was receiving from time to time, as to the absence of the collector, was not impressed on your memory?—A. I am not going to say under oath what I cannot remember. Evidently, Mr. Miall must have spoken to me about it, and I may have left the matter in his hands completely.

Q. Up to the 22nd of September, that is, the date this message reached you, had the department decided upon a line of policy in reference to the collector, if he ever did turn up?—A. No.

Q. Was it, then, such a matter of concern, that you had any fixed or stated policy in your mind, that you would have to dispense with his services?—A. I had not settled upon anything.

Q. Well, then, may I ask you a further problematic question? Had his absence continued and gone on for a month or two more, would you still have treated it in the same way?—A. Well, that is problematic, but you can gather your own opinion on that point from the fact, that the third time I suspended him without losing much time about it. I would not allow it to go on any longer.

Q. Now, in this long period, from the 30th of July until the 21st of September, did any of your colleagues see you in reference to this matter?—A. Not that I can remember.

Q. Did any friends of Mr. Costigan see you with reference to the matter?—A. Not that I can remember.

Q. Well, when you say that you cannot remember that any of your colleagues saw you in the matter at all, will you say that none of them did see you?—A. I tell you, I cannot remember. I do not think so. Anyhow, you can readily understand that if any of my colleagues had spoken to me confidentially, you would not expect me to tell you what they said; but I cannot remember that any of them spoke to me on the subject.

Q. Then, if they did speak to you, or any of them, you regard such communication as confidential?—A. No, I tell you I cannot remember. Do not attempt to make me say they had spoken to me, because I cannot remember. If they had spoken to me confidentially, you would not expect me to tell you what was said confidentially, but I cannot remember that any of my colleagues spoke to me during that time about it.

Q. Did the Hon. John Costigan see you about the matter?—A. I do not think the Hon. John Costigan saw me during that time. He saw me repeatedly in connection with his son from the very beginning of the time that I came to Ottawa in 1896. I had entered the House of Commons in 1867 with Mr. Costigan. We remained together until I left, at the end of 1873. I always looked upon him as a friend; I was glad to find him back here, and, from the very first time that I saw Mr. Costigan, he spoke to me as one friend would speak to another, and he always expressed a wish that, sooner or later, I would be able to bring his son to Ottawa, so as to be near him. I found that wish very natural on his part, only I did not see my way to do it at the time. But it appeared to me perfectly natural that Mr. Costigan should express such a wish.

Q. Now, when you got this telegram on the 22nd, I suppose it is needless to say you were pleased to hear the collector had turned up?—A. Indeed, I was.

Q. Had you pretty nigh despaired of his ever turning up again?—A. I did not know what to expect, but I was glad to know, when he came back. I got Mr. Gerald to telegraph: "Assume duties, pending decision of the department."

Q. Well, then, you proceeded with the decision of the case, or your deciding on the case?—A. I decided to give him one more chance.

Q. One more chance; that would be a third chance?—A. A third chance.

Q. What were the redeeming features of his explanation that caused you to give him a third chance—the length of absence: that it had not been longer?—A. Not exactly; I do not think it was exactly that. I think there is his letter of explanation. I knew very well what the trouble was, what the beginning was, unfortunately.

Q. What was that?—A. His being so addicted to the use of liquor; and, as I explained to you, when I alluded to many cases I have had, I felt very sorry, and thought that, after the way in which he had done his duty up to the unfortunate first break, the excellent character that had been given him by Mr. Barrett, that I might give him another chance.

Q. Was the letter, his letter, the reason, or the main factor, that prompted you to permit his return to the office?—A. His letter is only a letter of explanation. It was my wish to give him another chance that prompted me.

Q. Then, irrespective of his letter of explanation, you would have given him the chance, at all events?—A. I think, if you like, I will read that letter of explanation.

Q. I have it on page 5 of the printed evidence, about three-quarters of the way down, sir?—A. The letter reads: "With further reference to the matter of smuggling tobacco, and cigars, and cigarettes into this country from the United States, as reported in my letter of 24th May last, I beg to report having left here on 30th July for St. Paul, on receipt of information from a person living there, whom I had engaged for the reward to keep me posted, to visit St. Paul and Minneapolis, where shipments of these goods were being made from, with the view of tracing the names of the parties concerned, and the points at which the goods were to cross the international boundary line into Canada." I felt perfectly certain that when he started with the intention of doing his duty, but, unfortunately, gave way again to temptation; but,

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evidently, he started with the idea of doing his duty. I felt morally certain that he started with that idea and with that purpose.

Q. Was not the evidence of Mr. Christie, or some other witnesses, inconsistent with that fact? Did he not go away very suddenly?—A. Of course, he did go away very suddenly.

Q. Is it usual for officers to leave without acquainting some person of their absence?—A. I must turn to another branch of the question, if we want an explanation of that. It will take some time, but I am going to read to you the reason why he did not notify Mr. Barrett, and then, there is another letter of his, in which he admits that he had made a mistake. Shall I read that letter? He merely says he was afraid that, after what had happened in a certain case, where he had given information, he was afraid of speaking of it, even to Mr. Barrett, because he was afraid of it leaking out, and the whole thing is explained in this letter.

Q. The reason by which Mr. Costigan justified his not reporting to the inspector is, that he had not confidence in the inspector?—A. I must read the letter. You will see, he did not say that, and he apologized afterwards. I am just going to read that, so as to explain why he went away.

This is addressed to Mr. Miall: "In reply to the honourable the minister's desire to know 'if the information obtained by me has resulted in any seizure'"—

You will see, by this letter, I took a certain amount of interest in it, and I asked Mr. Miall to make investigation, and this is one of the inquiries I got Mr. Miall to make.

"In reply to the honourable the minister's desire"—

I wanted to know if he had really done anything in all that time.

"—to know 'if the information obtained by me has resulted in any seizure,' I beg to say that sufficient time has not yet elapsed to effect any seizures of smuggled goods, but I am confident that, within a short time, the knowledge gained by me will not only result in seizures, but go a long distance towards deterring parties from smuggling. I have reported to the customs here information which will likely prove valuable to that department. At the same time, I do not wish to be understood as guaranteeing ends beyond my power. I will act to the utmost of my ability in serving the best interests of the department, as I have tried to in the past, and of how far I have succeeded, I leave with the department to judge."

Now, here it is: "As to absenting myself without the knowledge of the department or the district inspector, I beg to say that it is, and always has been, my course to consult, at least, the inspector; but I submit it is not always practicable in cases of emergency, where I apprehend it becomes as necessary to protect the revenue which is threatened, as to collect it. However, as the department's letter seems to imply it, I shall be careful to first get the consent of the department or inspector in future. With regard to the district inspector, on this point I am, for my own protection, compelled reluctantly to quote an instance of where my consulting him resulted very unsatisfactorily, and upset my idea of the courtesy that one officer owes another.

"At 11.30 a.m., 28th May, 1895, I walked into the long room of this office, where Mr. Barrett, inspector, Mr. Christie, deputy collector, and Mr. Code, accountant, were sitting, and told the inspector, in hearing of Messrs. Christie and Code, that I would leave that afternoon to make a seizure of an illicit still at the premises of one Mondor, four miles east of Lorette, 15 miles east of Winnipeg. Mr. Barrett made no comment. I left at 3 p.m., taking Constable Mackenzie with me. When within two miles from Mondor's, I was astonished to meet Mr. Barrett returning in a double rig, containing himself, Officer Saucier and a stranger, and Officer Wardell, on horseback. These two officers were taken away without my being consulted as to relieving them. I proceeded to Mondor's, and, of course, was too late. Mr. Barrett had made search, and found nothing but the box the still came in. Later on, I learned that, through Mr. Barrett's stopping along to inquire the location, the parties in possession of the still were advised, sank the still near the house, in the Seine River, and had barely

time to escape, one man, Bourgeois, in his bare feet. Thus, an important seizure was lost to the department, and, I think, some reason given for my not feeling strongly inclined to disclose thereafter information to the district inspector. Had I reached the house first, there would have been no doubt of the result, as I knew exactly where to go, and from where to approach it."

Well, now, when I said that Mr. Costigan had acknowledged his offence, that he made a mistake, and apologized, I think I may as well read that letter, too.

Q. Perhaps we might dispense with that; we might accept that after that he regretted he had made this reflection on Mr. Barrett. Now, during this long summer absence, from the 30th July to the 21st of September, I suppose you had frequent consultations with Mr. Miall as to his absence?—A. I must have had, with Mr. Miall and Mr. Gerald.

Q. As you say, the matter was a serious charge?—A. It was, certainly.

Q. So, with all this deep concern in the case, when you received this letter from Mr. Costigan, did this letter impress you very much in his favour?—A. Well, I must say, it was a bad mark against him, and certainly not such as to cause me to feel much favour towards him; but, as you see by a telegram of 21st of September, I asked Mr. Miall to give instructions to set him to work.

Q. And during this business you and Mr. Miall charitably thought that this trouble was owing to this weakness?—A. I always thought that, and will to the end; I know that it was that unfortunate weakness.

Q. When you received this letter of the 22nd, after the return, a letter from Mr. Costigan of explanation, were you satisfied at all with that letter? Let me call your attention to some paragraphs of it: "I left St. Paul on 13th August for Winnipeg, and reached Grand Forks, North Dakota, where I was taken ill with low fever and rheumatism, and was unable to come to Winnipeg till yesterday, 21st." Now, that was on the 21st of August, or a month before his return. Don't you think it was very inconsistent of a man who was really engaged on the duties of his office, not to have reported on the 21st that he was ill?—A. He says he wrote a letter which did not reach the department, and which, evidently, did not.

Q. Where is that?—A. "I reported my illness on 20th August to department by letter, which I have learned has not reached the department;" but, of course, I felt anything but satisfied that he was discharging his duty as I had a right to expect. Whether he was really suffering from fever, and detained, and all that, of course it was impossible for me to find out.

Q. Well, we will assume he actually did write, and the letter miscarried and did not reach its destination. He goes on: "I had not sufficient funds on my person to go to the hospital or employ professional services, and stayed with a man named Larsen, a short distance from Grand Forks." Now, don't you think that was rather inconsistent with his intelligence, that he should have done that, instead of writing his friends?—A. Well, as I said a few minutes ago, when a man gives way to drink, he will do anything.

Q. Well, to take the letter at its best, you thought it a poor defence?—A. I took it as a bad mark against him.

Q. And, standing alone, you would never have reinstated him on that letter of explanation?—A. I would have given one chance more, because—

Q. But this letter alone, apart from your feeling of sympathy or kindness, on that letter you would not have considered it sufficiently explicable to let him back?—A. I will have to read to you part of Mr. Barrett's letter in the Virden affair, in which he says that up to that time he had been an excellent officer.

Q. I have read that?—A. I would like to read it again, so you can understand my ideas on the subject: that is, up to the Virden affair he had given full satisfaction.

Q. Well, perhaps in a word you may answer me that question, if you please. Apart from the letter and your feelings of indulgence, would you have accorded him

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a further trial?—A. It is not so much the letter of explanation, as on the good character he had borne up to this time, and I am now going to read once more.

Q. Then, his reinstatement was due to prior good character and your feeling of sympathy towards him?—A. Yes.

Q. Then, you felt in your own mind, apart from what you said, that his conduct had been reprehensible?—A. Certainly, I did. How could you think that a man who gives way to drink, is not reprehensible?

Q. Was he paid his salary from the 30th of July to the 21st of September?—A. I think so.

Q. You treat your officers better than some other departments. If they get off on leave of absence for a day, they are docked?—A. I think he was paid; I could not say positively, but I think he was paid.

Q. Don't you think you were very merciful in the case, condoning the offence and paying the salary, too?—A. Well, that was the last time I paid it to him. When I suspended him on the 18th of December to the 1st of April, he did not get a copper during that time.

Q. You will not say you were not seen by some of your colleagues, or by the Hon. John Costigan, in reference to his reinstatement?—A. No, I cannot remember that any one of them asked me to reinstate him at that time.

Q. How did things go on after the return on the 21st of September? Smoothly, I suppose, until when?—A. They went on well until the end of November, when that third break occurred which led to his suspension.

Q. When did you first learn of that, please?—A. I think it was on the 7th of December. It must have been about that time. Mr. Barrett wrote me on the 7th of December.

Q. When you received this letter on the 7th, or your department was apprised of it, what conclusion did you arrive at then?—A. That letter of the 7th of December? Well, in that letter of the 7th of December you will see that Mr. Barrett says he knew Mr. Costigan was trying to locate, let me see—

Q. Yes. After that letter of the 7th of December, what line of action did you decide upon?—A. I merely want to explain to you, I thought Mr. Barrett said, in that letter of the 7th of December, that he thought Mr. Costigan might have gone south on that train, but the conductor who was in charge of that train, informed him that he was not on board, and attempts to locate him, either in the city or out of it, had failed. I know he said that somewhere—oh, here it is at the beginning of that letter. He said that on the 7th of December. Mr. Barrett writes: "I regret exceedingly to have to inform you, that the collector of the Inland Revenue has not been in his office since 27th ult. On the evening of the 27th he was seen under the influence of drink. This continued until Wednesday, the 1st December, and on that day he was seen on the street about noon. On that day he came to the office, and issued cheques for his staff's salary, and then went out."

Q. What date?—A. That was dated on the 7th of December. "His absence would not have caused any anxiety to me, had he not been drinking heavily, because I knew he was endeavouring to locate some illicit importation of manufactured tobacco about which he had consulted me." That is the explanation Mr. Barrett gave at the time.

Q. Has there been any result obtained from these absences of Mr. Costigan's, in reaching that tobacco, did you know?—A. I really do not know; I could not tell you.

Q. How long did that absence last in December, this third absence?—A. It must have lasted—

Q. I think it was from the 27th of November to 21st December?—A. It must have lasted to some time about the 18th, because he was suspended on the 18th.

Q. So, on the 18th, you made up your mind to dispense with his services?—A. No. I made up my mind to suspend him. I did not dispense with his services, and he remained till the 1st of April, without any salary.

Q. Well, at this time was there any impression in your mind, that you might reinstate Costigan?—A. No; really, I did not know what to do with him.

Q. Had you arrived at the conclusion, that you would dispense with his services as collector, at all events?—A. It looked very much like it, and, if I had not received Mr. Jameson's letter and the assurances that Mr. Costigan was making a desperate effort to overcome that failing by taking the gold cure, I would not have reappointed him.

Q. It was a matter of comment, that was conveyed to you, that it was expected the department would dispense with his services, was it not? It was a matter of comment, that it was anticipated by the public you would dispense with his services?—A. It may have been thought so.

Q. Mr. Jameson says that, in effect, in his letter, because he says he had been applied to by a number of persons who wanted to get the position?—A. Oh, naturally, and, if anything does credit to the memory of our respected friend, Mr. Jameson, it is the generosity with which he withstood all those applications and showed me that there was still a chance of Costigan redeeming himself, by sending me that certificate from the Evans Gold Cure, in which it is said: "This is to certify that Mr. H. A. Costigan has been under treatment in our institute since the 29th December for alcoholism, and is now thoroughly cured of this disease; and we can assure, with full confidence, that he is competent to resume his official duties, and will in future abstain from any alcoholic stimulants. We certify, as above, knowing it to be the case, and by virtue of the treatment which he has undergone." That is signed by the Evans Gold Cure, per Kelly, manager. It was after that, though I had not decided what I would do, exactly; it led me to hope there would still be a chance for him, and it was in the letter he wrote me then, asking to be transferred somewhere else.

Q. And you made up your mind then to transfer him, you say?—A. To transfer him to Ottawa, taking \$600 off his salary, which I certainly thought he deserved to be placed in a position where he would be made to feel that he was being punished for his unfortunate weakness; and he has got now \$600 a year less than he had at Winnipeg. I may say, that since he has been here, I have been perfectly satisfied, not only with his activity, but with his sobriety.

Q. Had you a copy of your letter to Mr. Jameson, in reply?—A. No; I have looked among my papers, and I find it was a confidential letter which I wrote to Mr. Jameson.

Q. Well, you do not wish to produce that letter to Mr. Jameson?—A. Well, it is a confidential letter between Mr. Jameson and myself. I do not see any reason why you should ask me to produce it.

Q. Then, you decline to produce that letter?—A. Yes.

Q. Now, in all these negotiations over Mr. Costigan's return here to Ottawa, to take the place of Mr. Battle, who had been superannuated, had any of your colleagues seen you with reference to it, on the line of asking for the retirement of Mr. Battle?—A. Naturally, before I could bring in an order in council to appoint Mr. Costigan, I had to consult my colleagues. I could not bring the matter up and pass an order in council without consulting my colleagues.

Q. Not in council, but prior to the matter being brought up officially before council, did you discuss it informally with any of your colleagues, as to Mr. Battle's superannuation and Mr. Costigan's appointment?—A. I might have.

Q. That is your impression?—A. My impression is, that I discussed it with the father of young Costigan more than with anybody else.

Q. With the Hon. John Costigan?—A. Yes.

Q. Did Mr. Blair see you with reference to it?—A. I do not remember. I think, as a general rule, my colleagues had a sufficient amount of delicacy on the subject to let me handle it pretty much my own way. I do not think anybody would have come to me and given me any advice which I might have refused to accept.

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Q. Was that due to the fact, that they had heard of the anticipated line of action, that any of your colleagues had heard that it was your expectation, the retirement of Mr. Battle and the appointment of Mr. Costigan?—A. They must have heard of it at one time or another.

Q. I mean, prior to it coming before council officially?—A. I really cannot remember. I cannot remember having any talk with my colleagues in connection with this until it came up officially.

Q. And you confess now, that, so far as Costigan's action in all these alleged shortages of money, that he was in the right, and not in the wrong?—A. Surely, you, as a lawyer, do not pretend to say, that you dare to say I said he was in the right? Do you dare to make me say that? I wonder at your daring to make me say that.

Q. You do not understand me. I mean, there was no criminal intent?—A. I said, merely, I did not think there was any criminal intent. I did not say he was in the right, but you were speaking in that way.

Q. I was quite willing at the time to qualify it?—A. All these shortages of money were returned, every one of them, and it is bad enough that he got into all this trouble and brought all this trouble on us by his unfortunate weakness, which I hope he has got over, without accusing him of any intentional dishonesty. If I thought there was any wish to appropriate public money, I would never have given him another chance.

*By Sir Charles Hibbert Tupper:*

Q. Sir Henri, you looked up your correspondence before bringing this letter of Mr. Jameson's to the committee?—A. Yes.

Q. Did you find other letters to you, or from you, that have not been produced to this committee?—A. No.

Q. You found your own letter to Mr. Jameson?—A. Yes.

Q. You declined to produce that?—A. Yes.

Q. Was this letter to you marked "private"?—A. No; that is why I published it.

Q. Was your letter to him marked "private"?—A. It is marked "confidential," otherwise I would have produced it; but I see it marked "confidential."

Q. And it was in reply to this letter?—A. Acknowledging this.

Q. Did you receive any other letters from Mr. Jameson on this subject?—A. No; I cannot find any.

Q. Did he not write to you about Mr. Watson?—A. He may have written about Mr. Watson, but I did not get anything with reference to Mr. Costigan.

Q. Having made a search of his letters, are you able to say he did not write recommending Mr. Watson?—A. He may have recommended Mr. Watson.

Q. Are you willing to produce the Watson letter?—A. No; I am not willing to produce any of my letters from my friends recommending appointments. All I can say is, I feel certain, if my memory does not deceive me, that Mr. Jameson recommended Mr. Watson.

Q. Are you willing to produce the letters you wrote to Mr. Jameson about Mr. Watson?—A. No. Mind, I do not think there is anything in them, but I will not produce them. If I receive letters from my friends, recommending these men, they are not public documents; they are private, and I keep them in my own safe, and I am not going to produce them.

Q. You got Mr. Miall to certify to Mr. Jameson's letter to you?—A. I did.

Q. Was it on the public record, or in your private papers?—A. In my private papers. But now it has become a public record, and can be published.

Q. From the date you said you were not disposed to continue Mr. Costigan's services, are you able to say how many times you saw the Hon. Mr. Costigan, or whether you saw him at all after that, and before you decided to retain his services?—A. I do not remember. Mr. Costigan was at the head of the department which I

am at the head of now, and he used to come very often in the department. I saw him repeatedly, and, as I said, he is an old friend of mine.

Q. I do not think you need repeat that. What I wanted to say was, whether you can, or cannot, say whether Mr. Costigan saw you after that date, and before the reappointment?—A. I think he did; he must have.

Q. You think he did, but cannot say positively. You say there are equally good reports respecting Mr. Christie and Mr. Gosnell?—A. Yes.

Q. Official reports; written reports?—A. Yes. We have Dr. Barrett's letters and a number of others.

Q. Would you be able to say that there are reports not on here? Are they the documents brought down, or others?—A. They are the documents brought down.

Q. When you made the statements, that you had equally good reports about Mr. Gosnell and Mr. Christie, you were referring to the documents produced?—A. Not only to those produced, but in a general way. I cannot remember exactly all the documents I have seen in connection with Mr. Gosnell.

Q. Are you able to produce reports that would corroborate that statement, in addition to such documents and these reports?—A. That Gosnell was an effective officer?

Q. That Mr. Gosnell and Mr. Christie were equally good?—A. I took it on myself to say they are equally good officers.

Q. Well, then, when you made the statement, the other day, as to having equally good reports, you were referring to your own impression, not to written reports?—A. They might be written reports, too; but I looked upon them as equally qualified.

Q. You looked on them as equally qualified?—A. Yes.

Q. If you have any reports, outside this document, will you produce them?

Sir HENRI JOLY DE LOTBINIERE.—Have you any reports about Mr. Gosnell, Mr. Miall?

Mr. MIALL.—I have no doubt, there are some in the department.

Sir HENRI JOLY DE LOTBINIERE.—Will you be kind enough to get them, and have them sent over?

A. I have always considered him as a first-class officer, and Mr. Christie, too.

Q. What was Mr. Battle's record in the department?—A. It was very good, I think.

Q. Did he apply for superannuation?—A. I think I spoke to him first about it. There is a letter of his, applying for superannuation—you must have seen it—in this file, and asking for three months' leave; but I think I sent over for him, and spoke to him first.

Q. Did you give him three months' leave?—A. I recommended it to council.

Q. He didn't get it?—A. Oh, yes, he did. The fact is, he came to thank me afterwards.

Q. For the three months' leave?—A. Yes.

Q. Would you say, as a matter of fact, he really desired superannuation?—A. It was I who told him first I was willing to propose his superannuation.

Q. But he was not anxious?—A. I do not think he was very anxious.

Q. Didn't he ask you not to superannuate him?—A. He did not ask me.

Q. What did he say?—A. He said he was sorry; he had served for a long time, and he naturally regretted it. He was only seventy—sixty-nine and a few months.

Q. Was he efficiently discharging his duties at the time of superannuation?—A. Yes.

Q. Have you any complaint in your department against him?—A. No.

Q. Have you any other officers of sixty-nine in the service?—A. I will have to look.

Q. It is not a rule to retire them at sixty-nine, absolutely?—A. No, it is not a rule.

## Public Accounts Committee.

*By the Solicitor General:*

Q. Did you know Mr. Costigan, junior, before you took charge of the department, previous to July, 1896?—A. No; my first attention was drawn to him by that affair at Virden, and, as I said a moment ago, my favourable impression that I gained in his behalf, resulted from the excellent character that Mr. Barrett gave him up to that time, showing that for the last ten years—oh, here it is; here is Mr. Barrett's letter: "That for over ten years, while in charge of the Winnipeg division, Mr. Costigan's official conduct has been most exemplary, and his devotion to duty constant and painstaking. The delay in making this remittance would never have occurred, had it not been for the unfortunate circumstance stated in his inclosed letter to me. As soon as he could return to duty, he not only rectified the matter, but called the attention of his superior officer to it, and expressed regrets for what happened. Under these circumstances, I would recommend the department to accept the conditions which Mr. Costigan has proposed, viz.: Absolute abstemious conduct, the absence of which was the direct cause and only reason of the offence, or the forfeiture of his position in the service. I know the fixed policy of the department on this question, and it is only the exceptional circumstances surrounding this case, and the hitherto praiseworthy conduct of the collector, that prompts this recommendation." That gave me, as I need not tell you, a very good opinion of Mr. Costigan; but it was the first time that he really came under my notice.

Q. Well, now, Mr. Barrett was the inspector of your department for Winnipeg division?—A. Yes.

Q. Mr. Miall is your deputy?—A. Mr. Miall is the deputy minister.

Q. Both of them, I need not say, occupied positions of trust in the service, and were there for a long time?—A. Yes.

Q. And, in your dealings with Mr. Costigan, were you guided by the advice they both gave you?—A. I was guided especially by the advice of Mr. Miall, in whom I have complete confidence, and with whom I conferred repeatedly.

Q. And Mr. Costigan had been under the control of Mr. Barrett and Mr. Miall for many years previous to your coming into the department?—A. Oh, yes.

*By Mr. Bennett:*

Q. Then your doing from time to time in these different moves was not all your own action, but a good deal through the judgment or experience of Mr. Miall?—A. No, I consider it my own action, I take all the responsibility; but I consulted Mr. Miall as I considered it my duty to, but I take all the responsibility.

The witness was discharged.

Mr. E. MIALL, Commissioner of Inland Revenue, was called, sworn and examined:

*By Mr. Costigan:*

Q. I simply want to ask Mr. Miall if he is aware of what has been referred to here once, that he is aware for many years past that my son was anxious and so was I for a transfer or exchange by which he would be brought east here or some other city whenever an exchange could be arranged without prejudice to the party with whom he would exchange?—A. Yes. This was the case at the time Mr. Burke was appointed in Nova Scotia as inspector—I do not know what time that was, but it was six or eight years ago.

Q. Are you aware that I spoke to others besides yourself, with a view to keep a lookout in case any chance offered by which a satisfactory arrangement could be made?—A. Yes, I know that it was the intention of the department to try and find some means of doing it, if it could be done without injury to any other officers.

Q. Were you satisfied from my efforts that I would not have any exchange made to the detriment of anybody else?—A. Yes, I believe the department was satisfied on that point.

*By the Solicitor General:*

Q. What was Mr. Costigan's record in the department?—A. His record had been an uncommonly good one up to the time of this Virden affair; in fact in my letter to him I expressed my appreciation of his work.

Q. His record was an uncommonly good one?—A. One of the best of our collectors, most intelligent, industrious and reliable. Being so far off we had to place a great deal of reliance on the collector.

Q. And you never had any reason to regret your confidence?—A. Never up to the time of this unfortunate trouble; I do not think there was a word to be said against him at any time.

Q. And the public have not suffered in any way?—A. No, not that I know of.

Q. During his absence, who replaced him at Winnipeg?—A. The inspector.

Q. Dr. Barrett?—A. Yes.

Q. The public interest did not suffer at all in consequence?—A. No.

*By Mr. Bennett:*

Q. How many years have you been deputy minister, Mr. Miall?—A. Sixteen, I think.

Q. Now, in that time, have you ever known of a case of suspension of a first-class collector before—I think they term this office first class?—A. Well, I would require to think; I do not recollect just now, anything of the kind.

Q. Then, if you cannot recall one in which there was a single suspension certainly you cannot recall one where there was repeated single cases, three suspensions.

Sir CHARLES HIBBERT TUPPER.—Three breaks.

*By Mr. Bennett:*

Q. Or three breaks, whatever you may term them?

Hon. Mr. Costigan objected to the question as not being in accordance with the facts. Mr. Bennett withdrew the question.

*By Mr. Bennett:*

Q. Can you recall a case where there were three breaks of this kind?—A. We have only three or four first class divisions and my recollection is that nothing has happened in these three or four divisions during the time of my commissionership.

Q. You were especially interested in Mr. Costigan from a friendly point of view, I think, from the tenor of your letter?—A. Not more than I was in any other officers of my department. I think I have the same kind of feeling towards every other collector who does his duty.

Q. I thought you were taking a very friendly interest—the letter was a most kindly one?—A. I intended it to be.

Q. From the 20th of July to the 21st September, there was a deal of concern in the mind of the minister as to the absence, I understand, as to the absence of Mr. Costigan? I suppose you had conversations with him?—A. There are so many things coming before me all the time that it did not occupy the bulk of my attention.

Q. Oh, certainly, I understand that; but any news in regard to Mr. Costigan was interesting to you?—A. Speaking generally, it was, of course. I knew it had to come out sooner or later.

## Public Accounts Committee.

Q. And in that time did you have frequent conversations with the minister?—A. I do not know that they were very frequent, but they were frequent enough to satisfy my requirements.

Q. But they would be frequent?—A. Yes, oh they must have been more or less frequent.

Q. There was considerable correspondence backward and forward from Winnipeg about it?—A. Yes.

*By Sir Charles Hibbert Tupper:*

Q. I want to ask Mr. Miall a question or two in regard to the statement of Sir Henri Joly. As I understood Sir Henri, in giving his evidence, while you were here to-day, he was under the impression that the difficulty in the Costigan case was entirely due to drunkenness, intoxication, and that the handling of this money was in consequence of drunkenness, and not that the drunkenness followed the handling of the money. With your familiarity of the case and after consultations with the minister, are you able to put your hand on any evidence, or did you ever point out any evidence to Sir Henri to show that drunkenness preceded the handling of the public money?—A. I do not know whether I did or not. I have no doubt in my own mind when he lost his head.

Q. Perhaps you misunderstand me. I have no doubt whatever what Sir Henri said might be the impression which you both had, but are you able to point out to the committee any facts pointed out by Mr. Barrett or known to yourself which would clear up that point?—A. I do not think so unless it is the admission in his own letter.

Q. Outside his own letter. Did you ever discuss with Sir Henri or did you yourself ever consider the importance of ascertaining by an investigation or otherwise whether Mr. Costigan took the money while sober and then became intoxicated or took the money and kept it recklessly after he had got into a state of intoxication?—A. No, I did not. I was so thoroughly clear in my own mind that there was nothing dishonourable or dishonest about him that that view never occurred to me.

Q. And as far as you know it never occurred to Sir Henri as a point for investigation?—A. I do not know about that.

Q. When Mr. Christie made his charge would you not infer from the fact that he made this charge and wished it investigated, that the taking of the money preceded his getting into a state of intoxication?—A. Yes; I saw that, but I did not attach much importance to Mr. Christie's letter particularly as it was marked "official." I knew it was intended for publication and to come before Parliament and did not attach much importance to it.

Q. Did it occur to you that if it was false he could be made responsible for it in regard to what he said in that letter?—A. Yes.

Q. Pressing it once more, do you consider as a public officer and permanent head of that department that where there is a case of public money being taken by an officer, who says he was drunk when he took it, that it is not a matter of public importance to ascertain whether the taking of the money preceded the drunkenness if you are going to look upon this as a drunken act?—A. Oh, certainly, it is a matter of importance to ascertain and to see where the spring of action of any man lies if he has done wrong.

Q. Why in this case was there no inquiry to bring out that point?—A. Simply because we thought we knew all about it.

Q. When the investigation was ordered did you think you knew all about it?—A. I did.

Q. Then why did you order the investigation?—A. I did not order it.

Q. Who did?—A. I think the minister in the first place.

Q. Did you call his attention to the fact that this was an unnecessary move?—A. I did, I believe I told him there was nothing new in it to find out.

Q. Did you afterwards persuade him to withdraw the order for the investigation?  
—A. No, I don't think I did.

Q. How did he withdraw it?—A. We came to the conclusion that there was nothing to be gained by it.

Q. You do not know on what Sir Henri acted in changing his mind?—A. No.

Q. Then, as a matter of fact, at first he did think there was a necessity for an investigation? Did or did he not give directions for the investigation?—A. I do not know whether he did without looking up the papers. My idea is that it was the intention at one time to have an investigation, and I think I wrote to Mr. Barrett.

Q. Whose intention would that be when you say that?—A. I think it was both the minister's and mine.

Q. I would rather you would give me your recollection for a moment and afterwards you can look at the papers. Your impression was that at first both of you thought there should be an investigation and afterwards both of you changed your mind?—A. My impression is that afterwards correspondence had taken place between Mr. Costigan, jr., Mr. Barrett and the department, and we had got all the facts, and it was just the question of how we were going to deal with the man.

Q. In regard to that first impression that there ought to be an investigation, what did you think ought to be investigated?—A. Well, my idea was that there should be inquiries as to what he was doing during his absence, that was the only thing that occurred to me.

Q. As to what he was doing? Why did you not make the inquiry?—A. I found it would be a very expensive investigation, and we thought we had got to the bottom of the whole thing without further investigation.

Q. Was that after the third break, as Sir Henri calls it, or after the second?—A. After the second.

Q. And so the idea was that it was abandoned because of the expenses which would be incurred?—A. That was one of the features that occurred to my mind, but I do not know whether I expressed it.

Q. Then there was no investigation as to what he did during his absence?—A. No, I do not know of any, except that there was some verbal explanation from Mr. Barrett, I think.

Q. Do you know what the verbal explanations were?—A. No, I have forgotten, it was so long ago now, and so many things have turned up since.

*By Mr. Fitzpatrick:*

Q. Have you followed this investigation very closely?—A. I haven't looked at it.

Q. Have you kept any track of what has been said or proved here at all?—A. No, I have not.

Q. You are not in a position to say then whether or not anything has been brought out here that adds any light to what you knew at the time?—A. I have not read this report through.

*By Mr. Bennett:*

Q. When an officer is suspended has your experience been that his salary is paid during the term of suspension?—A. No, generally not. Mr. Costigan's salary was not paid.

Q. From July to August?—A. No, I think it was not.

Q. Can you recollect any case where there has been a shortage or taking of money with criminal intent or otherwise by officers in any first-class office in Toronto, Winnipeg or anywhere?—A. First-class office?

Q. First-class office?—A. No, I do not. I must say that I do not know any in any of the large offices.

## Public Accounts Committee.

Q. I do not mean by the collector but even by any subordinate official?—A. All I can say is to make the general statement that we have collected \$110,000,000 and lost \$126 since I have been commissioner until the last six months.

Q. Can you recollect the case in Winnipeg of a man employed there in the office (without mentioning names) who in consequence of taking some money was dismissed from the service?—A. I do not remember one now.

*By Sir Henri Joly:*

Q. I want to show Mr. Miall a statement. You received that letter of Dr. Barrett about the investigation?—A. Mr. Barrett wrote on the 22nd January, 1898, a letter to the department and it closed with the following words: "I cannot see that the investigation can possibly reveal any more than has already been reported to the department by me."

Q. What is the date of that?—A. The 22nd of January, 1898, addressed to me; I suppose that confirms my previous opinion.

Witness retired.

Inquiry declared closed.



## Public Accounts Committee.

### MINUTES OF EVIDENCE

RE PAYMENT OF \$300 TO COL. DOMVILLE FOR J. MILTON BARNES.

COMMITTEE ROOM,

SATURDAY, 29th July, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guysboro') in the chair.

Lieut.-Col. DOMVILLE, M.P., appeared before the committee; and, having expressed a desire to give evidence in connection with the payment of \$300 to J. Milton Barnes, was sworn and examined:

*By Sir Louis Davies:*

Q. You brought the matter up before, but it was brushed to one side, and now, I understand, you desire to make a statement?—A. I want the committee, if they will, to ask me any questions about this matter. I could not be here last year, or I would have been here. They telegraphed me—the chairman telegraphed me—to come and give evidence, but I could not at that time, and I am here now.

Q. Do you desire to make any statement, in addition to the explanation of why you could not be here last year? Do you desire to make such a statement?—A. Yes. I think it is a charge against me, made here, without asking me anything about it, and I think I ought to be questioned about the matter, to clear it up.

Q. The committee would prefer that you make a statement?—A. I admit all the evidence. I drew the money, by order from the minister. This money was owing from the department. The armouries, originally, were all kept by captains of troops. The captains of troops disappeared, and everything got mixed up; the arms were in bad shape, and we collected them all together, and took care of them as a regimental system, with the consent and approval of the government.

*By Mr. Hughes:*

Q. That is the plan followed now in all quarters?—A. Yes, sir, it is now. And they accepted the officer I named, as storekeeper, and then we had to get an armoury. We had no armoury, and they were placed in the house of Major Otty, and one morning he was found dead in his stable. As I am responsible, and am expected to sign a receipt for the arms, I had to take them away from there, and had to hire an armoury. I corresponded with the government, and they authorized me to fit it up and pay for it.

*By Sir Louis Davies:*

Q. What year was that?—A. A good many years ago.

*By Mr. Cowan:*

Q. 1892; the evidence shows it was 1892?—A. Yes. When we applied for the rent of it, they put us off by saying they had no authority. I do not know why, but

for several reasons. I pointed out, they were paying for armouries in Ontario, and asked why they could not pay for ours; and, finally, they agreed to do it, prior to my going over to the Jubilee. The question they then raised was: Who was the cheque to be made payable to?

*By Sir Louis Davies:*

Q. What was the amount of the grant?—A. Sixty dollars a year, I think it was, and we had paid it to Mr. Barnes. We had Mr. Barnes' receipt, and Mr. Barnes' receipts were in the hands of the department, and, therefore, the cheque could not be made payable to Barnes. So, the question was: Who was to draw it? On turning to the public accounts, it is seen, it has been the custom always, in such cases, to make the cheques payable to commanding officers. Mr. Panet, we all know, then was not in good health, and he said: "I will make it payable to you or Barnes," and I said: "I don't care, so long as we get the money." And I went down, and cashed it, and put the money in my pocket, and went to England, and spent it.

Q. To whom did it belong?—A. It did not make any difference to him. The commanding officer is allowed \$60 a troop per annum for the care of arms, and for that he has to clean them, and do everything. As I didn't clean them myself, I hired another man: I hired Wedderburn. The department had nothing to do with him, and I paid him. They have me to deal with after I hired Wedderburn, and he took charge of the arms for me, and I paid him for the work.

Q. And did he do the work?—A. Yes.

Q. And the department paid you?—A. Yes, and I paid him.

*By Mr. Hughes:*

Q. You have to fill forms, as commanding officer of the regiment?—A. You will find that in the public accounts. Wedderburn had paid the rent for the warehouse, and it was a question between him and me to settle, whether I chose to give that to him or not. He was very good about it. He had just come in for a very large legacy, some \$75,000 or \$100,000, and he was a great friend of mine and under a good many obligations to me—

*By Mr. Cowan:*

Q. He has already given his evidence to that effect?—A.—and he said: "Well, you will want some money to blow in in England. You can spend it, and give it to me when it suits you—when you like." I did, and I spent the money in England. When I came back from England, he was away, and, finally, Major Wedderburn and myself settled our affairs; and what I wish to clear up is, the papers said I had misappropriated funds in this matter. He gave his evidence here very much as I have given it, and I have his receipt for the money.

*By Mr. Hughes:*

Q. The only thing is, that the colonel drew the cheque straight from the department, instead of going through the district officer commanding?—A. I want to be relieved by this committee of an impression, through the papers, that I was misappropriating this money.

*By Sir Louis Davies:*

Q. Is this document you have produced, signed by Wedderburn?—A. Yes, sir.

Q. I had better read it. (Marked "Exhibit 1"):

## Public Accounts Committee.

St. JOHN, N.B., 25th May, 1899.

DEAR COLONEL DOMVILLE,—I fear that it will be impossible for me to postpone my trip to England any longer, as urgent private affairs require my attention at once.

If the Committee of Public Accounts wish my attendance, and cable for me, I shall be glad to attend and give any information I can that they may ask for. In the meantime, I write you, to authorize you to state publicly, or any way you think advisable, that any moneys that were collected on account of the rent for Barnes' hall for armoury at Hampton, were collected for and on my account, and with my full knowledge and consent, and that such amount has been paid me.

Yours very truly,

F. W. WEDDERBURN.

*By Mr. Cowan:*

Q. As I remember the evidence from last year, Wedderburn entered into an arrangement to rent a hall for \$60 a year?—A. Yes.

Q. That was not paid for five years by the government?—A. No.

Q. Wedderburn paid it himself?—A. He did.

Q. And, in putting the bill in to the government, it was put in Barnes' name?—A. Yes, sir.

Q. And the receipts will show the money had already been paid Barnes?—A. Yes.

Q. And Wedderburn authorized you to pay the money, and pay it to him?—A. Yes.

Q. You and he have had dealings?—A. Yes.

Q. And you have since settled with him?—A. Yes.

Q. And anything you did was done under instructions from him?—A. Exactly.

Q. And the money had already been paid to the lessee of the building in which the arms were stored?—A. And the receipts are in the department.

*By Mr. Hughes:*

Q. In this matter, what is the custom in relation to cheques passing to any subordinate officer, or any one in connection with the regiment—through whom do they pass?—A. Most of them through the commanding officer.

Q. They all go through him, don't they?—A. Yes. In our case, Colonel Hughes, —I don't know if it is the same in others—very often the payment for the care of arms is made direct to the storekeeper.

Q. To him, but on your order?—A. Oh, yes, certainly.

*By Mr. Sproule:*

Q. What is your regiment, please, Colonel?—A. The 8th Hussars. Major Wedderburn gave his evidence, that he had authorized me to do it.

*By Mr. Hughes:*

Q. In any event, it was yours?—A. It was mine, in any event.

*By Mr. Sproule:*

Q. That was a direct transaction with the government, of which you are a member?—A. Yes.

*By Mr. Cowan:*

Q. At page 24 of the evidence, in Major Wedderburn's evidence, he says: "I told him, that if he could get that \$300, he was quite at liberty to use it. I asked him

first to get it for me, and then, afterwards, in discussing it with him, he spoke of finances, and I said to him: 'Use that, if you wish it.' I had borrowed money from him, and he from me, previous to that. Q. And did you leave it in that liberal fashion? A. Yes. Q. Without taking any note? A. No note whatever. Q. Without any promise that it would be repaid? A. No, sir, I did not think it necessary; and the first time I saw him afterward, he said: 'I have got that money for you.'—A. The charge was, that I had appropriated Major Wedderburn's funds.

Q. Then, he was asked by Mr. Wood, of Hamilton, on page 25: "Q. Are you quite satisfied that he will pay you the money? A. Quite;" and then he puts in the receipt?—A. There is Major Wedderburn's letter:

## EXHIBIT NO. 1.

ST. JOHN, N.B., 25th May, 1899.

DEAR COLONEL DOMVILLE,—I fear that it will be impossible for me to postpone my trip to England any longer, as urgent private affairs require my attention at once.

If the Committee of Public Accounts wish my attendance, and cable for me, I shall be glad to attend and give any information I can that they may ask for. In the meantime, I write you, to authorize you to state publicly, or any way you think advisable, that any moneys that were collected on account of the rent for Barnes' hall for armoury at Hampton, were collected for and on my account, and with my full knowledge and consent, and that such amount has been paid me.

Yours very truly,

F. W. WEDDERBURN.

# Public Accounts Committee.

## MINUTES OF EVIDENCE

RELATING TO CERTAIN PAPERS BROUGHT DOWN RESPECTING THE  
TRIP OF THE CHIEF ENGINEER OF THE PUBLIC WORKS  
DEPARTMENT TO THE YUKON AND TO LONDON.

COMMITTEE ROOM,  
FRIDAY, 23rd June, 1899.

The Select Standing Committee on Public Accounts met this day, Mr. FRASER (Guysboro') in the chair.

Mr. R. C. DESROCHERS was called, sworn and examined:

*By Sir Charles Hibbert Tupper:*

Q What position do you occupy in Public Works Department?—A. I am assistant secretary of the department.

Q. How long have you been in that position?—A. Six years.

Q. Do you know anything about this return to an order of the House of Commons dated 17th May, 1899, for copies of all instructions, correspondence and reports, accounts and vouchers, for expenses connected with the expedition of Chief Engineer Coste, of the Department of Public Works, referred to in the annual report of the Minister of Marine and Fisheries, 1898, page 7, and also connected with the visit subsequently paid to England by Mr. Coste in the same year?—A. Yes, sir; that report has passed through my hands.

Q. Have you any explanation as to why these accounts and why this return is confined to the accounts and no instructions, no correspondence and no reports are included?—A. I have not, sir.

Q. Were there no instructions connected with the trip?—A. I am not aware that there were.

Q. As assistant secretary, would you not be aware of any instructions that were issued officially?—A. Not necessarily. I would only be in case I would be acting secretary at the time. The secretary is the usual official to do with this, and he has been ill for some time.

Q. That is Mr. Roy?—A. Yes.

Q. Is he ill now?—A. Yes, he is.

Q. He would know of this matter?—A. He would.

Q. You cannot say then anything more about reports?—A. I cannot.

Q. Whether there would be any reports?—A. I cannot.

Q. Who made out the return?—A. It was made out by me.

Q. By yourself?—A. No, I instructed the accountant to prepare a list of the vouchers.

Q. Did you observe that none of these accounts refer to the trip to England?—A. Yes.

Q. Why is that?—A. Because Mr. Coste went there on private business.

Q. Not on public business?—A. No.

Q. Therefore no charge was made for the trip?—A. No charge was made.

Q. Was he on salary at that time?—A. He was on leave.

Q. Consequently the only official part of that travelling of his was to the Yukon and back?—A. Yes, sir.

Q. Did you call the attention of any one to the fact that instructions were asked for by order of the House in preparing these returns?—A. I did not.

Q. Then you only in taking charge of the preparation of it took care to see that the accounts were there?—A. Yes, sir.

Q. No inquiry then, as far as you know, has been made to ascertain whether there are papers?—A. No.

Q. Mr. Coste is not in the service?—A. I cannot say.

Q. You do not know whether he resigned?—A. I cannot say that he has resigned.

Q. He was chief engineer?—A. He was chief engineer.

Q. Who is acting chief engineer?—A. Mr. Lafleur.

Q. How long has he been the acting chief engineer?—A. He has been acting chief engineer throughout the time of Mr. Coste's absence in the Yukon and England and since Mr. Coste's last departure for the Yukon; I do not remember the dates, probably a year; he has been acting for a year.

Q. Do you happen to know where Mr. Coste is now?—A. No, sir.

Q. What officers of the Public Works Department went with Mr. Coste on this trip?—A. The last trip?

Q. The trip to the Yukon; the trip referred to in this correspondence?—A. Mr. Lafontaine.

Q. And who else?—A. Joseph Gobeil and St. Aubin. These officers went in different capacities, Mr. Lafontaine was the recognized assistant to the party, assistant chief.

Q. And Gobeil?—A. Joe Gobeil went as secretary.

Q. And St. Aubin, and who else?—A. These were the only officers whose names I remember now.

Q. Are these officers here?—A. They are not here at present.

Q. Where are they?—A. They are now with Mr. Charleson.

Q. Well, are any of the officers who went with Mr. Coste, in Ottawa at present?—A. Yes.

Q. Who?—A. Mr. Lafontaine.

Q. He is here?—A. Yes.

Q. In the public works?—A. Yes.

Q. Did you say what capacity he went in?—A. He went as assistant chief of the party.

Q. Assistant?—A. Yes.

Q. When will Mr. Gobeil be back?—A. On Monday.

The witness was discharged.

## Public Accounts Committee.

### MINUTES OF EVIDENCE

RELATING TO CERTAIN PAPERS BROUGHT DOWN RESPECTING  
ITEM \$9,809, FISHING BOUNTY, P.E.I., PAGE K—117 OF THE  
AUDITOR'S REPORT.

COMMITTEE ROOM,  
THURSDAY, 13th July, 1899.

The Select Standing Committee on Public Accounts met, Mr. FRASER (Guysborough) in the chair.

Mr. S. B. KENT called, sworn and examined:—

*By Mr. Powell:*

Q. Mr. Kent, you are one of the officers in the Fishery Department?—A. Yes.

Q. What are your duties, generally?—A. I am in charge of the fishery bounties.

Q. These are chiefly distributed where, in what provinces?—A. In Nova Scotia, Prince Edward Island, New Brunswick and Quebec.

Q. Now, I just ask you to detail, as briefly and clearly as you can, the mode of distributing these bounties?—A. Well, in the first place, the officers go around through their district and collect the claims from the fishermen.

Q. Just give us the name of the officer who does that?—A. The fishery officer.

Q. Is he called the fishery inspector?—A. No, the fishery officer, overseer or fishery officer appointed specially for that purpose.

Q. A special officer appointed for the purpose of making disbursements?—A. Yes.

*By the Chairman:*

Q. Do you mean to say there is a special man appointed to make the disbursements?—A. All the bounty officers are specially appointed for that purpose. It is not a part of their fishery duties. All fishery officers are not bounty officers.

*By Mr. Powell:*

Q. The two offices may be united in one individual?—A. Yes.

Q. But it is separate duty?—A. Yes. He receives the claim from the fishermen, at a meeting called for the purpose of the fishermen of the locality, after having posted a notice calling them together, and the claims are sworn to by him.

Q. That is before him?—A. Before him and by him. He is a magistrate, and he certifies them as correct and sends them to the department. That is the formula after collecting the claims. On receipt of claims they are checked in the department and, if found correct, passed for payment.

Q. How is the payment made?—A. By cheque.

Q. Directly to the fishermen or to the overseer?—A. The cheques are sent to him for distribution.

Q. I see; are the cheques sent for distribution of the money or of the cheques?—A. Distribution of the cheques, the payments are all made by cheque.

Q. The payee in the cheque is the fisherman?—A. Is the fisherman, yes, sir.

Q. Now, you say that it is a separate duty and we might also almost say a separate official at least in the great majority of cases. Now, is he generally a local man appointed for that purpose?—A. Yes, sir.

Q. A local man, and where is he appointed from?—A. From the Department of Marine and Fisheries at Ottawa.

Q. And his regular method is that prescribed by the department?—A. Yes, sir.

Q. That he should call the people of the district together?—A. Yes, sir.

Q. And does he talk the matter over?—A. I presume he explains the law to the fishermen, he ought to do so.

Q. Now, tell us, Mr. Kent, about the distribution. How do you arrive at the amount each fisherman is to get?—A. There is \$160,000 to be distributed.

Q. \$160,000?—A. \$160,000.

Q. To people in these four provinces?—A. In these four provinces. When the claims are all received we get sufficient data to strike the rates; of course it depends on the number of claims, the number of boats and fishermen, as well as the number of vessels and tonnage.

Q. Please give us the basis of distribution, as to what a man shall count and what a boat, or what are the factors in the claims?—A. First, his boat must be 14-foot keel.

Q. He must have a boat?—A. He must have a boat.

Q. Yes?—A. He must fish three months, at least three months.

Q. Yes?—A. And catch at least 2,500 pounds of fish.

Q. Catch 2,500 pounds, yes?—A. Of course he must also be fourteen years of age.

Q. 14 years of age, yes?—A. These are the principal—

Q. Requirements?—A. Requirements.

Q. Must a man be personally engaged in fishing, an actual fisherman, or can he claim through a servant or hired man?—A. Every man who gets the bounty is supposed to be a fisherman himself.

Q. Supposed to be a fisherman himself?—A. Supposed to be a fisherman himself.

Q. That is the requirement?—A. That is the requirement of the department.

Q. And if he is not a fisherman himself, and does not actually personally fish himself, he is not entitled to any bounty?—A. No.

Q. In Prince Edward Island, how many fishery overseers have you there?—A. Three.

Q. Are they divided into districts?—A. Yes, one for each county.

Q. One for each county, that is, one for King's, one for Prince and one for Queen's? Who is appointed for King's?—A. Mr. Scrimgeour.

Q. Prince? Who is the fishery overseer for Prince?—A. Mr. Davidson.

Q. And for Queen's?—A. Mr. Hobkirk.

Q. How do you spell that?—A. H-o-b-k-i-r-k.

Q. Has Davidson been long a fishery overseer?—A. Something less than two years.

Q. Less than two years; how about Hobkirk?—A. I think he was appointed in '97, '96 or '97.

Q. And how about Scrimgeour?—A. About the same time; I think it was '96 or '97.

Q. They have all been appointed, then, since the advent of the present government?—A. Yes, sir.

Q. Who preceded Mr. Scrimgeour?—A. Mr. White.

Q. Mr. White; and who Davidson?—A. No, I should say Mr. White preceded Mr. Davidson, and Mr. Scrimgeour was preceded by Mr. McCormick.

Q. And who preceded Mr. Hobkirk?—A. It was Mr. Lord, an agent of the department.

Q. Was it Artemus Lord?—A. Artemus Lord.

Q. And he did the work?—A. He did the work of the fishing bounty.

Q. Now, have you any idea how many people there were who received bounties in the counties of Prince and Queen's?—A. The report gives that, I haven't the figures just with me. For 1897?

## Public Accounts Committee.

Q. Yes, that is the last year we have; that is 1897-98?—A. There were 2,147 men.

Q. In Queen's?—A. No, excuse me, that is the whole province. In King's there were 971 men.

Q. In Queen's?—A. 243 men.

Q. In Prince; that ought to be the large one?—A. 933 men.

Q. I thought that would be more than King's. Now, about the overseer's duty: it is his duty to see that the distribution is honestly made?—A. Yes.

Q. And he should make inquiries as to whether or not these people are entitled to the bounty?—A. Yes.

*By the Chairman:*

Q. Is it an absolute rule of the department, that every application for bounty must be made out before an officer of the department?—A. There are cases where it is impossible to be done. A man may be sick, or he may be away from the country at the time the officer is there; he has the privilege of swearing to his claim before some officer in the county.

*By Mr. Powell:*

Q. Just look at the claims, please?—A. For what county?

Q. For the county of Prince. Just let us see one, for instance?—A. There is one.

Q. I see some of the claims here with amounts which are much larger than others, sometimes ranging up to \$26, \$30, \$40 and \$50, and a great many of them being for \$3.50, \$4 and \$4.50, and along about the same amounts?—A. The large amounts would be for vessels.

Q. Then, you did not give us the whole of that; for vessels, give us the requirements?—A. The requirements are the same.

Q. How many feet keel, or what tonnage?—A. Nothing under 10 tons.

Q. The vessel must be over 10 tons?—A. Yes.

Q. The amount about the same?—A. She must fish the same.

Q. Fish for three months?—A. For three months.

Q. And catch how much?—A. The same quantity, 2,500 pounds per man.

Q. Then, go on; do all the men get the same, or the owner of the vessel?—A. The vessel gets a rate per ton.

Q. What rate?—A. It has been \$1 a ton, up to 80 tons.

Q. And the men?—A. And last year it was \$6.

Q. This is the rate?—A. For 1897.

Q. That varies from year to year?—A. It varies from year to year.

Q. According to the number of fishermen applying?—A. Yes.

Q. In order to effect the distribution of this bounty, do you allot an arbitrary sum to each province, or do they receive a share proportionate to the number of fishermen there?—A. No; that rate is fixed, and every province is paid according to the number of claims and fishermen.

Q. We do not quite understand each other yet. Taking that \$160,000 appropriated to these four provinces, does Quebec, say, get an arbitrary portion of that?—A. No.

Q. She just gets her share out of the whole, according to the number of her fishermen?—A. According to her fishermen.

Q. And Prince Edward Island the same?—A. Yes.

Q. Now, Mr. Kent, I suppose an investigation into this matter would involve the receiving of statements from the great majority of these fishermen, as to the honesty and integrity of their claims?—A. Yes, I suppose so; of course, they all swear to their statements, when they make them.

Q. And the probability is, that, assuming that they might deceive the fishery officers, it would be necessary to get at the actual facts as to their statements?—A. I suppose.

Q. You do not know anything about these men?—A. We have no personal knowledge; we have to be guided by our officers.

*By the Chairman:*

Q. So far as your knowledge goes, the information is correct?—A. Yes.

*By Mr. Powell:*

Q. Or, as far as it goes, that is all the knowledge you have?—A. Yes.

Q. And you go by these papers?—A. Yes.

Q. And when regular and in order, the distribution is made?—A. Yes.

Q. And all you know is, they are regular?—A. Yes.

Q. And you do not know whether there is dishonesty behind them?—A. No.

*By Mr. Gibson:*

Q. They are paid by cheque?—A. Yes.

Q. And payable to the person named?—A. Yes.

The witness was discharged.

# REPORTS

OF THE

## SELECT STANDING COMMITTEE

ON

# PRIVILEGES AND ELECTIONS

RELATIVE TO THE

## WEST HURON ELECTION

WITH

MINUTES OF PROCEEDINGS, SYNOPSIS OF EXHIBITS AND  
EVIDENCE ATTACHED

*PRINTED BY ORDER OF PARLIAMENT*



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST  
EXCELLENT MAJESTY

1899

WEST HURON ELECTION INQUIRY, 1899

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Privileges and Elections Committee.

SELECT STANDING COMMITTEE

ON

PRIVILEGES AND ELECTIONS

1899

ORDERS OF REFERENCE.

TUESDAY, 28th March, 1899.

Ordered, That Messieurs :

|                               |                                 |                                     |
|-------------------------------|---------------------------------|-------------------------------------|
| Angers,                       | Flint,                          | McIsaac,                            |
| Belcourt,                     | Fortin,                         | Madore,                             |
| Bell ( <i>Prince</i> ),       | Fraser ( <i>Guysboro'</i> ),    | Malouin,                            |
| Bennett,                      | Geoffrion,                      | Martineau,                          |
| Bergeron,                     | Haggart,                        | Mills,                              |
| Blair,                        | Ives,                           | Monet,                              |
| Borden ( <i>Halifax</i> ),    | LaRivière,                      | Monk,                               |
| Britton,                      | Laurier ( <i>Sir Wilfrid</i> ), | Morrison,                           |
| Bruneau,                      | Lemieux,                        | Mulock,                             |
| Carroll,                      | Logan,                          | Powell,                             |
| Caron ( <i>Sir Adolphe</i> ), | McAlister,                      | Quinn,                              |
| Casgrain,                     | McCarthy,                       | Russell,                            |
| Davies ( <i>Sir Louis</i> ),  | McCleary,                       | Sifton,                             |
| Davin,                        | McClure,                        | Tisdale,                            |
| Fitzpatrick,                  | McInerney,                      | Tupper ( <i>Sir C. Hibbert</i> )—45 |

do compose the said Committee on Privileges and Elections.

Attest,

JNO. GEO. BOURINOT,

*Clerk of the House.*

FRIDAY, 9th July, 1899.

Ordered, That the poll-books, voters' lists and all other papers, letters, documents and memoranda relating to the last election for the Electoral District of Brockville, and to the last election for the Electoral District of the West Riding of the County of Huron, respectively, which have been produced by the Clerk of the Crown in Chancery, be referred to the Select Standing Committee on Privileges and Elections, for the purpose of inquiring into, and investigating the conduct of the respective

returning officers, and of the several deputy returning officers, at and in connection with, each of the said elections, respectively; with power to send for persons, papers and records, and to report thereon with all convenient speed.

*Attest,*

JNO. GEO. BOURINOT,  
*Clerk of the House.*

WEDNESDAY, 12th July, 1899.

*Ordered,* That the Select Standing Committee on Privileges and Elections be empowered to employ a short-hand writer to take down such evidence as the committee may deem necessary.

*Attest,*

JNO. GEO. BOURINOT,  
*Clerk of the House.*

*Ordered,* That all the proceedings of the Select Standing Committee on Privileges and Elections, and all evidence which may be taken before them, be printed from day to day for the use of the members of the committee, and that Rule 94 be suspended in relation thereto.

*Attest,*

JNO. GEO. BOURINOT,  
*Clerk of the House.*

WEDNESDAY, 19th July, 1899.

*Ordered,* That the Select Standing Committee on Privileges and Elections have leave to sit during the time that the House is in Session.

*Attest,*

JNO. GEO. BOURINOT,  
*Clerk of the House*

# Privileges and Elections Committee.

## SELECT STANDING COMMITTEE

ON

# PRIVILEGES AND ELECTIONS

---

## REPORTS.

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### FIRST REPORT.

WEDNESDAY, 12th July, 1899.

The Select Standing Committee on Privileges and Elections beg leave to present the following as their FIRST REPORT:—

Your Committee recommend that they be given leave to employ a short-hand writer for the purpose of taking down such evidence as the Committee may deem necessary.

Your Committee also recommend that all their proceedings and any evidence taken before them, be printed from day to day for the use of the members of the Committee.

All which is respectfully submitted.

THOMAS FORTIN,  
*Chairman.*

---

### SECOND REPORT.

FRIDAY, 4th August, 1899.

The Select Standing Committee on Privileges and Elections beg leave to present the following as their SECOND REPORT:—

By an Order of the House, dated Wednesday, July 12th, 1899, your Committee were authorized to employ the services of a short-hand writer to take down such evidence as your Committee might deem necessary; owing however to the large amount of evidence taken, your Committee have found it necessary to obtain the services of two assistant stenographers; they therefore recommend that the usual fee of five dollars per sitting of the Committee be allowed to each of the three stenographers for each meeting of the Committee attended by them.

All which is respectfully submitted.

THOMAS FORTIN,  
*Chairman.*

## THIRD REPORT.

WEDNESDAY, 9th August, 1899.

The Select Standing Committee on Privileges and Elections beg leave to present the following as their THIRD REPORT:—

Your Committee under the Order of reference made on the ninth day of July, 1899, have partially inquired into and investigated the conduct of the Returning Officer and of certain of the Deputy Returning Officers at the last election for the electoral district of the West Riding of the County of Huron.

That in so doing they have heard the testimony of ninety-nine witnesses, and have submitted interrogatories for the examination of the County Court Judge of the County of Huron of four witnesses; that twenty-five sittings have been held for the purpose of taking evidence, covering seventeen days and comprising seventeen morning sessions and eight afternoon sessions; that the Committee determined to hold the last session for the examination of witnesses on Monday, the seventh day of August, 1899, and for that reason nine witnesses then in attendance for the purpose of giving evidence were discharged without examination; twelve witnesses also failed to attend and the attendance of three was countermanded. The proceedings of the Committee being thus incomplete the Committee do not feel warranted in reporting any conclusions.

Your Committee therefore report herewith the evidence given by the witnesses who were examined that the House may take such action thereon and as to continuing and completing the inquiry and investigation as may be deemed best, and they recommend that the said evidence and exhibits be printed for the use of the Members of the House.

All which is respectfully submitted.

THOMAS FORTIN,  
*Chairman.*

# Privileges and Elections Committee.

## SELECT STANDING COMMITTEE

ON

# PRIVILEGES AND ELECTIONS 1899

## MINUTES OF PROCEEDINGS

---

TUESDAY, 25th April, 1899.

The Committee met at 11 o'clock a.m., for organization.

On motion of Sir Louis Davies, it was  
*Resolved*, That Mr. Fortin be Chairman of the Committee for the present session of Parliament.

The Committee then adjourned to the call of the Chair.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

WEDNESDAY, 12th July, 1899.

The Committee met at 11.30 a.m.

PRESENT :

*Messieurs Fortin, Chairman,*

Angers,  
Belcourt,  
Bennett,  
Bergeron,  
Borden (*Halifax*),  
Britton,  
Carroll,  
Davies (Sir *Louis*),  
Davin,-

Flint,  
Fraser (*Guysboro'*),  
LaRivière,  
Lemieux,  
Logan,  
McAlister,  
McInerney,  
McIsaac,  
Madore,

Mills,  
Monet,  
Morrison,  
Mulock,  
Powell,  
Russell,  
Sifton, and  
Tisdale.—27.

The Order of Reference of Friday, July 9th, was read by the Chairman.

On motion of Sir Louis Davies, it was  
*Resolved*, That the Committee do recommend to the House that they be authorized to employ a shorthand writer to take down such evidence as the Committee may deem necessary.

On motion of Sir Louis Davies, it was

*Resolved*, That the Committee do recommend to the House, that all the proceedings of the Committee, and all evidence which may be taken before them, be printed from day to day for the use of the members of the Committee.

The poll books, voters' lists and other papers produced in the House on the 7th instant, by the Clerk of the Crown in Chancery, relating to the last election for Brockville, and to the last election for the West Riding of the County of Huron, respectively, were laid on the Table.

*Ordered*, That no persons, other than members of the Committee, have access to the said poll books and papers.

After some discussion as to the mode of procedure:

Mr. Borden (Halifax) made a statement as to the charges in connection with the West Huron Case.

On motion of Mr. Borden (Halifax), it was

*Ordered*, That the following persons be summoned to appear and give evidence in the West Huron case at the next meeting of the Committee, viz.:—

James McWhinney, yeoman; John H. Simpson, merchant; Hamilton McManus, farmer; William Tobin, yeoman; Joseph Thompson, yeoman; Abner Morris, yeoman; John H. Ryan, yeoman; Charles Carey, yeoman; James Watson; Joseph J. Wright, farmer; James Clark, yeoman; James McManus, farmer; Jere Dalton, farmer; Joseph C. McCann, farmer; Nixon Dougherty, yeoman; James Taylor, yeoman; James Kirkpatrick, yeoman; William McManus, yeoman; John W. Hunter, yeoman; Patrick Kelly, yeoman; John Cantwell, yeoman; Richard Gliddon, yeoman; William Kerr, yeoman; Henry Zoellner, yeoman; Samuel Johnston, yeoman; Thomas Sturdy, yeoman; Kenneth Morris, yeoman; Samuel Morris, yeoman; Thomas Culbert, yeoman; William Vrooman, yeoman; George C. Simpson, yeoman; William Burrows, yeoman; Edward Shaw, farmer; Elisha Maw, blacksmith; William McConnell, yeoman; Arthur A. Williams, yeoman; James Tobin, yeoman; John M. Williams, yeoman; James Campbell, yeoman; Scarlet B. Williams, yeoman; Robert B. H. Williams, yeoman; Rowland Williams, yeoman; and William J. Graham, yeoman, all of the Township of Colborne and County of Huron.

Also that the following persons be summoned to attend and to bring with them, respectively, all books, documents, writings, letters, telegrams and memoranda in their possession, or under their control, in any way relating to the election held on the 21st day of February, 1899, for the West Riding of the County of Huron, or to any matter or thing connected therewith, viz.:—

Robert W. Clark, engineer, Calgary; James Farr, Toronto; James Reid, tax-collector, Goderich; Hamilton Martin, Goderich; R. C. Hays, Barrister, Goderich; Donald Cumming, Township of Colborne; William Stanley, Township of Goderich; D. F. McDonald, Parry Sound; John Sullivan, Sault Ste. Marie; J. G. Pritchett, London, Ont.; Duncan Bole, Sault Ste. Marie; John Hanna, Montreal; William H. Hoppens, Parry Sound; Arch. Sands, yeoman, Township of Colborne, Returning Officer; Herbert Morris, yeoman, Township of Colborne, Deputy Returning Officer for Poll No. 2, Township of Colborne.

The Committee then adjourned to Tuesday next, 18th instant, at 10 o'clock a.m.

*Attest,*

WALTER TODD,

*Clerk of the Committee.*

# Privileges and Elections Committee.

TUESDAY, 18th July, 1899.

The Committee met at 10 o'clock a.m.

## PRESENT:

*Messieurs Fortin, Chairman,*

|                              |                              |             |
|------------------------------|------------------------------|-------------|
| Angers,                      | Davin,                       | McInerney,  |
| Belcourt,                    | Flint,                       | McIsaac,    |
| Bell ( <i>Prince</i> ),      | Fraser ( <i>Guysboro'</i> ), | Malouin,    |
| Bennett,                     | Haggart,                     | Mills,      |
| Bergeron,                    | LaRivière,                   | Morrison,   |
| Blair,                       | Lemieux,                     | Mulock,     |
| Borden ( <i>Halifax</i> ),   | McAlister,                   | Powell,     |
| Britton,                     | McCarthy,                    | Russell,    |
| Bruneau,                     | McCleary,                    | Sifton,     |
| Davies ( <i>Sir Louis</i> ), | McClure,                     | Tisdale—31. |

The Minutes of the last meeting were read and confirmed.

The Clerk stated that all the subpoenas for witnesses in Goderich and in the Township of Colborne, to the number of fifty, had been sent to the Sheriff of Huron, with instructions to serve the same, and that, according to the returns made by the Sheriff, forty-nine of the said subpoenas had been duly served. The witness Hamilton Martin having moved from the vicinity, service could not be effected. Of the remaining eight witnesses four were summoned in the usual manner by registered mail and telegraph, and four under the direction of Mr. Borden (Halifax).

A certificate from Alex. Taylor, M.D., of Goderich, was read stating that Archibald Sands, of the Township of Colborne, Returning Officer, was too ill to attend under the subpoena.

William Stanley was sworn and examined, and discharged from further attendance.

James McWhinney was sworn and examined in part.

Mr. Borden (Halifax) having asked the witness for whom he voted at the last election for West Huron,

Objection was taken to the question by Mr. Russell,

And a debate arising thereon:

Mr. Russell moved,—That before determining the question whether electors who voted at the election in West Huron may be asked for whom they marked their ballot papers, it is the opinion of the Committee that the Deputy Returning Officers and other officials present at the polling booth, and taking any official part in the election should first be examined.

Mr. Tisdale moved in amendment thereto,—That the question put to the witness is relevant and should be allowed.

And the debate continuing thereon, the said debate was, on motion of Mr. Blair, adjourned.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest,*

WALTER TODD,

*Clerk of the Committee.*

WEDNESDAY, 19th July, 1899.

The Committee met at 10.30 o'clock a.m.

## PRESENT :

*Messieurs Fortin, Chairman,*

|                              |                              |             |
|------------------------------|------------------------------|-------------|
| Angers,                      | Fraser ( <i>Guysboro'</i> ), | Madore,     |
| Belcourt,                    | LaRivière,                   | Malouin,    |
| Bell ( <i>Prince</i> ),      | Lemieux,                     | Mills,      |
| Bennett,                     | Logan,                       | Monet,      |
| Bergeron,                    | McAlister,                   | Morrison,   |
| Borden ( <i>Halifax</i> ),   | McCarthy,                    | Mulock,     |
| Britton,                     | McCleary,                    | Powell,     |
| Bruneau,                     | McClure,                     | Russell,    |
| Davies ( <i>Sir Louis</i> ), | McInerney,                   | Sifton, and |
| Davin,                       | McIsaac,                     | Tisdale—32. |
| Flint,                       |                              |             |

The Minutes of the last meeting were read and amended, by adding the word "now" at the end of Mr. Tisdale's proposed amendment, and were confirmed as amended.

The account of the Sheriff of Huron for serving subpoenas, &c., was read and approved.

The adjourned debate on the motion of Mr. Russell :

That before determining the question whether electors who voted at the election in West Huron may be asked for whom they marked their ballot papers, it is the opinion of the Committee that the Deputy Returning Officers and other officials present at the polling booth, and taking any official part in the election should first be examined,

And of the proposed amendment of Mr. Tisdale thereto :

That the question put to the witness is relevant and should be allowed now, was resumed.

And the question being put on the said proposed amendment, it was negatived on the following division, viz. :—

## YEAS :

*Messieurs*—Bennett, Borden (*Halifax*), Davin, LaRivière, McAlister, McCleary, McInerney, Mills, Powell and Tisdale—10.

## NAYS :

*Messieurs*—Angers, Bell (*Prince*), Britton, Bruneau, Davies (*Sir Louis*), Flint, Fraser (*Guysboro'*), Logan, McCarthy, McClure, McIsaac, Malouin, Monet, Morrison, Mulock, Russell and Sifton—17.

And the question being put on the main motion, it was agreed to, on the same division reversed.

*Ordered*, That the Deputy Returning Officers and other officials present at the polling booths and taking any official part in the election, be first examined.

On motion of Mr. Russell, it was

*Resolved*, That during the examination of any witness, all the other witnesses shall be excluded from the room.

## Privileges and Elections Committee.

James McManus, one of the scrutineers at Polling Place No. 4, Township of Colborne, was sworn, examined and cross-examined, and discharged from further attendance.

During his examination the following were filed and marked as,—

Exhibit No. 1.—Poll Book, Polling Place No. 4, Township of Colborne.

Exhibit No. 2.—Pieces of ballot picked up in Town Hall, Goderich, by James Reid, and pasted on a sheet of paper by R. C. Hays.

Donald Cumming, Deputy Returning Officer, Polling Place No. 4, Township of Colborne was sworn and examined in part.

The Committee adjourned till to-morrow, at 10 o'clock a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

THURSDAY, 20th July, 1899.

The Committee met at 10 o'clock a.m.

PRESENT :

*Messieurs Fortin, Chairman,*

|                              |                              |             |
|------------------------------|------------------------------|-------------|
| Angers,                      | Fraser ( <i>Guysboro'</i> ), | Martineau,  |
| Belcourt,                    | Haggart,                     | Mills,      |
| Bell ( <i>Prince</i> ),      | LaRivière,                   | Monet,      |
| Bennett,                     | Lemieux.                     | Monk,       |
| Bergeron,                    | Logan,                       | Morrison,   |
| Blair,                       | McAlister,                   | Mulock,     |
| Borden ( <i>Halifax</i> ),   | McCarthy,                    | Powell,     |
| Britton,                     | McClure,                     | Quinn,      |
| Davies ( <i>Sir Louis</i> ), | McInerney,                   | Russell,    |
| Davin,                       | McIsaac,                     | Sifton, and |
| Flint,                       | Malouin,                     | Tisdale—34. |

The Minutes of the last meeting were read and confirmed.

On motion of Mr. Borden (*Halifax*) it was

*Ordered*, That the Order of yesterday discharging the witness James McManus be rescinded, and that he be directed to remain in attendance until again discharged.

The examination of Donald Cumming was then resumed.

During his examination the following Exhibits were filed, viz. :—

Exhibit No. 3 (and marked 3<sup>1</sup> to 3<sup>63</sup>, inclusive)—Ballots cast for Holmes at Polling Place No. 4, Township of Colborne.

Exhibit No. 4 (and marked 4<sup>1</sup> to 4<sup>30</sup>, inclusive)—Ballots cast for McLean at Polling Place No. 4, Township of Colborne.

Exhibit No. 5.—Paper appointing L. C. Dancy agent for Holmes at Polling Place No. 4, Township of Colborne.

Exhibit No. 6.—Unused Ballots (27), Polling Place No. 4, Township of Colborne.

The Committee then adjourned till to-morrow morning at 10 o'clock.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

FRIDAY, 21st July, 1899.

The Committee met at 10 o'clock a.m.

PRESENT :

*Messieurs*

|                              |             |             |
|------------------------------|-------------|-------------|
| Angers,                      | Davin,      | McInerney,  |
| Belcourt,                    | Flint,      | Malouin,    |
| Bell ( <i>Prince</i> ),      | Haggart,    | Mills,      |
| Bennett,                     | La Rivière, | Morrison,   |
| Bergeron,                    | Logan,      | Powell,     |
| Blair,                       | McAlister,  | Russell,    |
| Borden ( <i>Halifax</i> ),   | McCarthy,   | Sifton, and |
| Britton,                     | McClure,    | Tisdale—25. |
| Davies ( <i>Sir Louis</i> ), |             |             |

In the absence of the Chairman, Mr. Flint was, on motion of Sir Louis Davies, called to the Chair.

The Minutes of the last meeting were read and confirmed.

The stenographers Robert C. Dunbar, Robert J. Hartley, and Charles A. Matthews were sworn by the Chairman.

The examination of Donald Cumming was resumed.

The following were filed as Exhibits :

Exhibit No. 7.—Unused ballots from Polling Place No. 1, Township of Ashfield.

Exhibit No. 8.—Unused ballots from Polling Place No. 2, Township of Ashfield.

The following witnesses were severally called, sworn, examined, and discharged from further attendance, viz.: James Watson, Joseph McCann, Joseph J. Wright, Kenneth Morris and James Kirkpatrick.

Mr. Borden (*Halifax*) stated that he had been unable to effect the service of the summons for James Farr, and requested that a second summons be issued in the usual manner by the Clerk of the Committee.

The Committee then adjourned till Monday next at 10.30 a.m.

*Attest,*

WALTER TODD,

*Clerk of the Committee.*

# Privileges and Elections Committee.

MONDAY, 24th July, 1899.

The Committee met at 10.30 o'clock a.m.

PRESENT :

*Messieurs*

|                              |                              |             |
|------------------------------|------------------------------|-------------|
| Angers,                      | Fraser ( <i>Guysboro'</i> ), | McIsaac,    |
| Belcourt,                    | Haggart,                     | Malouin,    |
| Bell ( <i>Prince</i> ),      | LaRivière,                   | Mills,      |
| Bennett,                     | Logan,                       | Mulock,     |
| Bergeron,                    | McAlister,                   | Powell,     |
| Borden ( <i>Halifax</i> ),   | McCleary,                    | Russell,    |
| Davies ( <i>Sir Louis</i> ), | McClure,                     | Sifton,     |
| Davin,                       | McInerney,                   | Tisdale—24. |

In the absence of the Chairman, Mr. Malouin, on motion of Sir Louis Davies, took the Chair.

The Minutes of the last meeting were read and confirmed.

The following witnesses were sworn, examined, and discharged from further attendance, viz.: Hamilton McManus, William McConnell, Henry Zoellner, and Edward Shaw.

The declaration of William McConnell that he had voted for Mr. McLean, was filed and marked as Exhibit No. 9.

The Committee then adjourned till to-morrow at 10 o'clock a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

TUESDAY, 25th July, 1899.

The Committee met at 10 o'clock a.m.

PRESENT :

*Messieurs Fortin, Chairman,*

|                              |                              |             |
|------------------------------|------------------------------|-------------|
| Angers,                      | Fraser ( <i>Guysboro'</i> ), | Malouin,    |
| Bell ( <i>Prince</i> ),      | Haggart,                     | Mills,      |
| Bennett,                     | LaRivière,                   | Monet,      |
| Bergeron,                    | Lemieux,                     | Monk,       |
| Borden ( <i>Halifax</i> ),   | McAlister,                   | Powell,     |
| Britton,                     | McCleary,                    | Quinn,      |
| Carroll,                     | McClure,                     | Russell,    |
| Davies ( <i>Sir Louis</i> ), | McInerney,                   | Sifton,     |
| Davin,                       | McIsaac,                     | Tisdale—29. |
| Flint,                       |                              |             |

The Minutes of Monday, 24th July, were read and amended by striking out the words "Henry Zoellner" from the names of witnesses examined and discharged from further attendance, and by adding the following:—

"Henry Zoellner was sworn, examined, and ordered to attend until discharged."

The Chairman read a letter and declaration from Duncan Bole, of Sault Ste. Marie, dated 22nd July, stating that he had only just received the summons requiring his attendance on the 18th instant—that he had not been in the County of Huron for twenty years—that he knew nothing about the last election for the West Riding, but was willing to come before the Committee if wanted.

Mr. Borden (Halifax) read a declaration from Albert George Bradley, of the City of Toronto, stating that his efforts to serve a summons upon James Farr had been unsuccessful.

The following witnesses were sworn, examined and discharged from further attendance, viz.: John M. Williams; Robert B. H. Williams; George C. Simpson; Thomas Sturdy; Jere Dalton.

James McManus was recalled, further examined, and discharged from attendance.

Richard Gliddon was sworn, examined and ordered to remain in attendance.

On motion of Mr. Borden (Halifax), it was

*Ordered*, That the following persons be summoned to appear and give evidence before the Committee, viz.: Henry Armstrong; Daniel McKay; Daniel McLeod; and William Martin, all of the Town of Goderich.

On motion of Sir Louis Davies, it was

*Ordered*, That the following persons be summoned to attend and give evidence before the Committee, viz.: John McEvoy, of the Town of Goderich; and Michael Tobin and John Lawson, both of the Township of Colborne, County of Huron.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

WEDNESDAY, 26th July, 1899.

The Committee met at 10.30 o'clock a.m.

PRESENT:

*Messieurs Fortin, Chairman,*

|                              |                              |             |
|------------------------------|------------------------------|-------------|
| Angers,                      | Flint,                       | McIsaac,    |
| Belcourt,                    | Fraser ( <i>Guysboro'</i> ), | Madore,     |
| Bennett,                     | Haggart,                     | Malouin,    |
| Bergeron,                    | LaRivière,                   | Martineau,  |
| Blair,                       | Lemieux,                     | Mills,      |
| Borden ( <i>Halifax</i> ),   | Logan,                       | Monk,       |
| Britton,                     | McAlister,                   | Mulock,     |
| Carroll,                     | McCleary,                    | Russell,    |
| Davies ( <i>Sir Louis</i> ), | McClure,                     | Sifton, and |
| Davin,                       | McInerney,                   | Tisdale—31. |

The Minutes of the last meeting were read and confirmed.

Mr. Borden (Halifax) stated that his next witness was John W. Hunter.

Sir Louis Davies stated that John Lawson and John McEvoy, Scrutineers for Mr. Holmes at Polling Place No. 4, Colborne Township, and Michael Tobin, Poll

## Privileges and Elections Committee.

Clerk, were present, and he asked that they be examined first under the Order of the Committee of the 19th July, viz.: "That the Deputy Returning Officers and other officials present at the polling booth and taking any official part in the Election, be examined first."

And Mr. Borden (Halifax) having objected to the said witnesses being called first,

The Chairman ruled that under the said Order of the Committee of Wednesday, July 19th, these witnesses, being officials at the Election, must be examined first.

And an appeal being made from the ruling of the Chairman, the said ruling was sustained on the following division, viz.:—

### YEAS:

*Messieurs* Angers, Blair, Britton, Carroll, Davies (Sir *Louis*), Flint, Fraser (*Guysboro'*), Lemieux, Logan, McClure, McIsaac, Madore, Malouin, Martineau, Russell, and Sifton—16.

### NAYS:

*Messieurs* Bennett, Bergeron, Borden (*Halifax*), Davin, LaRivière, McAlister, McCleary, McInerney, Mills, Monk, and Tisdale—11.

Michael Tobin, Poll Clerk, was sworn and examined, and ordered to remain in attendance.

John Lawson, Scrutineer for Holmes, was sworn and examined, and ordered to remain in attendance.

At 1.45 o'clock p.m. the Committee took recess.

3 o'clock p.m.

John F. McEvoy, Scrutineer for Holmes, was sworn and examined, and ordered to remain in attendance.

The examination of Henry Zoellner was concluded, and he was discharged from further attendance.

The following witnesses were sworn, examined and discharged from further attendance, viz.:—James Reid, John W. Hunter, James Taylor, William Tobin, Scarlet B. Williams, Samuel Johnston, James McWhinney and William J. Graham.

On motion of Sir Louis Davies, it was

*Ordered*, That D. McGillicuddy, of the Town of Goderich, be summoned to appear and give evidence before the Committee.

The Committee then adjourned till to-morrow at 11 o'clock a.m.

*Attest*,

WALTER TODD,

*Clerk of the Committee.*

THURSDAY, 27th July, 1899.

The Committee met at 11 o'clock a.m.

## PRESENT:

*Messieurs Fortin, Chairman,*

|                              |                              |              |
|------------------------------|------------------------------|--------------|
| Angers,                      | Fraser ( <i>Guysboro'</i> ), | Malouin,     |
| Bennett,                     | Haggart,                     | Martineau,   |
| Bergeron,                    | LaRivière,                   | Mills,       |
| Borden ( <i>Halifax</i> ),   | Logan,                       | Monet,       |
| Britton,                     | McCarthy,                    | Monk,        |
| Carroll,                     | McCleary,                    | Powell,      |
| Davies ( <i>Sir Louis</i> ), | McClure,                     | Russell, and |
| Davin,                       | McIsaac,                     | Tisdale—26.  |
| Flint,                       |                              |              |

R. C. Hays, barrister, was sworn and examined, and discharged from further attendance.

During his examination the following papers were filed and marked as Exhibits, viz. :—

Exhibit 10<sup>1</sup>.—Piece of ballot paper picked up by James Reid (showing number).

Exhibit 10<sup>2</sup>.—Piece of ballot paper picked up by James Reid (showing initials).

Exhibit 10<sup>3</sup>.—Pieces of ballot papers picked up by James Reid.

The following witnesses were sworn, examined and discharged from further attendance, viz. : Nixon Dougherty, James Clark and Arthur A. Williams.

At 1.35 p.m. the Committee took recess.

3 o'clock p.m.

The following witnesses were sworn, examined and discharged from further attendance, viz. : Elisha Maw, Charles Carey, Roland Williams, Abner Morris, Samuel Morris, Joseph Thompson, William Kerr and John Cantwell.

During the examination of Charles Carey there was filed as Exhibit No. 11.—Sketch of a ballot paper drawn by Mr. Britton, M.P.

The Committee then adjourned till to-morrow at 11 o'clock a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

# Privileges and Elections Committee.

FRIDAY, 28th July, 1899.

The Committee met at 11 o'clock a.m.

PRESENT :

*Messieurs Fortin, Chairman,*

Bennett,  
Bergeron,  
Borden (*Halifax*),  
Britton,  
Carroll,  
Davies (*Sir Louis*),  
Davin,

Fraser (*Guysboro'*),  
Haggart,  
LaRivière,  
Logan,  
McAlister,  
McCarthy,  
McCleary,

McIsaac,  
Martineau,  
Mills,  
Powell,  
Russell, and  
Tisdale.—21.

The minutes of the last meeting were read and confirmed.

Mr. Borden (*Halifax*) filed :

Exhibit No. 12.—Plan of Council Chamber, Goderich, drawn by James Reid.

Mr. Borden (*Halifax*) stated that James Reid had written requesting that his evidence as to the time he voted be corrected. He voted at the opening of the poll and not at noon. Letter filed.

The following witnesses were sworn, examined and discharged from further attendance, viz.: Thomas Culbert, William Vrooman, John Ryan, William Burrows and John H. Simpson.

On motion of Mr. Powell, it was

*Ordered*, That a summons be issued to Thomas Harvey, jr., of the City of Hull, to attend and give evidence on Tuesday next.

The Committee rose at 1.10 p.m.

3 o'clock p.m.

The following witnesses were recalled, further examined and discharged from attendance, viz.: John F. McAvoxy, John Lawson, Michael Tobin and Richard Gliddon.

The following witnesses were sworn, examined and discharged from further attendance, viz.: Patrick Kelly, James Campbell and Herbert Morris.

During the examination of Herbert Morris, the following papers were filed as—  
Exhibit No. 13.—Poll Book from No. 2 polling subdivision, Township of Colborne.

Exhibit No. 14-1. 1 rejected ballot from same polling subdivision.

Exhibit No. 14-2. 1 ballot marked for Holmes in the same polling subdivision.

Exhibit No. 14-3. Remainder of ballots marked for Holmes at same polling subdivision.

Exhibit No. 14-4. Ballots cast for McLean at the same polling subdivision.

Exhibit No. 14-5. Unused and returned ballots, same polling subdivision.

On motion of Mr. Borden (*Halifax*), it was

*Ordered*, That a summons be issued to each of the following persons to attend and give evidence before the Committee, viz.: On Tuesday next, Peter Endress and William Kough, of the City of Toronto. On Wednesday next, Abraham Smith, jr.,

Edward Van Every, W. F. Clark, M. O. Johnston, William Mitchell, Frederick J. Pridham, William Sharman, jr., Maitland J. Whitely, John T. Thompson, John A. Robertson, George Evans, Joseph Hamilton, William Burrows, George Sutton and Robert J. McClymont, all of the Town of Goderich, Ontario.

The Committee then adjourned till Tuesday next, 1st August, at 10.30 a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

TUESDAY, 1st August, 1899.

The Committee met at 10.30 o'clock a.m.

PRESENT :

*Messieurs* FORTIN, *Chairman,*

|                            |                              |             |
|----------------------------|------------------------------|-------------|
| Bell ( <i>Prince</i> ),    | Fraser ( <i>Guysboro'</i> ), | Mills,      |
| Bennett,                   | Haggart,                     | Monk,       |
| Bergeron,                  | Logan,                       | Powell,     |
| Borden ( <i>Halifax</i> ), | McAlister,                   | Russell,    |
| Britton,                   | McCleary,                    | Sifton, and |
| Carroll,                   | McClure,                     | Tisdale—21. |
| Flint,                     | McIsaac,                     |             |

The Minutes of Friday last were read and confirmed.

William Kough, manager, and Peter Endress, bookkeeper, of the firm of D. W. Thompson & Co., of Toronto, were severally sworn, examined, and discharged from further attendance.

On motion of Mr. Borden (*Halifax*), it was

*Ordered*, That William Duncan and Joseph Kidd, employees of the firm of D. W. Thompson & Co., Toronto, be summoned to attend and give evidence on Wednesday, August 2.

Daniel McGillicuddy, publisher, Goderich, having made affirmation was examined and discharged from further attendance.

During his examination the following Exhibits were filed, viz. :—

Exhibit No. 15<sup>1</sup>—Ballot taken from the bottom of Exhibit 15<sup>3</sup>.

Exhibit No. 15<sup>2</sup>—Ballot taken from the top of Exhibit 15<sup>3</sup>.

Exhibit No. 15<sup>3</sup>—1st package of residue of ballots left in McGillicuddy's possession after Returning Officer was furnished with ballots for the election.

Exhibit No. 15<sup>4</sup>—2nd package of residue of ballots left in McGillicuddy's possession after Returning Officer was furnished with ballots for the election.

Exhibit No. 15<sup>5</sup>—3rd package of residue of ballots left in McGillicuddy's possession after Returning Officer was furnished with ballots for the election.

Exhibit No. 15<sup>6</sup>—Wooden block (empty) from which Exhibits 15<sup>3</sup> and 15<sup>4</sup> were printed.

Exhibit No. 15<sup>7</sup>—Wooden block (with type set) from which Exhibit 15<sup>5</sup> was printed.

## Privileges and Elections Committee.

Thomas Harvey, jr., assistant superintendent Eddy's Pulp and Paper Mills, Hull, P.Q., was sworn and examined in part.

On motion of Mr. Russell, it was  
*Ordered*, That Mr. McGillicuddy, having left Goderich for the purpose of attending before this Committee, on July 22, be allowed the usual rate of maintenance from that date.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

WEDNESDAY, 2nd August, 1899.

The Committee met at 10.30 a.m.

PRESENT :

*Messieurs* FORTIN, *Chairman*,

|                            |            |             |
|----------------------------|------------|-------------|
| Bennett,                   | LaRivière, | Martineau,  |
| Bergeron,                  | Logan,     | Mills,      |
| Borden ( <i>Halifax</i> ), | McAlister, | Powell,     |
| Britton,                   | McCarthy,  | Russell,    |
| Davin,                     | McCleary,  | Sifton,     |
| Flint,                     | McInerney, | Tisdale—21. |
| Haggart,                   | Madore,    |             |

The Minutes of the last meeting were read and confirmed.

The account of the Sheriff of Toronto for \$2.33; and the accounts of the Sheriff of Huron for \$243.75 and for \$4 were approved.

On motion of Mr. Borden (*Halifax*), it was  
*Ordered*, That a summons be issued for Benjamin C. Munnings, of Goderich, to attend and give evidence on Thursday, 3rd August.

Mr. Borden (*Halifax*) moved that the Committee do recommend that the quorum be reduced to ten members.—Debate thereon adjourned.

Henry Armstrong, Poll Clerk, No. 3 Polling Subdivision, Town of Goderich, was sworn, examined and ordered to remain in attendance.

During his examination the following books and papers from No. 3 Polling Subdivision, Town of Goderich, were filed as—

Exhibit No. 16.—Poll Book.

Exhibit No. 17.—Voters' List.

Exhibit No. 18<sup>1</sup>.—Ballots marked for McLean.

Exhibit No. 18<sup>2</sup>.—Unused and returned Ballots.

Exhibit No. 18<sup>3</sup>.—49 Ballots marked for Holmes, having a white line across the right hand top corner.

Exhibit No. 18<sup>4</sup>.—10 Ballots marked for Holmes, without the white line across the right hand top corner.

Exhibit No. 18<sup>4a</sup>.—The only one of the last ten (18<sup>4</sup>) with initials on the back.

Exhibit No. 18<sup>5</sup>.—12 Ballots marked for Holmes, also without the white line on the right hand top corner, but darker in colour than Exhibit 18<sup>4</sup>.

Exhibits No. 18<sup>5a</sup>, *b*.—2 of Exhibit 18<sup>5</sup> without initials on the back.

Exhibit No. 18<sup>6</sup>.—2 Ballots marked for Holmes, on which the white line in the right hand top corner is indistinct.

Abraham Smith was sworn and examined in part.

The Committee rose at 1.20 p.m.

4 o'clock p.m.

The Committee resumed.

The examination of Abraham Smith was concluded and he was discharged from further attendance.

On motion of Mr. Sifton, it was

*Ordered*, That a summons be issued for James Yates, Division Court Clerk, Goderich, and William Horton, Town Treasurer, Goderich, to attend and give evidence on Friday next.

Robert W. Clark, Scrutineer for McLean at Polling Subdivision No. 3, Town of Goderich, was sworn and examined, and ordered to remain in attendance.

The following witnesses were severally sworn, examined and discharged from further attendance, viz.:—William Duncan; Joseph Kidd; William Martin, and Daniel McLeod.

During the examination of William Martin the following papers from No. 7 Polling Subdivision, Town of Goderich, were filed:—

Exhibits No. 19<sup>1</sup> and 19<sup>2</sup>.—2 Ballots (1 marked for Holmes and 1 for McLean) with white line across the right hand top corner.

Exhibit No. 19<sup>3</sup>.—Unused and returned Ballots.

Exhibit No. 19<sup>4</sup>.—Ballots marked for McLean.

Exhibit No. 19<sup>5</sup>.—Ballots marked for Holmes.

Exhibit No. 19<sup>6</sup>.—Poll-book.

On motion of Mr. Borden (Halifax), it was

*Ordered*, That a summons be issued to each of the following persons to attend and give evidence before the Committee, viz.:—Harry D. Reed; John Haley; Thomas H. Hawkins; James Walters; Edward Armstrong; Christopher Sanderson; William A. McClymont; William Warnock; Thomas H. Brophy; George Campbell; James S. Strongh; William L. McLean, and George Haley, all of the Town of Goderich.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest*,

WALTER TODD,  
*Clerk of the Committee.*

# Privileges and Elections Committee.

THURSDAY, 3rd August, 1899.

The Committee met at 10.30 o'clock a.m.

PRESENT:

*Messieurs* FORTIN, *Chairman*,

|                            |                              |             |
|----------------------------|------------------------------|-------------|
| Belcourt,                  | Fraser ( <i>Guysboro'</i> ), | Mills,      |
| Bell ( <i>Prince</i> ),    | Haggart,                     | Monk,       |
| Bennett,                   | Logan,                       | Powell,     |
| Bergeron,                  | McAlister,                   | Russell,    |
| Borden ( <i>Halifax</i> ), | McCarthy,                    | Sifton, and |
| Britton,                   | McCleary,                    | Tisdale—21. |
| Flint,                     | McIsaac,                     |             |

The Minutes of yesterday were read and confirmed.

The account of the Sheriff of Huron for the sum of \$20.85 was approved.

On motion of Mr. Borden (*Halifax*), it was

*Resolved*, That the Committee do recommend that each of the three shorthand writers be allowed the usual fee of \$5.00 per sitting of the Committee for each such sitting attended by them.

On motion of Mr. Borden (*Halifax*), it was

*Ordered*, That a summons be issued for Walter Pridham to attend and give evidence, and that the said Walter Pridham having left Goderich for Ottawa to attend before the Committee on Tuesday, August 1st, be paid the usual rate for maintenance from that date.

On motion of Mr. Borden (*Halifax*), it was

*Ordered*, That a summons be issued for Harry Ross, employee of the firm of D. W. Thompson & Co., Toronto, to attend and give evidence to-morrow.

The following witnesses were severally sworn, examined and discharged from further attendance, viz.:—W. F. Clark; William Sharman, jr.; Maitland Whitely; Joseph T. Thompson; John A. Robertson; Joseph Hamilton; Walter Pridham; William Burrows; George Sutton, and Robert McClymont.

William Mitchell, Town Clerk, Goderich, was sworn and examined in part.

The Committee rose at 1.15 p.m.

---

5 o'clock p.m.

The Committee resumed.

Benjamin C. Munnings and Edward Van Every were sworn, examined and discharged from further attendance.

Robert W. Clark was further examined and discharged from attendance.

M. O. Johnston and W. H. Hoppens were severally sworn, examined and ordered to remain in attendance.

On motion of Mr. Borden (*Halifax*), it was

*Ordered*, That a summons be issued to each of the following persons to attend and give evidence before the Committee, viz.:—John F. Bates; Andrew Whitely; Ebenezer Woodcock; John Beacon; John Brydges; Patrick Nugent; William H.

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Lang; George H. Webber; Anthony Baker; John Ralph; Thomas Polley; William Dahn; Edward Slattery; Thomas McKenzie; Thomas Johnston; Frederick L. Stahleker; William Gohl; John C. Johnston; Rev. Jasper Wilson; John Acheson; William Lane, County Court Clerk, all of the Town of Goderich.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest,*

WALTER TODD,

*Clerk of the Committee.*

FRIDAY, 4th August, 1899.

The Committee met at 10.30 o'clock a.m.

PRESENT:

*Messieurs* FORTIN, *Chairman,*

|                            |            |            |
|----------------------------|------------|------------|
| Bell ( <i>Prince</i> ),    | LaRivière, | Mills,     |
| Bennett,                   | McAlister, | Monk,      |
| Borden ( <i>Halifax</i> ), | McCarthy,  | Powell,    |
| Britton,                   | McCleary,  | Russell,   |
| Davin,                     | McInerney, | Sifton—18. |
| Flint,                     | McIsaac,   |            |

The Minutes of the last meeting were read and confirmed.

Harry Ross, employee of the firm of D. W. Thompson & Co., Toronto, was sworn, examined and discharged from further attendance.

The following witnesses were recalled and discharged from further attendance, viz.:—Henry Armstrong; M. O. Johnston, and W. H. Hoppens.

The Committee rose at noon.

4 o'clock p.m.

On motion of Mr. Borden (*Halifax*), it was *Ordered*, That another summons be issued for James Farr to attend and give evidence.

William Mitchell was recalled and discharged from further attendance.

William L. Horton, Town Treasurer, and James Yates, Division Court Clerk, Goderich, were sworn, examined and discharged from further attendance.

The Committee then adjourned till to-morrow at 10 o'clock a.m.

*Attest,*

WALTER TODD,

*Clerk of the Committee.*

## Privileges and Elections Committee.

SATURDAY, 5th August, 1899.

The Committee met at 10 o'clock a.m.

### PRESENT :

*Messieurs* FORTIN, *Chairman*,

|                            |                              |              |
|----------------------------|------------------------------|--------------|
| Bell ( <i>Prince</i> ),    | Fraser ( <i>Guysboro'</i> ), | McIsaac,     |
| Bergeron,                  | Haggart,                     | Mills,       |
| Borden ( <i>Halifax</i> ), | McAlister,                   | Powell,      |
| Britton,                   | McCarthy,                    | Russell, and |
| Flint,                     | McCleary,                    | Sifton—16.   |

The Minutes of yesterday were read and confirmed.

On motion of Mr. Borden (*Halifax*), it was

*Ordered*, That a summons be issued for James Nelson and Thomas Marshall, of Toronto, to attend on Monday next and give evidence before the Committee.

On motion of Mr. Borden (*Halifax*), it was

*Resolved*, That for the purpose of obtaining the evidence of James Tobin and William McManus, of the Township of Colborne, and of George Evans, of the Town of Goderich, who were unable to attend before the Committee on account of illness, interrogatories be sent to the County Court Judge of Huron with instructions to take their evidence under oath forthwith and to remit the same to the Clerk of the Committee at the earliest opportunity, and that the said evidence be deemed to be part of the evidence taken by this Committee.

The following witnesses were sworn, examined and discharged from further attendance, viz.: William Warnock; William A. McClymont; Thomas McKenzie; Christopher Sanderson and James Strongh.

William Lane, Election Clerk, was examined in part.

A statement of the number of ballots purporting to have been furnished the different Deputy Returning Officers for the election, prepared by Messrs. Powell, Flint and Lane was filed as Exhibit No. 20.

The Committee rose at 1.20 p.m.

---

4 o'clock p.m.

The following witnesses were sworn, examined and discharged from further attendance, viz.: John E. Brydges; John F. Bates; Frederick L. Stableker; John Beacon, and John Haley.

During the examination of F. L. Stableker there was filed as Exhibit No. 21, a paper showing the manner in which the witness marked his ballot.

The Committee then adjourned till 10.30 a.m. on Monday next.

*Attest*,

WALTER TODD,  
*Clerk of the Committee.*

MONDAY, 7th August, 1899

The Committee met at 10.30 o'clock a.m.

PRESENT:

*Messieurs*

|                              |            |              |
|------------------------------|------------|--------------|
| Bell ( <i>Prince</i> ),      | Haggart,   | Morrison,    |
| Borden ( <i>Halifax</i> ),   | McAlister, | Powell,      |
| Britton,                     | McClure,   | Quinn,       |
| Davies ( <i>Sir Louis</i> ), | McIsaac,   | Russell, and |
| Davin,                       | Mills,     | Sifton—16.   |
| Flint,                       |            |              |

In the absence of the Chairman Mr. Flint took the Chair.

The Minutes of Saturday last were read and confirmed.

A certificate from Dr. Taylor, of Goderich, was read to the effect that John Ralph was too ill to attend under his summons.

On motion of Mr. Borden (*Halifax*), it was

*Resolved*, That the County Court Judge of the County of Huron be authorized to administer to John Ralph the same interrogatories that he was authorized to administer to James Tobin, William McManus and George Evans.

Thomas Harvey, jr., of Hull, was recalled, further examined and discharged from attendance.

On motion of Mr. Powell, it was

*Ordered*, That Thomas Harvey, jr., be paid the usual rate of maintenance allowed to witnesses for the three days in which he was in attendance.

Ebenezer Woodcock, James Nelson and Thomas Marshall were sworn, examined and discharged from further attendance.

Robert Holmes, M.P., was sworn and examined.

The Committee rose at 1.20.

4 o'clock p.m.

The Committee resumed, Mr. Fortin in the Chair.

The account of W. D. McPherson, of Toronto, for the sum of \$22.55, fees and expenses in connection with his effort to serve a summons upon James Farr, was approved.

W. A. McClymont was recalled, further examined and discharged from attendance.

The following witnesses were sworn, examined and discharged from further attendance, viz.: George Campbell, Thomas Polley, William L. McLean, John Acheson, Harry D. Reed, Thomas H. Brophy and Patrick Nugent.

The declaration of William L. McLean was filed as Exhibit No. 22.

Donald Cumming and William Lane were recalled and discharged from further attendance.

## Privileges and Elections Committee.

It being 6 o'clock ;

Mr. Borden (*Halifax*) stated that there were still nine witnesses present to be examined, and asked that the Committee meet again this evening or to-morrow morning for the purpose of taking their evidence.

And objection being taken thereto on the ground that an understanding had been reached on Saturday last to take no more evidence after to-day, it was

*Ordered*, That the said witnesses, James Walters, Edward Armstrong, Andrew Whitely, George H. Webber, William Dahn, Edward Slattery, Thomas Johnston, William Gohl and John C. Johnston, be discharged from further attendance forthwith, and that the Committee meet to-morrow morning for the purpose of considering their Report.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

TUESDAY, 8th August, 1899.

The Committee met at 10.30 o'clock a.m.

PRESENT :

*Messieurs* FORTIN, *Chairman*,

Bell (*Prince*),  
Borden (*Halifax*),  
Britton,

Davin,  
McAlister,  
McClure,

McIsaac, and  
Russell—9.

The Minutes of yesterday were read and confirmed.

Mr. Russell moved that a sub-committee composed of Mr. Borden (*Halifax*) and the mover be appointed to draft a report on the line of previous inquiries in which the proceedings have not been completed—which was agreed to.

The Committee then adjourned till to-morrow at 10.30 a.m.

*Attest,*

WALTER TODD,  
*Clerk of the Committee.*

WEDNESDAY, 9th August, 1899.

The Committee met at 10.30 a.m.

PRESENT:

*Messieurs* FORTIN, *Chairman*,Borden (*Halifax*),  
McAlister,  
McIsaac,Martineau,  
Mills,Russell, and  
Sifton—8.

The Minutes of yesterday were read and confirmed.

Two letters from the County Court Judge of the County of Huron, enclosing answers of James Tobin, William McManus, George Evans and John Ralph to interrogatories administered to them, were read and filed.

*Ordered*, That the said interrogatories and answers thereto form part of the evidence taken by the Committee, and be printed therewith.

The Sub-Committee appointed on Tuesday, 8th August, to draft a report to the House on the matters contained in the Order of Reference of the 9th July, 1899, submitted the following Draft Report, viz:—

## DRAFT REPORT OF SUB-COMMITTEE.

The Select Standing Committee on Privileges and Elections beg leave to report that under the order of reference made on the ninth day of July, one thousand eight hundred and ninety-nine, they have partially inquired into and investigated the conduct of the returning officer and of certain of the deputy returning officers at the last election for the electoral district of the West Riding of the County of Huron.

That in so doing they have heard the testimony of ninety-nine witnesses, and have submitted interrogatories for the examination by the County Court Judge of the County of Huron, of four witnesses; that twenty-five sittings have been held for the purpose of taking evidence, covering seventeen days and comprising seventeen morning sessions and eight afternoon sessions; that the Committee determined to hold the last session for the examination of witnesses on Monday, the seventh day of August, one thousand eight hundred and ninety-nine, and for that reason nine witnesses then in attendance for the purpose of giving evidence were discharged without examination; twelve witnesses also failed to attend, and the attendance of three was countermanded.

The proceedings of the Committee being thus incomplete the Committee do not feel warranted in reporting any conclusions. They therefore report herewith the evidence given by the witnesses who were examined, that the House may take such action thereon, and as to continuing and completing the inquiry and investigation as may be deemed best, and your Committee recommend that the said evidence and exhibits be printed for the use of members of the House.

(Signed) B. RUSSELL,  
R. L. BORDEN.

HOUSE OF COMMONS, August 8th, 1899.

*Resolved*, That the above Draft Report be the Report of the Committee, and that the same be presented to the House with the Minutes of Proceedings and Evidence attached thereto.

The Committee then adjourned *sine die*.*Attest*,WALTER TODD,  
*Clerk of the Committee.*

Privileges and Elections Committee.

SELECT STANDING COMMITTEE

ON

PRIVILEGES AND ELECTIONS

1899

WEST HURON ELECTION INQUIRY

SYNOPSIS OF EXHIBITS.

| Exhibit.                                     | Description.                                                                                                                                                              |
|----------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Polling Subdivision No. 4, Colborne :</i> |                                                                                                                                                                           |
| No. 1. ....                                  | Poll book.<br><i>(Referred to on page 8 of the Evidence.)</i>                                                                                                             |
| No. 2. ....                                  | Torn ballot marked for McLean, picked up by James Reid and pasted on a sheet of paper by R. C. Hays.<br><i>(Referred to on page 8 of the Evidence.)</i>                   |
| No. 3. ....                                  | Ballots (68) cast for Holmes (marked 3 <sup>1</sup> to 3 <sup>68</sup> inclusive.)<br><i>(Referred to on page 28 of the Evidence.)</i>                                    |
| No. 3-13-14..                                | 14 bogus ballots (so called) numbered 1 to 14 series 3 of Holmes's ballots.<br><i>(Referred to on page 32 of the Evidence.)</i>                                           |
| No. 4. ....                                  | Ballots (30) cast for McLean (marked 4 <sup>1</sup> to 4 <sup>30</sup> inclusive.)<br><i>(Referred to on page 30 of the Evidence.)</i>                                    |
| No. 5. ....                                  | L. C. Dancey's appointment as agent for Holmes.<br><i>(Referred to on page 24 of the Evidence.)</i>                                                                       |
| No. 6. ....                                  | Unused and returned ballots (27.)<br><i>(Referred to on page 28 of the Evidence.)</i>                                                                                     |
| No. 7. ....                                  | Unused and returned ballots No. 1 Polling Subdivision, Ashfield.<br><i>(Referred to on page 44 of the Evidence.)</i>                                                      |
| No. 8. ....                                  | Unused and returned ballots No. 2 Polling Subdivision, Ashfield.<br><i>(Referred to on page 44 of the Evidence.)</i>                                                      |
| No. 9. ....                                  | Declaration of William McConnell that he had voted for McLean.<br><i>(Referred to on page 72 of the Evidence.)</i>                                                        |
| No. 10-1, 10-2                               | Pieces of ballot paper picked up by James Reid (showing number and initials) at Polling Subdivision No. 3, Goderich.<br><i>(Referred to on page 194 of the Evidence.)</i> |
| No. 10-3. ....                               | Pieces (about 50 in number) of ballot papers picked up by James Reid at Polling Subdivision No. 3, Goderich.<br><i>(Referred to on page 194 of the Evidence.)</i>         |
| No. 11. ....                                 | Sketch of a ballot paper drawn by Mr. Britton, M.P., and marked by Charles Carey.<br><i>(Referred to on page 228 of the Evidence.)</i>                                    |
| No. 12. ....                                 | Plan of council chamber, Goderich (Polling Subdivision No. 3), drawn by James Reid.<br><i>(Referred to on page 162 of the Evidence.)</i>                                  |

SYNOPSIS OF EXHIBITS—*Continued.*

| Exhibit.                                          | Description.                                                                                                                                                                                                    |
|---------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Polling Subdivision No. 2, Colborne :</i>      |                                                                                                                                                                                                                 |
| No. 13.....                                       | Poll book.<br>( <i>Referred to on page 228 of the Evidence.</i> )                                                                                                                                               |
| No. 14-1.....                                     | 1 rejected ballot.<br>( <i>Referred to on page 291 of the Evidence.</i> )                                                                                                                                       |
| No. 14-2.....                                     | 1 ballot marked for Holmes.<br>( <i>Referred to on page 292 of the Evidence.</i> )                                                                                                                              |
| No. 14-3.....                                     | Remainder of ballots marked for Holmes.                                                                                                                                                                         |
| No. 14-4.....                                     | Ballots marked for McLean.                                                                                                                                                                                      |
| No. 14-5.....                                     | Unused and returned ballots.<br>( <i>Referred to on page 293 of the Evidence.</i> )                                                                                                                             |
| No. 15-1, 15-2                                    | 2 ballots taken, 1 from bottom and 1 from top of package marked exhibit 15-3.<br>( <i>Referred to on page 302 of the Evidence.</i> )                                                                            |
| No. 15-3.....                                     | Package (No. 1) ballot papers filed by D. McGillicuddy.                                                                                                                                                         |
| No. 15-4.....                                     | do (No. 2) do do                                                                                                                                                                                                |
| No. 15-5.....                                     | do (No. 3) do do                                                                                                                                                                                                |
| No. 15-6.....                                     | Block (empty) from which exhibits 15-3 and 15-4 were printed.                                                                                                                                                   |
| No. 15-7.....                                     | Block (with type set) from which exhibit 15-3 was printed.<br>( <i>Referred to on page 302 of the Evidence.</i> )                                                                                               |
| <i>No. 3 Polling Subdivision, Goderich Town :</i> |                                                                                                                                                                                                                 |
| No. 16.....                                       | Poll book.                                                                                                                                                                                                      |
| No. 17.....                                       | Voters' List.<br>( <i>Referred to on page 321 of the Evidence.</i> )                                                                                                                                            |
| No. 18-1.....                                     | Ballots marked for McLean.<br>( <i>Referred to on page 323 of the Evidence.</i> )                                                                                                                               |
| No. 18-2.....                                     | Unused and returned ballots.                                                                                                                                                                                    |
| No. 18-3.....                                     | 49 ballots marked for Holmes, having a white line across the top right hand corner.                                                                                                                             |
| No. 18-4.....                                     | 10 ballots marked for Holmes without the white line across the top right hand corner.                                                                                                                           |
| No. 18-4a.....                                    | The only one of the last 10 (18-4) with initials on the back.                                                                                                                                                   |
| No. 18-5.....                                     | 12 ballots marked for Holmes, also without the white line across the right hand top corner, but darker in colour than exhibit 18-4.                                                                             |
| No. 18-5a b...                                    | 2 of last exhibit (18 <sup>5</sup> ) without initials on the back.                                                                                                                                              |
| No. 18-6.....                                     | 2 ballots marked for Holmes on which the white line across the right hand top corner is indistinct ( <i>see also exhibits 2, 10-1, 10-2, 10-3, 12</i> ).<br>( <i>Referred to on page 324 of the Evidence.</i> ) |
| <i>Polling Subdivision No. 7, Goderich Town :</i> |                                                                                                                                                                                                                 |
| No. 19-1-2....                                    | 2 ballots (1 marked for Holmes and 1 for McLean) with white line across the right hand top corner.                                                                                                              |
| No. 19-3.....                                     | Unused and returned ballots.                                                                                                                                                                                    |
| No. 19-4.....                                     | Ballots marked for McLean.                                                                                                                                                                                      |
| No. 19-5.....                                     | Ballots marked for Holmes.                                                                                                                                                                                      |
| No. 19-6.....                                     | Poll book.<br>( <i>Referred to on page 350 of the Evidence.</i> )                                                                                                                                               |

# Privileges and Elections Committee.

## SYNOPSIS OF EXHIBITS—*Concluded.*

| Exhibit.     | Description.                                                                                                                                                                                                     |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|              | <i>Polling Subdivision No. 7, Goderich Town :—Con.</i>                                                                                                                                                           |
| No. 20.....  | Statement of number of ballots purporting to have been furnished the different Deputy Returning Officers for the election ; prepared by Mr. Powell, M.P., Mr. Flint, M.P., and Mr. William Lane, election clerk. |
|              | <i>(Referred to on page 438 of the Evidence.)</i>                                                                                                                                                                |
| No. 21.....  | Paper showing the manner in which F. L. Stahleker marked his ballot.                                                                                                                                             |
| No. 22 ..... | Declaration of W. L. McLean that he voted for Robert McLean.                                                                                                                                                     |



Privileges and Elections Committee.

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## Privileges and Elections Committee.

HOUSE OF COMMONS,  
Wednesday, 19th July, 1899.

The Committee met at 10.30 a.m., Mr. Fortin in the Chair.

Inquiry *re* the last election for the West Riding of the County of Huron, resumed.

JAMES McWHINNEY, witness on the stand.

After some discussion on the motion of Mr. Russell "that before determining the question whether electors who voted at the election in West Huron may be asked for whom they marked their ballot papers, it is the opinion of the committee that the deputy returning officers and other officials present at the polling booth and taking any official part in the election should first be examined" and the amendment of Mr. Tisdale thereto "that the question put to the witness is relevant and should be allowed now", the amendment and motion were put to the committee. The amendment was lost and the main motion adopted.

Mr. BORDEN.—I understand the question which I proposed to this witness is ruled out. Is that the fact?

The CHAIRMAN.—For the moment.

Mr. BORDEN.—For the present?

The CHAIRMAN.—For the present only.

Mr. BORDEN.—I have submitted a question to the witness on the stand and I want a ruling by the Chairman as to whether that question is to be allowed now.

The CHAIRMAN.—In accordance with the opinion of the committee expressed upon the motion which has just been put, the objection against the evidence tendered is maintained for the present.

Mr. BORDEN.—I haven't anything further to ask this witness for the present.

Witness withdrew.

JAMES McMANUS sworn :

*By the Chairman :*

Q. What is your name?—A. James McManus.

*By Mr. Borden (Halifax) :*

Q. Mr. McManus, where do you live?—A. In Colborne.

Q. How long have you resided there, all your life?—A. No.

Q. How many years?—A. Twenty-eight years.

Q. You were one of the representatives of Mr. McLean at the election?—A. Yes, sir.

Q. And you went there, under a written authority from Mr. McLean?—A. Yes, sir.

Q. Who was the other representative of Mr. McLean?—A. Edward Shaw.

Q. Who was the deputy returning officer at that polling subdivision?—A. Mr. Cumming.

Q. Mr. Donald Cumming?—A. Yes.

Q. Were you there at the commencement of the poll?—A. I was about five minutes late.

Q. And you remained until after the ballots were counted?—A. I remained until after they were counted.

Q. Who was the other representative for Mr. McLean?—A. The other scrutineer?

Q. The other scrutineer?—A. Edward Shaw.

Q. Were there any representatives there for Mr. Holmes?—A. Yes, sir.

Q. Who were they?—A. James Chisholm and John Lawson.

Q. Did they produce written authorities from Mr. Holmes, do you know?—A. They were sworn in before I came; I was the last scrutineer sworn in.

Q. Was there any one else that undertook or was allowed to represent Mr. Holmes?—A. Yes, there was a man from town that took James Chisholm's place.

Q. Who was he?—A. I just forget the name.

Q. Do you remember McAvoy?—A. That is the name.

Q. John McAvoy?—A. I know him well.

Q. He took Chisholm's place?—A. He took Chisholm's place.

Q. Did Chisholm go away?—A. He was around the place there but did not scrutineer any longer.

Q. He was a scrutineer how long?—A. He was there, maybe, at ten o'clock, and, maybe, about an hour.

Q. What was he doing the rest of the day?—A. He was drawing voters, or working that way. He had his rig there.

Q. He was in and out?—Were there any other who undertook to represent Mr. Holmes?—A. There was Mr. Dancy. He took this other man's place.

Q. Whose place?—A. This second man McAvoy's.

Q. He took McAvoy's place?—A. Yes.

Q. When did he take his place?—A. Just before dinner time, some time. I would not say, not the exact time.

Q. Do you know whether Dancy was sworn in or not?—A. He was not sworn in to my knowledge.

Q. Did you make any objection with regard to him?—A. Not till the counting time came.

Q. Not till the counting of the ballots?—A. I objected then.

Q. How many were present on behalf of Mr. Holmes when the ballots were counted?—A. Well, there was the returning officer or the deputy returning officer, the poll clerk, and Lawson and this Chisholm who was sitting back like in the place, but of course this other man that took his position of course there was other men sitting there in the room, but that was the ones connected with it.

Q. What objection did you make to Dancy's presence?—A. I objected because I hadn't seen him sworn in as an agent. That is the objection I made.

Q. And what ruling, what decision did the deputy returning officer give?—A. Well he said he was to be in.

Q. Now you say that the deputy returning officer said that he should remain in?—A. That he should remain in.

Q. Did he give any reason for it?—A. Well he said he had papers.

Q. Were there any papers?—A. Yes.

Q. Did you ask for papers?—A. Yes, I asked for them.

Q. You asked Dancy?—A. Yes.

Q. What did he say?—A. Well he said he had his papers but did not produce them.

Q. And he was allowed to remain while the ballots were being counted?—A. Yes.

Q. Did he take any part in the counting?—A. No, only to talk, and to keep count with paper and pencil.

Q. You observed the way in which the ballots were dealt with by the deputy, did you?—A. Yes.

Q. Can you tell me what he did with the counterfoils?—A. The counterfoils, with the exception of one of them, were torn off and he put them in his pocket.

## Privileges and Elections Committee.

Q. I am asking you about the proceedings during the day; in the first place the elector would come in and ask for a ballot?—A. Yes.

Q. The deputy returning officer would give him a ballot to which the counterfoil was attached?—A. Yes, that is the way he done.

Q. And the ballot itself would have his initials?—A. It had the two initials of his name on the back of it.

Q. And the counterfoil would be on the ballot when handed to the voter?—A. Yes.

Q. Then the voter would go into the private compartment to mark his ballot?—A. Yes.

Q. And he would bring the ballot back and give it to the deputy returning officer?—A. Give it to the deputy returning officer.

Q. And the deputy would tear off the counterfoils?—A. Tore off the counterfoil.

Q. And what did he do with it?—A. Put it in his pocket.

Q. Put it in his pocket?—A. In the right hand pocket of his coat.

Q. So that after receiving a ballot from the respective electors he would tear off the counterfoil in each case, with one exception?—A. In each case I seen, with one exception, and I did not see him throw that on the floor; I seen it laying there.

Q. And he put his hand in the right hand pocket?—A. Yes, it was the right hand he tore them off with.

Q. Now did you watch him at all closely when he was doing this?—A. Well I did not watch him particularly, because we were both neighbours and I did not suspect anything going wrong; he seemed all right.

Q. So you didn't watch him?—A. Not as long as a ballot went into the box I didn't pay any attention; this tearing of the counterfoil drew my attention because I didn't see it done till then; I had seen them thrown away.

Q. Previously you had seen it thrown away or destroyed?—A. Yes, or left it in the book.

Q. You never saw it put in the pocket before?—A. No, I didn't.

*By Mr. Russell :*

Q. You say you have seen it left in the book?—A. Yes, I have seen it left in the book.

Q. Loosely?—A. Yes.

*By Mr. Borden (Halifax) :*

Q. Did you say anything to the deputy returning officer about this, about his putting these in his pocket?—A. Yes, I asked him what he did it for, and he said it was just the same.

*By Mr. Leicourt :*

Q. When did you object?—A. When I first saw him do it.

*By Mr. Borden (Halifax) :*

Q. Can you describe how far away you were sitting from the deputy returning officer?—A. About eight or ten feet.

Q. You were sitting on a bench?—A. Yes.

Q. Were you sitting on his right or left?—A. On his right.

Q. On his right?—A. The least thing angle, but on the right side, the passage for the people to come in was between him and me.

Q. He sat with the ballot box before him?—A. Yes, on the table.

Q. The voters coming in passed?—A. Between him and me.

Q. And when the voter handed the deputy returning officer his vote would he be standing between you?—A. No, more out there near where they went in to vote.

Q. Was Mr. Shaw present all the time during the day?—A. All the time only while he ate his dinner.

Q. And when you were eating your dinner he was present as far as you know?  
A. Yes, he was present.

Q. Do you know Mr. Dancy?—A. Yes, just know him to see him, that is all.

Q. Where does he live?—A. Goderich.

Q. How far is that away from this polling division?—A. About five miles.

Q. Do you know what his occupation is?—A. Well, I think he is a lawyer, as far as I know.

Q. And do you know whether or not he is a political worker?—A. Well, I have seen him out speaking at meetings.

Q. In what interest, Conservative or Liberal?—A. Well, on the Reform side.

Q. What is your occupation, Mr. McManus?—A. Farmer.

Q. What is the occupation of Mr. Shaw?—A. Farmer.

Q. What is the occupation of Mr. Chisholm?—A. He is a farmer.

Q. And Mr. Lawson?—A. Farmer.

Q. And Mr. McEvoy?—A. Well, I don't know what he is.

Q. Where does Mr. McEvoy live?—A. I have seen him in Goderich; I don't know whether he lives there or not.

Q. He does not live in this polling division?—A. No.

Q. You don't know what his occupation is?—A. I don't know. I have seen him around the law offices there, that is all.

Q. Mr. Dancy is a kind of lawyer too, is he not?—A. I have heard him say so, I have never had any dealings with him.

Q. So there were just two of you farmers representing Mr. McLean and two farmers representing Mr. Holmes and these two gentlemen from Goderich, one of whom was a lawyer and one of whom was a kind of a lawyer?—A. Well, you can put it as you like.

Q. I am finding no fault with it? Now, of these four scrutineers for Mr. Holmes, two farmers and the two gentlemen from Goderich, were more than two of them present on his behalf during the day?—A. Well, not acting.

Q. Not acting?—A. No, not inside the building; the two was always acting inside the building.

Q. I mean was there any time at which more than two of these four men acting for Mr. Holmes were in the building?—A. Well, I won't say that, because Mr. Chisholm may have come into the place. It is not like a town, there is times when three or four voters may be in the outside place.

Q. You do not remember whether there were more than two?—A. Mr. Chisholm would come in but he was not doing anything.

Q. He was not doing anything?—A. No.

*By Mr. LaRivière :*

Q. But he was in the room?—A. Yes, part of the time.

*By Mr. Borden :*

Q. At the time of counting the ballots how many of these four men you have named were acting as scrutineers?—A. How many of those four men?

Q. Yes.—A. Just Lawson and Dancy.

Q. Where were Chisholm and McEvoy at that time?—A. I do not know where McEvoy was; Chisholm was in the room.

Q. But he was not sitting up with the scrutineers?—A. No, he was sitting there with a lot of other men.

*By Sir Louis Davies :*

Q. Who were the two Holmes' scrutineers at the counting of the ballots?—A. Lawson and Dancy.

## Privileges and Elections Committee.

*By Mr. Borden :*

Q. When each voter would hand his ballot to the deputy returning officer would he or would he not have to pass between you and the deputy returning officer in order to go out?—A. To go outside after he gave his ballot to the deputy returning officer?

Q. Yes.—A. He would pass between us. Just go between us like as he passed out.

Q. And would the deputy returning officer tear the counterfoil off at once, as soon as the voter handed the ballot to him?—A. As far as I could see if the ballot was not folded properly he would just open it out enough to see his mark on it and then tear it off.

Q. Did you notice on what kind of paper the ballots were printed? Was it thin or thick paper?—A. I noticed they seemed smaller than they had been.

Q. Would you describe the paper as thick or thin paper?—A. Well, it is thinner paper than I had generally seen.

Q. But was it thick or thin paper? thinner than you had generally seen?—A. Yes.

Q. Would you look at that and see whether that corresponds with the ballots you saw, it is torn of course and pasted, but——?—A. Well, it looks just like the ballot only it has been dirtied and pieced together. I would not swear that it was the same ballot, but it looks like it.

Mr. BORDEN—Perhaps you had better mark it for identification.

*By Mr. Borden :*

Q. Would you tell me Mr. McManus what reason, if any, the deputy returning officer gave for allowing Dancy to remain and act as scrutineer without the production of his papers from the candidate?—A. He did not give any reason at the time he said he had papers. I asked him to produce them and he didn't.

Q. What reason did they give for not producing them?—A. They said he was Holmes' agent.

Q. You wanted the papers produced?—A. I wanted them produced.

Q. And they were not produced?—A. They were not produced.

Q. Were you pre-ent when Dancy first came?—A. Yes.

Q. About what time did he make his appearance?—A. I would not say exactly when he came.

Q. Was it the forenoon or afternoon?—A. It was the forenoon.

Q. And he came to take McEvoy's place, I understand?—A. Yes.

Q. Where did McEvoy go when Dancy came?—A. He stayed around for a while, I think he had his dinner at Chisholm's and I think he went away then.

Q. You do not remember seeing him again in the afternoon?—A. No.

Q. Have you ever acted as scrutineer before?—A. Yes.

Q. On how many occasions?—A. Well, I wouldn't say—twice I think before.

*By Mr. McInerney :*

Q. Did you see the poll clerk sworn that day?—A. Who.

Q. The poll clerk?—A. No, I did not.

Q. Did you see any of Holmes' scrutineers sworn?—A. No, I did not.

Q. Was Dancy sworn?—A. No. I was there then. I was about five minutes late in the morning. Those men were sworn in before I came.

Q. And Dancy came afterwards?—A. Yes.

Q. Was he sworn?—A. Not to my knowledge.

Q. Did any of the scrutineers at any time go into the private apartment with a voter?—A. With a voter?

Q. Yes?—A. Just on one occasion.

Q. Which scrutineer for Holmes was it?—A. Well I would not say.

Q. Was it Dancy?—A. I think the man they went in with voted right early the first thing in the morning.

Q. After you came?—A. No, before I came.

*By Mr. Morrison :*

Q. You do not know of your own knowledge?—A. No, I do not.

*By Mr. McAlister :*

Q. Do you know of your own knowledge that Holmes' scrutineer was sworn at all?—A. No I do not.

*By Mr. Flint :*

Q. You were scrutineer at the previous election?—A. Yes.

*By Mr. Belcourt :*

Q. The first two men acting as scrutineers for Holmes were Chisholm and Lawson?—A. Yes.

Q. You say that the two first scrutineers were Chisholm and Lawson?—A. Yes.

Q. Then there was a change about ten o'clock?—A. Yes.

Q. Then McEvoy came?—A. Yes.

Q. Was he sworn?—A. He put his name down but was not sworn.

Q. Then later on again Dancy came?—A. Yes.

Q. And took McEvoy's place.—A. Yes.

Q. And he was not sworn?—A. No.

Q. At least you did not see him sworn?—A. No, I did not.

Q. Would the other scrutineer for McLean, Mr. Shaw, remain all day—A. Yes.

Q. There was no change at all?—A. No change at all; going to dinner of course but no change like.

Q. But nobody took your place while you were at dinner?—A. I appointed nobody but Shaw remained.

Q. So that both changes, in both cases the man was not sworn. McEvoy was not sworn nor was Dancy?—A. McEvoy was not, nor Dancy to my knowledge.

*By Mr. Russell :*

Q. You told us what took place up to the time when the ballots were counted?—A. Yes.

Q. I suppose they were counted all right?—A. Yes.

Q. And you kept the tally?—A. No, Shaw kept the tally for my side.

Q. And you watched the counting?—A. Yes, sir.

Q. One of you would keep tally on the votes and the other watched that the man counted all right?—A. Yes.

Q. And you were the one that watched and saw that the right kind were counted?—A. That is it.

Q. And that they counted them?—A. Yes.

Q. And your friend was there who kept the tally so that they would be able to know that they were making a correct count?—A. Yes.

Q. The ballots that were counted. I suppose you do not remember the number, how they turned out?—A. The number, they were correct. You want the definite number? I can give you the definite number if you want it—ninety-eight to the best of my knowledge.

Q. My recollection was that it is thirty for one and sixty-eight for the other, something like that. Anyway, you made up the statement?—A. We counted the ballots all over and made that out.

Q. And you all agreed they were all right?—A. Yes.

Q. There were no disputed ballots?—A. No disputed ballots.

Q. And you signed a document saying it was a correct statement?—A. I guess I did.

## Privileges and Elections Committee.

Q. The ballots that were counted. I suppose you do not remember the number, how they turned out?—A. The number, they were correct. You want the definite number? I can give you the definite number if you want it—ninety-eight to the best of my knowledge.

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Q. There were no disputed ballots?—A. No disputed ballots.

Q. And you signed a document saying it was a correct statement?—A. I guess I did.

Q. You don't remember?—A. These papers were there and I think I signed them. But I don't want to swear anything I do not know.

Q. And if there is a document with your name to it, that is, of course, correct?—A. I know my writing; I will swear to that.

Q. You all agreed that so far as the ballots that appeared in the box at the end of the day were concerned that was all right?—A. That was all right, there was no dispute about it.

Q. I understood you to say during the day that you did not keep any particular watch on Mr. Cumming, except that so long as the ballot went into the box you did not pay any attention to it?—A. Not particularly.

Q. But you were satisfied the ballots Mr. Cumming received went into the box?—A. If I had not been satisfied I would have objected.

Q. You would have made some row?—A. If I saw anything wrong.

Q. You went out to dinner some time in the middle of the day?—A. Yes.

Q. Do you happen to remember whom you went out with, or did you go alone?—A. I went up to Mr. Taylor's.

Q. He was not one of the officers in the booth?—A. No, sir.

Q. And you don't know which of the scrutineers on Holmes's side went out to dinner at the same time, or do you know? When you went out to dinner who did you leave in the polling booth?—A. I would not like to say, but they all went to dinner.

Q. You cannot recollect whether you left all the others in the polling booth or or if some of them went to dinner?—A. One of us stayed till the other came back.

Q. And the other side did the same way?—A. Yes.

Q. One went on either side for dinner while the other waited?—A. Yes.

Q. You don't happen to remember I suppose whether Cumming went out to dinner or if he had his dinner?—A. He had his dinner.

Q. He sat there all the time?—A. Yes.

Q. You cannot swear he stayed there all the time, but you left him there and he was there when you came back and he had his dinner?—A. He brought his dinner there with him.

Q. You know Mr. Cumming and I understood you to say he always seemed to be upright and you had no reason to suspect him?—A. Yes.

Q. McAvoy, I understood you to say he took Chisholm's place, but I understood you afterwards to say that Chisholm remained?—A. No, I did not say that. I said he came in and out.

Q. When Mr. McAvoy came, Mr. Chisholm went out?—A. McAvoy came and said he was going to take Chisholm's place and put his name down.

Q. And did Chisholm go out?—A. He went out at that time.

Q. And after McAvoy did he go out and Dancy take his place?—A. Dancy took his place.

Q. McAvoy didn't come in again?—A. He was there.

Q. In and out?—A. He might have been there an hour or an hour and a half. I do not remember him coming back after he went with Chisholm to dinner.

Q. That was the last you saw of him?—A. That is the last I will swear to.

Q. In the afternoon there was just yourself and Dancy, and Mr. Chisholm was in at that time was he?—A. He was out and in.

Q. Mr. Borden asked you if these voters that came in with their ballots marked after handing them to the deputy returning officer had to pass between you and the deputy returning officer?—A. Yes.

Q. There was nobody between you and the ballot box or between you and Mr. Cumming at the time when the ballot was handed to him and put in the box?—A. He just came along as if that was the table and handed it to Cumming and passed along.

Q. And you were in a position where you could see everything that was done with the ballot?—A. I would be here.

Q. And you could see everything?—A. Yes, I could see everything.

*By Hon. Mr. Sifton:*

A. And could see him put the ballot in the box?—A. Yes, he was there and I was here.

Q. You came late for the opening of the poll and therefore did not see whether the officers were sworn or not?—A. I did not see them sworn in.

Q. You took the oath yourself?—A. Yes.

Q. After the opening of the poll?—A. Yes.

Q. Had any one voted before you came in?—A. Two persons voted.

Q. The book would show that?—A. I took it from the other one who was there.

Q. You kept a tally?—A. I marked each man as he voted when he came in.

Q. And you marked how you would expect him to vote?—A. That was generally marked on the book. It was marked on the book before I got it.

Q. You did not raise any objection to Dancy being there until the time for counting came?—A. No, sir.

Q. And then thought he might know more about marking ballot papers, being a lawyer, or a half lawyer, and didn't wish him to be there at that stage?—A. I did not wish any one to be there that was not sworn in. If he had been sworn in and showed his papers, I had no objection to him.

Q. I suppose you voted yourself at that poll; did you?—A. Yes, sir.

Q. And handed your ballot to Mr. Cumming?—A. To Mr. Cumming.

Q. And he tore the counterfoil off in the same way and put it in his right hand pocket?—A. In his right hand pocket.

Q. And put your ballot in the box?—A. Yes.

Q. The same as all the rest?—A. Just the same as all the rest.

Q. And you had no occasion until the close of the poll to make any objection to anything, and supposed nothing wrong?—A. Nothing, only his putting them in his pocket.

Q. You thought his duty was to destroy them instead of putting them in his pocket?—A. I always seen them left there or else thrown on the floor; that is the way I have seen them done before.

Q. Sometimes that is done. You found one counterfoil on the floor?—A. I found one lying under his chair.

Q. It did not get in his pocket?—A. No answer.

Q. In the country you say you have been off at elections frequently and have been scrutineer at elections before this?—A. Yes, sir.

Q. I understood you to say that frequently in the country there would be occasionally other persons in the polling place besides the regular officers?—A. Yes.

Q. That two or three voters would drop in?—A. Yes.

Q. And that in the country you think there is no harm in it so long as they do not go near the ballot box?—A. Yes.

Q. How often have you known that done?—A. Two or three times.

Q. It is often done in the country?—A. Yes.

Q. You don't stick to the law too closely?—A. Sometimes in winter they come in to warm themselves when they drive quite a piece.

Q. Now, you were under the impression that Mr. McAvoy was not sworn in?—A. That is my impression, just the same as the other man, I would have objected to him being at the counting.

## Privileges and Elections Committee.

Q. Mr. McAvoy came in some time after you assumed your duties?—A. Yes.

Q. You would be surprised if Mr. McAvoy was sworn?—A. I would be surprised.

Q. It was about an hour after that Mr. McAvoy arrived?—A. I would not say the time, possibly about an hour.

Q. You might forget the circumstances of his being sworn? Would you look at that (handing witness the poll book). It is the oath taken by Mr. McAvoy.—A. He signed his name to a paper, I told you that before.

Q. Well, Mr. Cumming signed his name too?—A. Yes, after; that wasn't swearing the man.

Q. He did not go through the form?—A. To take the book and go through the form as I did, I didn't see him.

Q. It would not be a busy day, I suppose, getting in ninety votes?—A. No.

Q. There would be long spells between time, about dinner time, when there would not be any voters, and time would hang heavy on your hands?—A. Yes, sometimes.

Q. And you would be reading the newspaper?—A. No, we had no newspaper.

Q. And smoking?—A. No, I don't smoke any.

Q. Well, there would be a good part of the day and not any business going on?—A. A good part of the day.

Q. Don't you think it possible that Mr. Cumming swore McAvoy?—A. Well, I do not think he did and I sat there, not to swear him in the way I was sworn; I didn't see him swear the others.

Q. Can you remember, Mr. McManus, whether you signed a document that the papers were thirty for one and sixty-eight for the other, or whatever it was?—A. Well, if they asked me to, I signed it.

Q. After you were satisfied?—A. We all sat there till the papers had been put up and the envelope closed.

Q. You would be prepared to sign the document?—A. I would.

Q. And you were satisfied the result was fairly taken and that it was a fair polling?—A. Yes, I was satisfied.

Q. At the end of the day you were satisfied the polling had been fairly done and that it was the true result?—A. All except this one man who was in without showing his papers.

Q. All except that?—A. Yes.

Q. You objected to his not being sworn, you thought he should be sworn, but you didn't object to his being there except at the counting?—A. I did not object when he came in to his not being sworn; I didn't do anything till he went in to count the votes.

Q. Well, what part did he take counting the votes?—A. No part except counting the votes.

Q. That is counting them, not handling them?—A. Yes.

Q. Who handled them?—A. Mr. Cumming.

Q. Mr. Cumming himself and no one else; what about the poll clerk?—A. Well, the poll clerk put them in two heaps, and put a weight on them.

Q. He could not do that till after they were separated?—A. He took them out of the box one by one and gave the names.

Q. Who did that?—A. Mr. Cumming.

Q. He took them out one by one and gave the names?—A. Yes.

Q. And the poll clerk put a weight on them?—A. Yes, so they would not get away.

Q. So at the close of the day no one handled these except Mr. Cumming and the poll clerk?—A. Yes, I was there and watched it.

Q. Your business was to watch?—A. Yes, I watched as close as I could watch.

Q. And you watched till the close?—A. Yes.

Q. And you were sure every ballot was taken out?—A. Yes, sure.

Q. You saw the bottom of the box?—A. Yes.

Q. You were not there at the beginning but at the close you were sure nothing was left in, and that no one handled the ballots except Mr. Cumming and the poll clerk, and you saw the ballots were read off and your friend kept tally and you watched, and so you signed the document?—A. I think I did.

Q. You were prepared to sign the document?—A. Yes, and I am prepared to swear to my signature.

Q. You believed at the end of the day, knowing that, that it had been a fair poll?—A. Yes, as far as I was concerned.

Q. And as far as Mr. Cumming was concerned?—A. Only just the objections that I tell you.

Q. And you didn't think that interfered with the justice of the voting?—A. Not at that time.

Q. Only it was a thing that was not common?—A. It was a thing that was not common, and I spoke of it at the time.

Q. But you didn't think it interfered with the taking of the poll as a matter of fact?—A. No.

Q. And you don't think it did?—A. No, I hadn't heard anything then.

Q. What you heard was afterwards?—A. Yes.

Q. From some one who was not in the poll?—A. No, I heard of this putting ballots in through the papers.

*By Mr. Britton :*

Q. When you were sworn, what was done?—A. Well, he read the oath over to me and I took the book and kissed it.

Q. He read the oath to you off the book, or had he a paper?—A. I would not say whether he did.

Q. You came five minutes late?—A. Yes, I came five minutes late.

Q. And you were asked to take the oath; what was done?—A. He read the oath over to me.

Q. From a book?—A. From a paper.

Q. And having read it over, what did you do?—A. Well, I had to stand there, you know, and put my hand on my heart. I won't say whether we kissed the book or not; I did say that here before, but I won't say it for sure.

Q. Well, you signed all right?—A. Yes.

Q. You signed?—A. Yes.

Q. And apparently in the same way as McAvoy?—A. Well, he didn't read it over to him.

Q. But you signed in the same kind of book as he did; that is your signature? (handing the witness the poll book)—A. Yes.

Q. And that is McAvoy's?—A. That is his name.

Q. You are sure that every voter put something into the ballot box?—A. I am sure, to the best of my knowledge, that Mr. Cumming put something in every time.

Q. That the returning officer put in what he received from the voter?—A. No, I won't say that; he put it in, to the best of my knowledge, what he received.

Q. And you have already said he put the counterfoils in his pocket. Did he crush them?—A. He took them this way, and with the right hand and put them into his pocket. I would not say whether he crushed them.

Q. At night were there any counterfoils found in the box?—A. Not to my knowledge.

Q. Was there any other paper except ballots found in the box?—A. Not to my knowledge.

*By Mr. Bell :*

Q. Can you tell me how long it was after the ballot was put into the box that he put the counterfoil into his pocket?—A. He did that first.

Q. He did what first?—A. He put the counterfoil into his pocket first.

## Privileges and Elections Committee.

Q. Did you see anything wrong in that?—A. No.

Q. Everything was done regularly?—A. Done regularly.

Q. Was there anything put into the ballot box that should not have been put in?—A. Not to my knowledge.

*By Mr. Borden :*

Q. You say that he put the counterfoils into his pocket before putting the ballot into the box? Cummings, the deputy returning officer, tore off the counterfoil and put the ballot into the box?—A. To the best of my knowledge he tore it off with the right hand and done it that way, and did everything he was going to do with the ballot and then put it in the box.

Q. At this time you had never heard anything of manipulating ballots?—A. Never heard of it.

Q. And were not suspicious?—A. Not suspicious at all.

Q. And you did not watch with respect to manipulating ballots?—A. I never watched for that.

Q. When you say you were satisfied at the close of the poll, it was in view of the fact that you had never heard of this sort of thing being done before, you had no sort of suspicion?—A. About what?

Q. About manipulating the ballots?—A. No, I had never heard of it before.

Q. Did you notice or could you tell when the deputy returning officer unfolded the ballot for the purpose of tearing off the counterfoil, did he unfold the ballot—when this deputy returning officer received the ballot for the purpose of tearing off the counterfoil did he unfold it in any way?—A. He unfolded it like to the double.

Q. So that it was just folded once?—A. Yes. And then he laid it down so on the table. Just on the edge of the table, so, and tore off the counterfoil.

*By Mr. Russell :*

Q. And then did what?—A. Put the counterfoil in his pocket.

*By Mr. Borden :*

Q. He put the counterfoil in his pocket?—A. Yes, that is the way he did it.

Q. And then he put something into the ballot box, either that ballot or something else?—A. Yes, he put the ballot into the box.

Q. When he unfolded the ballots so that it was what you described as just doubled, could you or could you not see the mark on the ballot?—A. I would not swear whether he could or not.

Q. Could you yourself see through the paper?—A. You might see a mark through the paper, but I would not say whether you could or not. I won't swear to it.

Q. Did you yourself see any mark upon any of these ballots when unfolded in that way?—A. No, I did not.

Q. Did you notice when you came to count the ballots in the evening that any of them were marked in a peculiar way or a number of them marked in a similar way?—A. Well, not in particular.

Q. Nothing in particular. What size was the table on which the ballot box was?—A. When he was checking them off.

Q. Yes.—A. Oh, it would be about three feet square, I guess.

Q. Three feet square. He sat behind the table and the ballot box was in front of him?—A. No, he stood up.

Q. Whenever he received a ballot?—A. He stood right up and took them out of the box.

Q. But I mean when the voters were polling their votes?—A. Oh, yes, he was sitting then. I thought you meant when taking them out of the box.

Q. He sat behind the table?—A. Yes. He sat here, and the ballot box was here.

Q. When the ballots were counted at the close of the day, they were taken out and put into two piles as you told my learned friend Mr. Russell?—A. Yes.

Q. When they were taken out of the ballot box, were they counted as they were put into the two piles?—A. They were counted; the name was read out of the candidate for whom it was marked as each one was taken out.

Q. Where did you sit when the deputy returning officer took the ballot out of the box or where did you stand, if you were standing?—A. I sat here like, Dancy there, and he was taking them out there.

Q. Dancy was on one side and you were on the other?—A. No, Dancy was between us.

Q. He stood up and took the ballots out of the box, Dancy stood next to him and you stood next to Dancy?—A. No, we were sitting, and he was standing.

Q. Did you look at each ballot as it came out?—A. Looked at each ballot?

Q. All of you?—A. No, it was Dancy and me that looked at them the most, and if we could not see the initials, the poll clerk was told to turn it up.

Q. Did you see the face of each ballot when it was taken out and counted, and as it was called out?—A. Yes.

Q. You saw the face?—A. Yes, I saw the face.

*By Sir Louis Davies :*

Q. There is just one point that Mr. Borden stopped you at, and that is about the deputy returning officer taking the ballots. I want you to describe exactly what the deputy returning officer and the voter did?—A. The voter handed him the ballot.

Q. You were watching all the time?—A. I was watching.

Q. Go on?—A. He handed the ballot to the deputy returning officer who took it that way, tore the counterfoil off and put it in his pocket.

Mr. RUSSELL.—You said the ballot was folded this way.

Sir LOUIS DAVIES.—I would like the witness to tell his story; he has, every time, been interrupted at this point. Now, witness, I want to see if you will describe the whole proceeding yourself?—A. Do you want me to go ahead?

Q. Yes?—A. Well, the voter came down, handed him the ballot, he took the ballot and put it down that way, tore the counterfoil off, put the counterfoil in his pocket with the right hand, and then, as far as I could see, put the ballot in the box.

Q. With what hand?—A. He rolled it up then, like—you know how the ballot is folded, unless it was folded properly at first—he took two hands to roll it. You know about how it has to be done to go into the box, and as far as I could see, he put it into the box.

*By Mr. Sifton :*

Q. You were in plain sight all the time?—A. I was sitting just there, and he there.

Q. Anybody between you?—A. Nobody between us.

*By Mr. Flint :*

Q. Who was the poll clerk at this polling booth?—A. Michael Tobin.

Q. On which side of the presiding officer did he sit?—A. He sat to the left hand side.

Q. Near him?—A. The next man to him.

Q. With the poll book lying on the table?—A. The box and the poll book on the same table.

Q. Before the clerk?—A. Yes.

Q. And when the voter came up previous to his being handed the ballot, was his name called by the poll clerk? How was it ascertained that the voter had a right to vote?—A. He read his name as far as I know. Then the deputy returning officer got the ballot ready for him, he took his ballot went away and marked it, gave it to the deputy returning officer and the deputy returning officer put it in the box.

## Privileges and Elections Committee.

Q. At what stage did the poll clerk write down the name of the voter?—A. He had that wrote. He just checks them off.

Q. There is a printed list of voters, is there not?

Some hon. MEMBERS.—Louder. We cannot hear what is being said.

*By Mr. Flint:*

Q. I was just asking the witness about the voting. We have reached this stage that the poll book was before the clerk, was it to the right or left of the deputy returning officer that the clerk sat?—A. To the left.

Q. With the poll book before him?—A. With the poll book before him.

Q. When a voter came in who called his name?—A. The poll clerk.

Q. He called the name from a printed list?—A. I won't say that.

Q. From a list?—A. He was looking into this book and whether he wrote his name I don't know. I know the names was wrote down.

Q. Before he voted or after you cannot remember that?—A. No, he just called the name out and the returning officer would give him his ballot.

Q. And the poll clerk was in as good a position to see all that was done as you were?—A. He was.

*By Sir Louis Davies:*

Q. Did I understand you right to say that when the ballot box was opened at the close of the poll, no one touched the ballots before the deputy returning officer did?—A. He was the first man to touch them.

Q. And as he took them out of the ballot box, he counted for whom the vote had been polled before anyone had touched the ballot, and nobody neither the scrutineer nor the poll clerk, nor anybody touched it until the deputy returning officer had read off whom it was for?—A. Not that I can say.

Q. And then he put it down and put the weight on it?—A. No, he handed it to the poll clerk and the poll clerk put the weight on.

*By Mr. Russell:*

Q. You spoke about the ballots being sometimes folded, when the ballot was handed to the deputy returning officer, we will suppose that way (illustrating with a piece of paper), in one fold to the centre of the ballot. The right way would be for it to be handed that way to the deputy returning officer, and then he would tear this off and put it in the box. Was that the way?—A. Sometimes it would be rolled.

Q. When you spoke of the presiding officer unfolding you mean not unfolding more than he had to, he would unfold it out this way?—A. Yes, to two folds.

Q. He did not unfold further?—A. Not to my knowledge.

Q. I only wanted to understand what you mean?—A. I told you he just unfolded it to the double.

*By Mr. Borden:*

Q. You say the deputy returning officer tore off the counterfoil with his right hand holding the ballot with his right hand either that or on the edge of the table. That he then put his right hand in his pocket with the counterfoil in it?—A. Yes.

Q. He then withdrew his hand and put the ballot in his right hand and put it in the box?—A. He fixed it in the way it should be with his two hands and rolled it tighter to put it in the box. He couldn't put it in the box folded twice.

Q. You don't mean anything significant by saying he fixed it the way it ought to be fixed?—A. I do not.

Q. He held the ballot in his left hand, tore off the counterfoil with his right, hand in his pocket, took the ballot from his left hand and put it in the ballot box?—A. That is the procedure.

Q. My learned friend, Mr. Russell, says there was something else that he had to double it up. He had to use both hands, did he?—A. He took both hands to put the ballot in shape to put in the box.

Q. He put his two hands together for the purpose of rolling it up so as to put it in the box?—A. Yes. He could not roll it up that way without putting his two hands together.

Q. Could you tell whether he drew anything from his pocket when he drew his hand out?—A. I could not say. I never watched for anything coming out. I watched to see the ballot go into the box.

*By Sir Louis Davies :*

Q. Did you ever see anything else go in?—A. I did not.

*By Mr. McInerney :*

Q. Were you surprised at the result of the poll?—A. I was.

Q. The return was sixty-eight for Holmes and thirty for McLean. That is what it was, had you your list marked beforehand as to how the vote was likely to go?—A. Yes.

Q. How many did you mark for McLean? This is practical politics.—A. The way we figured that our book—

Question objected to by Sir Louis Davies.

The CHAIRMAN.—I do not think the question is in order.

Mr. McINERNEY.—I asked you how many you had marked for McLean.

Sir LOUIS DAVIES.—I object to that.

The WITNESS.—There is always some—

Some hon. MEMBERS.—Order.

Sir Louis Davies pressed his objection, saying that if there was a book it should be produced.

The CHAIRMAN.—I think the evidence is irregular, for another reason. It is going out of the question before the committee.

Mr. McINERNEY.—I think it is part of the *res gestæ* here, because we are going to prove, or attempt to prove, that a certain number of votes should have been cast at that poll for Mr. McLean, and I think it is evidence that goes to the whole matter to show that men who were well informed, and ought to be well informed, and who were chosen as his agents, claim that a certain number would vote for Mr. McLean, if that is backed up by the fact; and I only offer it with that intention, that a larger number of men will come here and swear they voted for McLean than the ballot box showed as voting for him. I think the knowledge of these men beforehand is part of the *res gestæ* and real evidence.

The CHAIRMAN.—My ruling may be erroneous, but I hold that this is going outside the question referred to the committee. The question referred to the committee is to investigate into the conduct of the respective returning officers, and the several deputy returning officers, at and in connection with each of the said elections respectively. Now, the expectations that might have been held by one of the parties or the other, their surprise, or even their astonishment, should not, to my mind, materially come within the questions submitted to the committee, and I hold that the question is irrelevant. I think the investigation will be long enough, even confining it.

*By Mr. McInerney :*

Q. But you were surprised at the result that evening?—A. Yes, sir.

Q. To what extent were you surprised?—A. How do you mean?

Q. How many votes?—A. Well, about 30 votes.

*By Mr. Flint :*

Q. How many votes did Mr. McLean get there at the previous election?

The CHAIRMAN.—I do not think that is in order at all.

## Privileges and Elections Committee.

*By Mr. Russell :*

Q. I think we have all forgotten to ask you, Mr. McManus, about the box, whether the box was locked and kept locked during the day?—A. To the best of my knowledge it was.

Q. It had to be unlocked at the close?—A. Well, I won't say I seen it locked, but that was the way it was supposed to be; we were getting our papers ready.

*By Mr. Bennett :*

Q. When these counterfoils were being removed what was the action of the deputy returning officer; was it to hold it on the table or hold it in his hand and tear off the counterfoil?—A. Well, I never saw it done that way before.

Q. Well, what did he do?—A. Most of them he took off on the edge of the table.

Q. Well, if taken off on the edge of the table it must only appear in one complete fold when torn off?—A. I won't say.

Q. Just folded once on the counterfoil on the edge?—A. Well, some of them were that way and some of them wasn't.

Q. I may tell you, on this ballot in my hand, the deputy returning officer could not have seen his initials unless it was half open; if the deputy wished to see his initials he would have to disclose half the ballot, and that would show who it was for.

The witness was discharged.

DONALD CUMMING sworn :

*By Mr. Borden (Halifax) :*

Q. You reside where?—A. Dunlop, Colborne township, County of Huron, is my address.

Q. You are a Liberal in politics, I believe?—A. Yes, sir.

Q. You were working for Mr. Holmes during the last election?—A. Yes, sir.

Q. Were you a member of any committee?—A. Yes, sir.

Q. What committee were you a member of?—A. Of the Reform committee, that is for the division. I was chairman.

Q. You were chairman of the division?—A. Yes.

Q. That is for what district?—A. No. 4.

Q. How large a district is that?—A. Not very large.

Q. What part did you take in the election, Mr. Cumming?—A. I didn't take but very little part in the election.

Q. You were chairman of the committee?—A. Yes.

Q. You attended the meetings of the committee?—A. Yes.

Q. You did some canvassing?—A. None but calling the meetings.

Q. Was there any central committee; did you attend any meetings of the central committee?—A. No.

Q. When did you first become aware you were to be appointed deputy returning officer?—A. It might have been two or three days before the elections, I could not tell you.

Q. Who informed you?—A. The returning officer sent me a note.

Q. That is Mr. Sands?—A. Yes, Mr. Sands.

Q. What did you do after you were informed that you were to be appointed returning officer?—A. I didn't do anything particular, nothing that I know of.

Q. Had you any idea before you were informed that you would be appointed deputy returning officer?—A. I hadn't.

Q. Had it been suggested to you by any other person that you would be appointed deputy returning officer before this?—A. I think not, no.

Q. Why do you say you think not?—A. I don't think it was suggested to me by any person that I was to be returning officer.

Q. Do you know whether it was; you say you think, do you know?—A. It was not suggested to me.

Q. Why did you qualify it a moment ago?—A. I think there was no one suggested it to me.

Q. Are you positive about it?—A. I am positive about it.

Q. You are positive about it?—A. Yes.

Q. Now after you were appointed deputy returning officer did you see any Liberal workers?—A. Not to my knowledge.

Q. In connection with your duties as deputy returning officer?—A. No.

Q. No person at all?—A. No.

Q. Did you have any interview with Mr. Dancy?—A. No.

Q. Had you any interview with any person from outside?—A. No.

Q. No person who came in from the outside?—A. No.

Q. You received no instructions as to how you were to perform your duties?—A. No.

Q. As to the way you should perform your duties?—A. None.

Q. You did from the deputy returning officer I suppose?—A. From the returning officer.

Q. When did you receive those?—A. I simply got them in the box.

Q. Where did you get the box?—A. It was delivered to me.

Q. At your house?—A. Yes.

Q. Were you in Goderich at all during the election?—A. No.

Q. Not in Goderich?—A. No.

Q. During the election?—A. Before the election.

Q. I mean during the election campaign?—A. Yes.

Q. You were in Goderich?—A. Yes, I was in Goderich.

Q. Were you in there in connection with political matters?—A. No.

Q. Did you have any conversation with anybody on political matters while there?—A. No.

Q. With no person at all?—A. No, not that I know of.

Q. Never said a word to anybody in Goderich about political matters while you were there?—A. I do not know; it was a common occurrence.

Q. Have you any particular recollection?—A. No.

Q. Any particular recollection of seeing any of the chief workers in the Liberal party?—A. Yes.

Q. Attend any meetings?—A. Yes, in the evening I was.

Q. What was going on there then?—A. There was going to be speeches, two or three on the government side and two or three on the other side. I went in to hear the speeches.

Q. Did you see any of the Liberal workers on that occasion?—A. No.

Q. You must have seen some of them?—A. Oh, yes.

Q. But you did not have any conversation with any of them?—A. No.

Q. In conducting this polling at subdivision No. 4 of Colborne, you arrived at the poll at what time; I suppose, before nine o'clock?—A. Before nine o'clock.

Q. Before nine o'clock?—A. Yes.

Q. And you received papers from McManus and Shaw?—A. Yes.

Q. Appointing them representatives of Mr. McLean?—A. Yes.

Q. You received papers from whom on behalf of Mr. Holmes?—A. From John Lawson, James Chisholm and John McAvoy.

Q. Did you receive papers from Mr. Dancy?—A. No.

Q. You did not. Did you swear Dancy in as scrutineer?—A. No.

Q. Did you receive from the returning officer any printed or written instructions as to your duty?—A. Yes.

Q. How many representatives did you understand each candidate was allowed?—A. I did not know.

Q. You did not know?—A. I did not know.

## Privileges and Elections Committee.

Q. Did you read your instructions?—A. No.

Q. You did not read them?—A. Not all of them.

Q. What part of them did you read?—A. A part of my duties. I can't tell you what part I read.

Q. Well, did you not understand that only two representatives were to be allowed to each candidate?—A. No.

Q. You did not understand that?—A. No.

Q. Have you ever acted as deputy returning officer before?—A. Yes.

Q. How often?—A. Once.

Q. When was that?—A. I do not remember what election it was. It must have been ten years ago.

Q. Did you not act in the local election just before this?—A. No.

Q. You did not act in the local election just before this?—A. No.

Q. Who was deputy returning officer in that district?—A. James L. Stewart.

Q. Mr. Stewart acted on the previous occasion?—A. Yes.

Q. Was he at home on this occasion?—A. Yes.

Q. Did he vote on 21st February?—A. Yes.

Q. He did?—A. Yes.

Q. Did you understand that Dancy was acting as scrutineer that day for Mr. Holmes?—A. No.

Q. You did not?—A. No.

Q. Well, who did you understand was acting?—A. McEvoy, half a day in the forenoon, for part of the day the two other men, they had certificates from Holmes. I swore three of them in in the morning.

Q. You swore three in in the morning?—A. Yes.

Q. McManus told us that McEvoy took the place of Chisholm, who had to go away?—A. Chisholm was working outside.

Q. And inside also?—A. Part of it, but not often inside.

Q. McEvoy was to take his place outside?—A. I made no arrangement of that kind.

Q. But you swore three of them in?—A. Yes.

Q. And three of them had papers?—A. Yes.

Q. Who acted as scrutineer for Holmes when the ballots were counted?—

A. John Lawson and McManus. No, not McManus but Chisholm.

Q. McManus tells us that Chisholm sat back and Dancy acted as scrutineer?—

A. He did not.

Q. You contradict that?—A. Yes.

Q. Did Dancy sit up with the scrutineers when the ballots were being counted?—

A. He checked the poll on his own account but had nothing to do with the ballots.

Q. So there were the scrutineers Chisholm and Lawson acting as scrutineers at the time the ballots were counted for Holmes?—A. Yes.

Q. And Dancy was also acting on his own behalf?—A. Yes.

Q. Did he sit at the table with the other scrutineers?—A. Yes.

Q. And you did not understand he was acting for Holmes?—A. I did not understand who he was acting for.

Q. Had no idea on a subject of that kind I see?—A. Well I thought he was acting for Holmes but he had no papers.

Q. Did McManus make any objection to his sitting there and acting as scrutineer?—A. No, not that I knew.

Q. I want you to think about that, is that so? Did he make objection?—

A. Sometime previous to that, in a while when we had nothing to do, he asked Dancy if he was scrutineer and Dancy said he had his papers and there was no more objection put in.

Q. How long was this before the ballots were counted?—A. It might have been two or three hours.

Q. Was it?—A. Yes.

Q. He has told us that the time you were about to count the ballot, he objected to Dancy being present on the ground that he had no papers and had not been sworn. Do you contradict that?—A. About the time the ballots were counted?

- Q. When you were about to count the ballots?—A. No, it was before that.
- Q. And you say it was two or three hours?—A. It might be.
- Q. And you say he made no objection when the ballots were counted?—A. None.
- Q. Dancy was there, Lawson was there and Chisholm was there?—A. Yes.
- Q. And you believe at the time Dancy was acting for Holmes?—A. Yes.
- Q. So you had three men there at the counting of the ballots acting for Holmes, whom you understood to be acting for Holmes?—A. Yes.
- Q. And one of these had not been sworn?—A. One had not been sworn.
- Q. And did he produce any papers to you?—A. None.
- Q. None to you?—A. None.
- Q. Mr. McManus has told us that instead of destroying the counterfoils you put them into your pocket?—A. Yes.
- Q. Is that true?—A. Yes.
- Q. That is true?—A. Yes.
- Q. What eventually became of these counterfoils?—A. I do not know. I destroyed them I suppose.
- Q. When did you destroy them?—A. After I came home.
- Q. After you came home?—A. Yes.
- Q. Why didn't you destroy them at the time?—A. The reason was there was no manner of use.
- Q. You didn't destroy them because you didn't want the litter upon the floor?—A. That is one reason.
- Q. And the rest of the reasons?—A. There is no other reasons.
- Q. This one of them is the only one you've got. What kind of building was this poll held in?—A. Temperance Hall.
- Q. Temperance Hall?—A. Yes.
- Q. Was this floor in very good condition?—A. Yes.
- Q. Quite clean?—A. Yes.
- Q. What is it used for, what is this building used for?—A. It is not used for anything in particular now, excepting for public meetings or anything of that kind.
- Q. Had the floor been recently washed?—A. It was clean.
- Q. Very clean?—A. No answer.
- Q. Was there any one smoking there?—A. Yes.
- Q. Anyone spitting over the floor?—A. I expect so.
- Q. Were you smoking yourself?—A. Yes.
- Q. Where did you expectorate?—A. On the floor, I suppose.
- Q. You thought the floor would be more soiled by the counterfoils than by the expectoration, is that the idea?—A. No.
- Q. What was the idea, why were you more particular about the counterfoils than about spitting on the floor?—A. I will tell you the reason why. I have seen these counterfoils spread on the floor before when I was acting as scrutineer, and I thought it littered the whole floor up and I took another plan.
- Q. That was on a previous occasion?—A. Yes.
- Q. And what had been the result of that?—A. I cannot tell you.
- Q. Anything serious in consequence?—A. I do not think it.
- Q. No serious consequence had resulted? You did not understand that it was your duty to destroy these counterfoils?—A. I certainly destroyed them when I tore them off.
- Q. I beg pardon?—A. I destroyed them when I tore them off the ballots.
- Q. You did not destroy them when you put them in your pocket?—A. I did not put them in the fire.
- Q. Now, you tore off the counterfoil with which hand?—A. With the right hand.
- Q. What did you do with it then?—A. I put it into my pocket.
- Q. And then what did you do?—A. I folded up the ballot at least I took it and opened it till I could see my initials. Sometimes the ballot came back to me in such shape that I couldn't see them. That was the first act after taking it from the voter. I took it and opened it up if it was not proper and if it was proper I took and folded it and put it in the box.

## Privileges and Elections Committee.

Q. Now in which hand did you hold the ballot while you were putting the counterfoil in your pocket?—A. I put the ballot on the table and held it down with my left hand and pulled the counterfoil off with my right and then I folded the ballot with both hands and put it into the box.

Q. You told us that you tore the counterfoil off and put it in your pocket?—A. Yes.

Q. Did you hold the counterfoil in your hand while you were folding the ballot?—A. No.

Q. You did not?—A. No.

Q. You put the counterfoil in your pocket first?—A. Yes.

Q. Where was the ballot while you were putting the counterfoil in your pocket with your right hand?—A. In my left hand.

Q. Now, you have heard of these declarations that have been made by 43 voters have you?—A. Yes.

Q. You have heard that 43 men have declared, solemnly declared, that they marked their ballots for Mr. McLean?—A. Yes.

Q. Are you aware that only thirty ballots marked for McLean was found in the box?—A. Yes.

Q. How do you account for that?—A. I cannot account for that.

Q. You cannot?—A. No.

Q. You have no explanation?—A. No.

Q. How did you mark the ballots, did you mark your ballots with lead pencil or ink?—A. With ink.

Q. In every case?—A. No, not in all cases.

Q. Some with lead pencil and some with ink?—A. In the first I think I marked with ink and found the paper was very thin. The pen would catch in it and I took the pencil.

Q. Did you observe in the course of the day that if you opened the ballot that much you could easily distinguish how it was marked from the back of it. Did you observe that during the day?—A. Yes.

Q. How early in the day did you observe that?—A. I did not observe it until sometimes I had to fold out the ballot before I could get at my initials to see the counterfoil. I cannot tell you what time of the day it was.

Q. In the forenoon or the afternoon?—A. It may have been in the forenoon for all I recollect.

Q. What time in the day did you begin marking with ink?—A. I commenced with ink the first thing in the morning.

Q. What time did you begin with pencil?—A. I cannot tell you the hour because I found that the pen was catching in the paper and I could scarcely write.

Q. About what time was it?—A. It might be ten or twelve o'clock, I forget now, but I know I used the pencil all right enough.

Q. Were most ballots cast in the morning or in the afternoon?—A. I cannot tell you exactly about that neither.

Q. Cannot give us any idea?—A. I think about an even number were cast in the forenoon as in the afternoon.

Q. Was this ballot box locked in the morning?—A. Yes, sir.

Q. Locked in the morning?—A. Yes, sir.

Q. And you unlocked it at the close of the poll?—A. At the time of counting the ballots.

Q. At the close of the poll I mean?—A. Yes.

Q. It was not away from beside you the whole time?—A. Yes.

Q. Were you away at dinner?—A. I brought lunch with me.

Q. The result of the poll was that thirty ballots were found for McLean and sixty-eight I think for Holmes?—A. That is the result of the poll.

Q. So that ninty-eight men voted?—A. Yes.

Q. And there were no spoiled ballots?—A. None.

Q. No spoiled ballots at all?—A. None.

Q. How many did you receive from the returning officer?—A. I think 125. I am speaking from memory though.

Q. One hundred and twenty-five you received?—A. Yes.

Q. You sent the rest back with the other papers to the returning officer. You sent the unused ones back with the other papers?—A. Yes.

*By Mr. Belcourt :*

Q. One hundred and twenty-five?—A. I think so.

*By Mr. Borden (Halifax) :*

Q. I want you to be a little more particular, Mr. Cummings, as to the hour when you began to mark in pencil?—A. I could not tell you the date, I might possibly have marked with ink during the day besides marking with pencil, I am not sure, I had pen and ink there and had also a pencil laying on the table.

Q. Can't you tell us whether it was between ten or eleven or between eleven and twelve; can't you give us any idea?—A. I can't give you any idea, I speak from memory on that point.

Q. You say that you took these counterfoils home with you?—A. Yes.

Q. And how long after you got them home did you destroy them?—A. That same night.

Q. You didn't litter up your floor with them, I suppose?—A. I put them in the stove.

Q. There was not any stoves at the polling places, I suppose?—A. Yes.

Q. There was a stove there?—A. Yes.

Q. There was no particular difficulty about putting them in the stove at the polling place?—A. No.

Q. No difficulty?—A. No.

Q. That never occurred to you?—A. No.

Q. You did not understand it was your duty to destroy the counterfoils?—A. There was no fire in the stove, that was all.

Q. There was no fire there at all?—A. No, not that day.

Q. On the 21st of February?—A. Oh, yes, I suppose there was a fire.

Q. And there would be no difficulty in burning them?—A. No, I don't think there was any trouble to burn them there; I could have burned them there as well as at home.

Q. You are satisfied there was a fire there?—A. Yes.

Q. Why did you say there was not; you just thought it a good answer?—A. No, I don't know.

Q. You did not understand it was your duty to destroy these counterfoils?—A. Yes.

Q. And you didn't destroy them?—A. I certainly destroyed them.

Q. You didn't destroy them when you tore them off?—A. In that way.

Q. You didn't destroy them?—A. I tore them off the ballot.

Q. You didn't destroy them?—A. That was destroying them to that extent.

Q. You consider that tearing off the counterfoil is destroying them?—A. I do.

Q. I thought you said you destroyed them at home?—A. I burned them at home.

Q. Then your conclusion is that you destroyed them at the polling booth and burned them at home?—A. No, not at all.

Q. And do you persist in your assertion that taking them off the ballot is destroying them?—A. I don't understand that.

Q. Now, your attention was directed, by your instructions, to certain sections of the Act, was it not? Did you read over your instructions at all?—A. No.

Q. Why didn't you?—A. The reason why was simple. I had always taken action in the same kind of work before, and I was posted, so far as my knowledge was concerned, in that regard.

Q. You thought you understood it so well you didn't need?—A. Yes.

Q. Now, did you never understand that it was the duty of the deputy returning officer to destroy the counterfoils?—A. No.

Q. You never understood that; had you never seen it done? Had you never, at any election, seen it done?—A. No.

## Privileges and Elections Committee.

Q. Never saw it done in your life?—A. No.

Q. On no occasion?—A. Nothing more than tearing them off.

Q. Tearing them off?—A. Yes.

Q. And you had seen deputy returning officers putting them in their pocket before?—A. I could not tell you.

Q. Had you seen any deputy returning officer before putting them in his pocket instead of destroying them?—A. I could not tell you.

Q. And you have no recollection of seeing any deputy tearing them off—?—A. And throwing them on the floor.

Q. Well, have you any recollection of seeing them torn off and put in the deputy returning officer's pocket?—A. No, I have not.

Q. Then your reason still holds good that your course on this occasion, your putting them in your pocket on this occasion, was to prevent the floor being littered up. Is that the reason you still give?—A. I don't think it made much difference which way it was done, as far as the counterfoil was concerned.

Q. You had never heard of ballots being manipulated, I suppose, in this way?—A. Well, by the newspapers I had.

Q. Had you before this occasion heard this?—A. Years ago I heard of it.

Q. And how had you heard of its being done; you hadn't heard the method?—A. No.

Q. Your instructions that you received from the returning officer were in the shape of a document, a little book like that?—A. Yes.

Q. And at the commencement of it there were certain instructions?—A. Yes.

Q. And you were referred to certain sections of the Act, were you not?—A. Yes.

Q. And didn't you read any one of these sections of the Act?—A. I think I did.

Q. You think you did?—A. Yes.

Q. Well, did you read the section which said that the counterfoil was to be destroyed after being torn off?—A. No.

Q. You didn't read that?—A. No.

Q. You had been employed in connection with some Dominion work—harbour works at Goderich, had you not, Mr. Cummings?—A. Yes.

Q. When was that?—A. Two years ago.

Q. How long were you employed?—About three or four months.

The committee adjourned.

HOUSE OF COMMONS,

Thursday, 20th July, 1899.

The Committee met at 10 a.m., Mr. Fortin in the chair.

Inquiry *re* the last election for the west riding of the county of Huron resumed.

Examination of DONALD CUMMINGS continued :—

*By Mr. Borden :*

- Q. Mr. Cummings, who kept the poll book at this election?—A. John Lawson.  
 Q. John Lawson kept the poll book?—A. Yes, sir.  
 Q. Mr. Lawson, he was one of the scrutineers?—A. He was one of the scrutineers. No, Michael Tobin kept the poll book.  
 Q. I am speaking of keeping the poll book?—A. It was Michael Tobin.  
 Q. Did he keep it all the time?—A. Yes.  
 Q. Did any one else make any entry in it?—A. I do not know. He went out at the noon hour for lunch to a neighbouring house and John Lawson kept it while he was out. I do not know if he made any entry or not.  
 Q. Oh, yes, there are a number of entries there, Nos. 56 to 73, inclusive, which are in different writing from the rest. These are by Lawson?—A. These are Mr. Lawson's.  
 Q. Mr. Lawson was the scrutineer, one of the scrutineers for Mr. Holmes, I think?—A. He was one of the scrutineers for Mr. Holmes.  
 Q. At what hour did Mr. Tobin, the poll clerk, go to lunch?—A. Well, it would be between twelve and one.  
 Q. So that up to the time he went just 55 votes had been polled?—A. I cannot say how many had been polled.  
 Q. Did Lawson make any entry in the book before Mr. Tobin went to lunch?—A. No, sir.  
 Q. He did not?—A. No.  
 Q. I want you to take this ballot book and verify some things that I want to state to you about it. Look at the names. Mr. James McManus was No. 6. That means that he was the sixth man who voted?—A. Yes, sir.  
 Q. Edward Shaw was No. 10?—A. Correct.  
 Q. James Taylor was No. 13?—A. Correct.  
 Q. S. B. Williams was No. 16?—A. Correct.  
 Q. Thomas Culbert was No. 18?—A. Correct.  
 Q. J. W. Hunter was No. 20?—A. Correct.  
 Q. William Kerr was No. 21?—A. Correct.  
 Q. Robert Williams was No. 22?—A. Correct.  
 Q. William Tobin was No. 23?—A. Correct.  
 Q. Abner Morris was No. 26?—A. Correct.  
 Q. John Cantwell was No. 27?—A. Correct.  
 Q. John Thompson was No. 28?—A. Correct.  
 Q. James Tobin was No. 29?—A. Correct.  
 Q. Henry Zoellner was No. 35?—A. No. 35.  
 Q. No. 35.—A. Zoellner.  
 Q. How do you pronounce it?—A. Zoellner.  
 Q. Jerry Dalton was No. 36?—A. Correct.  
 Q. George C. Simpson was No. 38?—A. Correct.  
 Q. Nixon Doherty was No. 39?—A. Correct.  
 Q. Hamilton McManus was No. 40?—A. Correct.  
 Q. William McConnell was No. 41?—A. Correct.

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- Q. William McManus was No. 42?—A. Correct.
- Q. Charles Kerry was No. 45?—A. Correct.
- Q. J. H. Simpson No. 46?—A. Correct.
- Q. A. A. Williams No. 50?—A. Correct.
- Q. James Kirkpatrick No. 51?—A. Correct.
- Q. James Clarke was No. 59?—A. Correct.
- Q. Kenneth Morris No. 65?—A. Correct.
- Q. John McWhinney No. 66?—A. Correct.
- Q. Elisha Mann No. 68?—A. Correct.
- Q. William Vrooman No. 69?—A. Correct.
- Q. James Campbell was No. 70?—A. Correct.
- Q. William Burrows was No. 72?—A. Correct.
- Q. Sam Morris was No. 73?—A. Correct.
- Q. Roland Williams was No. 78?—A. Correct.
- Q. William J. Graham was No. 79?—A. Correct.
- Q. James Watson was No. 81?—A. Correct.
- Q. Thomas Sturdy was No. 82—A. Correct.
- Q. J. A. Williams was No. 83?—A. Correct.
- Q. Sam Johnson was No. 87?—A. Correct.
- Q. Patrick Kelly was No. 89?—A. Correct.
- Q. Richard Glidden was No. 90?—A. Correct.
- Q. C. McCann was No. 92?—A. Correct.
- Q. J. J. Wright was No. 93?—A. Correct.
- Q. John Ryan was No. 98?—A. Correct.
- Q. When did you receive that polling book from the deputy returning officer?
- A. I received it in the ballot box.
- Q. Where did you receive the ballot box, what place?—A. In my house.
- Q. Your own house?—A. Yes.
- Q. Who delivered it to you?—A. The returning officer.
- Q. The returning officer?—A. Himself or his son—his son I think it was.
- Q. Any one with him?—A. No, sir.
- Q. Do you know what day it was, how long before the election?—A. It must have been two or three days before the election—I cannot say though. I am not positive.
- Q. I beg pardon?—A. I am not positive about the exact day.
- Q. Not positive?—A. No.
- Q. How many days?—A. It might be two or three or possibly one day before the election.
- Q. The nomination was on Tuesday—was it not?—A. I think so, in Goderich.
- Q. And the election day the following Tuesday?—A. Yes.
- Q. Do you mean you received it on Tuesday, Friday or Saturday?—A. Possibly I might have received it Friday or Saturday. It was before Monday anyhow.
- Q. Was it in Goderich that you received it?—A. No, sir.
- Q. When did you take the oath before the returning officer?—A. I went to his house after I received the box.
- Q. Where does he live?—A. He lives near the village of Saltford, at least up on the top of the hill.
- Q. How long after you received it did you go to him?—A. It was the next day, it must have been Saturday.
- Q. You swore to it being on the 18th, that was Saturday?—A. I could not tell you.
- Q. You went to the returning officer's house?—A. Yes.
- Q. And you took the oath before him?—A. I took the oath before him.
- Q. You did?—A. Yes.
- Q. And signed it?—A. Yes.
- Q. Are you sure as to who delivered the box to you?—A. No; that puts me in mind of the transaction; I got the box—I had a note from Sands that I was appointed deputy returning officer and I went to him; I had no instructions further. It was not his son that delivered the box at all; he took the box away from my

place but he didn't deliver it; I got the box at Sands' house with the papers and everything connected with it.

Q. Do you mean the son brought the box to your house?—A. Well I said so, but I corrected that.

Q. You got that box from him?—A. I got the box from him the Friday or Saturday I was appointed deputy returning officer for No. 4, but I had no further instructions, so I went in with a neighbour; we drove up to his house so I remained at his house; there was some papers to fix in the box and he gave me instructions in regard to the matter in hand, and I took the oath before him and took the box home with me.

Q. That was on Saturday?—A. Well it might have been Saturday, Friday or Saturday.

Q. It was the 18th, anyway?—A. Yes.

Q. You told us that Mr. Dancy did not produce any papers to you?—A. No, he didn't.

Q. Well you have returned papers for him, where did you get those?—A. Returning papers for him?

Q. You returned a paper which purports to be authority for him from Mr. Holmes? McManus has stated and you state that was not produced during the poll; I want to know when you got that?—A. I don't think I signed any paper.

Q. I find this paper among those which you have returned?—A. Appointment of agent.

Q. Appointment of agent, yes. I want to know when you received that and where you received it?—A. I could not tell you, sir.

Q. You can't tell me?—A. Can't tell, no.

Q. Well sir, did you receive any?—A. I never received it. He said that he had a paper but he never produced it; where it came from I don't know.

Q. Well, can you account for that getting into the envelope?—A. It was sealed up and returned at the close of the poll with the packets of ballots and other papers; the scrutineers might have put it in; in no other way but it might have been laying on the table, no other way I can account for it.

Q. Lying on what table?—A. The table where we were counting the ballots.

Q. Didn't you look at the papers you put in the envelope?—A. Certainly, but my poll clerk had a share in putting the papers up, I didn't look particularly.

Q. You didn't look particularly?—A. Not more than any other time; I have done the same thing dozens of times before.

Q. You have?—A. Or helped to do it.

Q. Do you know what papers went in?—A. They went in according to the backs of them were marked for receiving papers. There were envelopes for each package and according to my knowledge they went in according to the envelope.

Q. You say you never saw this appointment of Dancy?—A. No, sir.

Q. Did you hear him say he had it?—A. Yes.

Q. Did you ask him to produce it?—A. No.

Q. Why didn't you ask him to produce it?—A. Because he wasn't taking any part in the business; he was sometime in the room and sometimes out.

Q. Didn't you tell me yesterday he acted as one of the scrutineers for Holmes when the ballots were counted?—A. I did not.

Q. What did you tell me?—A. I said he was there in the room.

Q. You did not tell me anything to that effect?—A. No sir, not with my authority.

Q. Well did you tell me he sat up with the other scrutineers?—A. Yes.

Q. He did?—A. Yes.

Q. With what other two?—A. John Lawson and James Chisholm.

Q. John Lawson and James Chisholm and Dancy?—A. He sat at the table too.

Q. He sat at the table too?—A. Yes.

Q. And you told me you understood he was acting at the time for Holmes?—

A. He contended that he was.

Q. And he told you that he had an appointment from Mr. Holmes?—A. Yes.

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Q. And you didn't ask him to produce it?—A. No, he didn't tell me there at that time, he told me that when he came to the polling booth, after he came to the polling booth he told me he had an appointment, or rather, he told one of the scrutineers on the other side.

Q. In your presence?—A. Yes.

Q. Did you ask him to produce this?—A. No.

Q. Why?—A. He was just the same as others in the room, there were lots in the room.

Q. Was there any one beside him who sat up with the scrutineer, when the ballots were counted?—A. No, I think not.

Q. Did you understand at that time that he had an appointment from Mr. Holmes?—A. He claimed to have one.

Q. And you did not have him sworn?—A. No, sir.

Q. You told us you began initialling ballots with a pen?—A. Yes.

Q. That is the way you began in the morning?—A. Yes.

Q. And you can't tell the exact hour at which you discontinued?—A. No, I think possibly I might have done so off and on all day. Sometimes the pencil might have been borrowed and I used a pen.

Q. Well, you discontinued the pen because it scratched?—A. That was the reason I discontinued it. The paper was so thin it would scarcely mark the initials.

Q. If it scratched and you could not mark it, why did you resume it again?—A. Possibly I hadn't the pencil. There is a possibility it would be borrowed.

Q. Who would borrow it?—A. The poll clerk or one of the scrutineers.

Q. What clerk or scrutineer ever borrowed it?—A. I cannot tell you, I think they did once or twice.

Q. Do you mean they had not pencils of their own?—A. Some of them hadn't.

Q. Which one?—A. I cannot tell. One of them cut half my pencil off.

Q. Which one was that?—A. One of the scrutineers, I think.

Q. Which one?—A. I cannot tell you, but I know my pencil was cut in two to make a pencil for one of the others.

Q. After it was cut off was it borrowed again?—A. I cannot tell you exactly. We are very sociable up there and lend whatever we have got.

Q. You told us yesterday that Mr. McManus did not protest against Dancy acting at the time when the ballots were counted?—A. I didn't hear it. He might have done so, but I didn't hear it.

Q. I want to know if he didn't get very warm about it?—A. He may have done so, I cannot tell you.

Q. At the time the ballots were about to be counted?—A. I didn't hear the discussion between them.

Q. I mean he made remonstrances addressed to you?—A. It was not addressed to me, sir.

Q. And you didn't hear anything of the kind?—A. I did not.

Q. Did you hear it addressed to Dancy?—A. I did not.

Q. How far away were McManus and Dancy?—A. They could not be very far, they were both in the room when I was fixing up the box.

Q. About how many feet away were you?—A. The room is not more than about eighteen feet wide and thirty long.

Q. I want to know how many feet they were away from you at the time?—A. I cannot tell you, it might have been before they came in.

Q. I am talking about the occasion when the ballots were counted?—A. Inside I did not hear any discussion about it at all. It could not be more than six or eight feet from me at the outside.

Q. You say you did hear an objection made before this?—A. I did.

Q. That was two or three hours before?—A. Some time in the afternoon. It must have been early in the afternoon, because Dancy didn't come until the afternoon.

Q. What was said on that occasion?—A. He was questioned if he had his certificate to be one of the scrutineers on their side and he claimed he had.

Q. Yes, there was no appeal made to you about it?—A. No.

Q. No appeal made to you all?—A. No particular appeal.

Q. No appeal particular or general made to you?—A. Well, I suppose you might take it in a general sense. Of course, I had the control of the certificate of any one in the room.

Q. What was the appeal that was made to you?—A. I cannot tell you I don't think, distinctly.

Q. You say you had seen this sort of thing done long ago, dozens of times. I suppose you mean at elections?—A. I have helped myself to count the ballots without being a scrutineer on many occasions.

Q. You were a returning officer, I think, about ten years ago?—A. I cannot tell you that it was exactly ten years ago, it was a good while ago, a good many years ago.

Q. And acted as scrutineer a good many times?—A. I have.

Q. Who has been acting returning officer in that district during the last ten years at the provincial and municipal elections?—A. It is Raby Williams at the local elections and at the Dominion elections Raby Williams.

Q. I think there was a man by the name of Stewart?—A. He has been at the Reform elections. When there was to be a Reform election he was returning officer for our division.

Q. Stewart has been returning officer for the last ten years for the Reform elections?—A. Yes, sir.

Q. That is appointed by a Reform government?—A. Appointed by a Reform government, yes, sir.

Q. Do you recollect being scrutineer at an election when two men named Jake Murray and William Bogie came up to vote?—A. Yes, that was the only time I was scrutineer.

Q. They were farmers' sons?—A. Yes, farmers' sons.

Q. I believe not entitled to vote because they did not reside with their father?—A. It might have been.

Q. Do you remember that?—A. I think so, yes.

Q. Do you remember that an agreement was made that they should be allowed to vote one being on each side?—A. I do not.

Q. You do not recollect that?—A. I do not, sir.

Q. Do you recollect that you agreed with Andy Allen, the scrutineer on the other side, that they should be allowed to vote as they had come some distance?—A. I did not.

Q. You deny it?—A. I deny it.

Q. Do you deny that you made the agreement in the presence of James McManus?—A. I do deny it.

Q. Do you deny after making that agreement you got one of them who was a Liberal to vote first? Do you deny that?—A. I do. I cannot tell you exactly in that shape, but I understand at least I believe from memory that the Liberal voted first not with my instructions at all, he came there to the polling booth and voted voluntarily.

Q. Do you recollect there was an arrangement between you and the other scrutineer that they should not be objected to?—A. No.

Q. You don't?—A. Yes, I do recollect there was no arrangement.

Q. No arrangement of the kind?—A. No.

Q. Do you recollect that after the Liberal voted objection was taken to the other?—A. Yes, there was a good deal of bad feeling about it. That is all I recollect.

Q. Do you recollect on that occasion that you did take objection?—A. Yes, sir.

Q. And that only one of them voted?—A. Yes, sir.

Q. How many years ago was it?—A. Oh, it must be possibly five or six,—I cannot tell you.

Q. How many?—A. Six or seven years ago. I cannot tell you exactly. I am speaking from memory now.

Q. I did not understand you. Six or seven years ago?—A. I cannot tell you exactly. I am simply making that statement.

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Q. Do you remember who were the candidates at that particular election?—A. No, I don't.

Q. You don't remember?—A. No.

Q. Was it a Provincial or Dominion election?—A. I cannot tell you.

Q. You don't remember that?—A. No.

*By Mr. Russell :*

Q. In regard to Mr. Dancy's papers and the way they got into the envelope I understood you to say that the poll clerk—who was that?—A. Michael Tobin.

Q. I understood you to say that he assisted in putting the papers in the envelope?—Yes, sir.

Q. You brought your lunch in the polling booth with you?—A. Yes.

Q. And you did not have to leave in order to get your dinner?—A. No, sir.

Q. Now while the others were going in and out for dinner, you were there in charge of the box?—A. Yes.

Q. Was the box locked in the morning?—A. Yes.

Q. Did it remain locked until it was unlocked to count the ballots?—A. Yes.

Q. Who had the key?—A. I had.

Q. Had you any occasion through the day to leave the poll temporarily for a moment, or not?—A. Possibly I might have left once, not more, for a few minutes.

Q. How long were you gone?—A. Not more than two or three minutes.

Q. Who was in charge?—A. No one.

Q. You don't mean there was no one in the booth?—A. There were some.

Q. Who?—A. The scrutineers.

Q. On one side or both?—A. On both sides.

Q. When you went you left the scrutineers on both sides there and when you came back they were there?—A. Yes.

Q. And how long were you gone?—A. Not more than two or three minutes.

Q. I want to know Mr. Cummings—the poll book shows that 98 ballots were given to you by voters on that day?—A. Yes.

Q. Did you put those 98 ballots in the box as received from voters?—A. Yes.

*By Mr. Sifton :*

Q. Did you put any other papers in the box during the day?—A. No.

Q. Or any other time?—A. No.

*By Mr. Bennett :*

Q. You spoke yesterday of having been in Goderich on nomination day?—A. I was there in the evening.

Q. Now, thinking closely, would it have been in the afternoon or evening you were there?—A. In the evening.

Q. Did you see any person that day or did any person mention as to you being deputy returning officer there?—A. No.

Q. What day was it you got the note from the returning officer?—A. About Thursday of that week.

Q. How far do you live from the returning officer?—A. Between two and three miles.

Q. And you went to his house not until Saturday?—A. Not until Saturday I didn't go.

Q. You lived beyond him from Goderich?—A. I lived further north.

Q. After you got the box did you return home or go into the town?—A. I returned home.

Q. What time did you reach home?—A. Possibly between twelve and one.

Q. At the noon hour?—A. The same day.

Q. Was there any person at Sands' house when you got there and got the box?—

A. Yes.

Q. Who was there?—A. There was a visitor, I forget his name, he was some relative of Mr. Sands.

Q. No person from outside?—A. It was a rainy day and he called in to shelter himself from the shower.

Q. Now, after you got the box on Saturday, were you in Goderich that afternoon?—A. No.

Q. Were you in Goderich the following Monday?—A. I don't think so.

Q. Well do you know?—A. No.

Q. To your recollection you were not?—A. I don't know.

*By Mr. Powell :*

Q. You received a packet of blank ballots for the election?—A. Yes.

Q. They were not all used up?—A. No.

Q. You returned the remainder to the returning officer?—A. Yes.

Q. Just look at these one moment please; (handing witness a block of unused ballots) these are the ballots that you returned to the returning officer, are they not?—A. Yes.

Q. And attached there to those ballots are the stubs of the ballots that were used?—A. Yes, sir.

Q. You have no doubt about that being the identical bundle?—A. No doubt about it.

Q. And as I understand there were no spoiled ballots?—A. No.

Q. And there were no rejected ballots?—A. None.

Q. As far as the ballots are concerned it was a very regular and intelligent piece of voting?—A. Yes.

Q. Uncommonly so?—A. Yes.

Q. Could not be better so far as that goes?—A. No.

Q. I would just direct your attention to those ballots you have there?—A. How many ballots have you here?

Q. These came out of the bundle; just look at the face and see who they are marked for; these are the ballots you counted for Holmes?—A. I suppose so; yes, these are Holmes' ballots from what I can see; they were put up together, they were put up in separate packets.

Mr. Powell offered in evidence sixty-eight ballots marked for the candidate Holmes and numbered as exhibits 3-1 to 3-68 inclusive.

Q. Now, Mr. Cummings, I understand you to say that there and then, when you were acting as deputy returning officer, you marked your initials on the backs of these ballots, some in ink and some in pencil?—A. Yes, sir.

Q. And the reason you stopped marking in ink was that the pen perforated the ballot?—A. Yes.

Q. That it went through the paper because it was thin?—A. Yes.

Q. You have a distinct recollection of that?—A. Yes.

Q. Will you take these ballots and show me a ballot that is perforated with a pen, sir?—A. There was certainly some marked with pen.

Q. But you said the pen went through?—A. There was no doubt about that. I must examine all these and then I might not distinguish the scratch. There is a scratch made by a pen all right enough (indicating one of the ballots)

Q. Didn't you state to me just a moment ago that the pen perforated the paper on account of being thin?—A. Yes, it did.

Q. You know the meaning of "perforated"?—A. I did not say it perforated through the paper, but it stuck in the paper.

Q. Will you look at this ballot?—A. That is a pen all right.

Q. Are you sure of that?—A. That is written by a pen.

Q. And is that your signature?—A. Yes, sir.

Q. Or your initials, rather?—A. My initials rather.

Q. Well, look at this one, Mr. Cummings. Let us see the number in order that the reporter may get it down, No. 68. That is written with a pen?—A. That one is written with a pen.

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- Q. No. 67?—A. That is written with a pen.  
Q. No. 66?—A. That is written with a pen.  
Q. That is written with a pen?—A. Yes.  
Q. And it is your signature in each case?—A. Yes.  
Q. And it is your handwriting in each case?—A. Yes.  
Q. Take this one, No. 65? What is that?—A. That is my initials.  
Q. Pencil, is it not?—A. I think so.  
Q. Yes, that is pencil, No. 65, No. 64?—A. That is my initial with a pencil.  
Q. No. 63?—A. Pencil.  
Q. No. 62?—A. That is pencil initials.  
Q. And your writing?—A. My initials.  
Q. No. 61, just look at that please?—A. That is my initials with pencil.  
Q. No. 60?—A. My initials with pencil.  
Q. No. 59?—A. My initials with pencil.  
Q. You mean by your initials that it is written by you?—A. Yes, sir.  
Q. No. 58?—A. That is my initials written with pencil  
Q. No. 57?—A. My initials written with pencil.  
Q. No. 56?—A. My initials written with pencil.  
Q. No. 55?—A. My initials written with pencil.  
Q. No. 54?—A. My initials written with pencil.  
Q. No. 53?—A. My initials written with pencil.  
Q. No. 52?—A. My initials written with pencil.  
Q. No. 51?—A. My initials written with pencil.  
Q. No. 50?—A. My initials written with pencil.  
Q. No. 49 of series 3?—A. My initials written with pencil.  
Q. No. 1 of series 3?—A. My initials written with pen.  
Q. No. 2?—A. My initials written with pen.  
Q. No. 48?—A. My initials written by pencil.  
Q. No. 47?—A. My initials written by pencil, I think.  
Q. No. 4?—A. My initials, I am not positive whether it is a pen or a pencil,  
a pencil I think.  
Q. No. 45?—A. My initials written by pencil.  
Q. No. 44?—A. My initials written by pencil.  
Q. No. 43?—A. My initials written with pencil.  
Q. No. 42?—A. My initials written with pencil.  
Q. No. 41?—A. My initials written with pencil.  
Q. No. 40?—A. Pencil.  
Q. No. 39?—A. My initials written with pencil.  
Q. No. 38?—A. My initials written with pencil.  
Q. No. 37?—A. My initials written with pencil.  
Q. No. 36?—A. My initials written with pencil.  
Q. No. 35?—A. My initials written with pencil.  
Q. No. 34?—A. I am not positive about pen or pencil, I think it is pen. It  
might possibly be pen. It is pencil, I think.  
Q. No. 33?—A. I think that is pen, my initials written with pen.  
Q. No. 32?—A. My initials with pencil.  
Q. No. 31?—A. My initials with pencil.  
Q. No. 30?—A. My initials with pencil.  
Q. No. 29?—A. My initials with pencil.  
Q. No. 3?—A. My initials with pen, I think.  
Q. With pen, you think?—A. Yes.  
Q. No. 28?—A. My initials with pencil.  
Q. No. 27?—A. My initials with pencil.  
Q. No. 26?—A. My initials with pencil.  
Q. No. 5?—A. My initials with pen.  
Q. No. 6?—A. My initials with pen.  
Q. No. 25?—A. My initials with pencil.  
Q. No. 24?—A. My initials with pencil.  
Q. No. 23?—A. My initials with pencil.

- Q. No. 22?—A. My initials with pencil.
- Q. No. 21?—A. My initials with pencil.
- Q. No. 20?—A. My initials with pencil.
- Q. No. 19?—A. My initials with pencil.
- Q. No. 18?—A. My initials with pencil.
- Q. No. 17?—A. My initials with pen, I think. I am not sure, I think it is with pen. It is scratched a little, the pen caught sometimes.
- Q. If you look you can see——?—A. The pen catches on the papers some times; that "C" there——
- Q. The "C" is with pencil?—A. Both are with pen.
- Q. No. 16?—A. My initials with pencil.
- Q. No. 15?—A. My initials with pencil.
- Q. No. 14?—A. My initials with pen, I think.
- Q. No. 13?—A. My initials with pen.
- Q. No. 12?—A. My initials with pen.
- Q. No. 11?—A. My initials with pen.
- Q. No. 10?—A. My initials with pen.
- Q. No. 9?—A. My initials with pen.
- Q. No. 8?—A. My initials with pen.
- Q. No. 7?—A. My initials with pen.
- Q. No. 4?—A. That might have been pen or pencil.
- Q. Yes, look at the "D", it is the pen?—A. Yes, a pen and blotted a little.
- Q. Now we will take series 4, just turn them over and see the way the initials are made and whether they are in pencil or pen. They are numbered from 4-1 to 4-30?—A. No. 1, that is my initial with pencil.
- Q. No. 2 is in pencil, is it not?—A. Yes, that is in pencil.
- Q. No. 3 is in pencil?—A. Yes, that is in pencil, it might be in pen; my initials in pencil.
- Q. No. 4 is in pencil?—A. Yes.
- Q. No. 5 is in pencil?—A. Yes.
- Q. No. 6 is in pencil?—A. Correct.
- Q. No. 7 is in pencil?—A. Yes.
- Q. No. 8 is in pencil?—A. That is right.
- Q. No. 9 is in pencil?—A. Correct.
- Q. No. 10 is in pencil?—A. Correct.
- Q. No. 11 is in pencil?—A. Correct.
- Q. No. 12 is in pencil?—A. Correct.
- Q. No. 13 is in pencil?—A. Correct.
- Q. No. 14 in pencil?—A. Correct.
- Q. No. 15 in pencil?—A. Correct.
- Q. No. 16 in pencil?—A. Correct.
- Q. No. 17 in pencil?—A. Correct.
- Q. No. 18 in pencil?—A. Correct.
- Q. No. 19 in pencil?—A. Correct.
- Q. No. 20 in pencil?—A. Correct.
- Q. No. 21 in pencil?—A. Correct.
- Q. No. 22 in pencil?—A. Correct.
- Q. No. 23 in pencil?—A. Correct.
- Q. No. 24 in pencil?—A. Correct.
- Q. No. 25 in pencil?—A. Correct. That might have been in pen.
- Q. Just look at it, you think it is pencil?—A. Yes, I think it is.
- Q. No. 26 is in pencil?—A. Yes.
- Q. No. 27 is in pencil, is it not?—A. I am not positive about that one.
- Q. Don't you think it is?—A. It looks as much like pen as pencil; that is pencil.
- Q. No. 28 is in pencil?—A. Yes.
- Q. Look at No. 27 again; you believe it to be pencil, there is no question about it, the pencil was sharpened?—A. Yes, I think that is pencil, it might<sup>possibly</sup> be in pen.
- Q. But you believe it to be in pencil?—A. Yes.

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Q. No. 29 is in pencil?—A. That is in pencil; I am not very confident about that either.

Q. No. 30 is in pencil?—A. Yes.

Q. Now, each and every one of these initials "D. C." on the back of these ballots I have now shown you of series 4 is in your handwriting?—A. Yes, sir.

Q. And of course, placed by you on the back of these ballots by yourself?—A. Yes, sir.

Q. These thirty ballots I have just shown you are all for McLean, are they not?—A. I did not look at that.

Q. Well, look, please, series 4, 1 to 30 inclusive. You have looked over them?

—A. I have. I find them all marked for McLean.

Q. These 30 all for McLean?—A. I didn't count them, but I suppose that is it.

Q. And not a ballot in that lot of 30 that you will swear was endorsed with ink by you, endorsed with your initials?—A. It might be possible. I cannot tell you.

Q. I am not asking you whether it is possible or not. I say is there on the back of a single one of these 30 ballots an endorsement of your initials which you are prepared to swear was made in ink?—A. I did not see them. I examined them when you handed the thing to me and if these are the 30 you claim there were some I would not swear were not in ink.

Q. You are not answering the question. Is there a single one that you will swear is endorsed with ink?—A. I did not look at them.

Q. But I handed them to you?—A. I did not know they were the same ballots, I would have to look at the initials before I could tell.

Q. Mr. Cummings, I will repeat the question again, of these 30 ballots that I have showed you and at the initials on the back of which you looked. Will you swear that in the case of a single ballot there are any of these initials in ink?—A. I do not know whether I have looked at these. I got them handed to me singly one by one and now in a package, how can I say; I will look again. I did not look at the initials. These are supposed to be the same. That might possibly be written with ink (No. 27). There is one that might possibly be written in ink, because there are some cuts in it, that is a pen, that is pencil, there is one that might possibly be written with a pen (series 4, No. 8.) That is pencil (No. 9). That is one very likely written by ink (No. 10). Written by ink (No. 11). Two there that I put down I would not swear. That is pencil (No. 12). That is pencil (No. 13). There are some of them I cannot tell; that is pencil (No. 14). Pencil (No. 15). Pencil (No. 16). So is that (No. 17). Now, that might possibly be a pen, I would not swear to it (No. 18). That might possibly be a pen, I would not swear to it (No. 20). That might possibly be, I would not swear to it (No. 21). That might possibly be a pen, I would not swear to it (No. 22). That is a pencil (No. 23). There is one that might be with a pen, I would not swear to it (No. 25) and there might be a pen, I would not swear to it (No. 30).

Q. You have examined them all?—A. Yes, sir.

Q. Now I will repeat the question to you. Is there a single ballot among these 30 ballots in respect of which you will swear your initials are in ink?—A. No.

Q. There is not one in respect of which you will swear your initials are in ink?—A. Yes.

Q. All these ballots are ballots for McLean?—A. Yes.

Q. And all the ballots in respect of which the endorsements are in ink so far as you will swear are Mr. Holmes' ballots, are they not?—A. I cannot tell you.

Q. That follows as a necessary consequence, does it not? There are 30 ballots that you have examined?—A. Yes.

Q. And these were all that McLean had, were they not?—A. Yes.

Q. Well, the balance must have been for Holmes?

Q. The balance are for Holmes; Holmes' ballots?—A. Yes, the balance are for Holmes.

Q. Now you swore the lot were in ink?—A. Yes.

Q. Well now I will ask you to look at these again; these you were prepared to swear were in ink; will you just examine these ballots please? What about No. 12?—A. That appears to be ink,

Q. No. 10?—A. That is ink.

Q. No. 11?—A. That appears to be ink, but I would not swear to it positively.

Q. No. 9?—A. That is ink.

Q. No. 8?—A. That is ink.

Q. No. 7?—A. That is ink.

Q. No. 6?—A. That is ink.

Q. No. 5?—A. That is ink.

Q. No. 4?—A. Now there is one might be pencil; that is more like pencil than ink.

Q. No. 3?—A. That is signed by ink.

Q. No. 2?—A. So is that.

Q. No. 1?—A. So is that.

Q. No. 15?—A. That is a pencil, so far as I can tell; it might not be.

Q. Well those you have any doubt about we will take by themselves. Look at these of series 3. What about No. 66?—A. That is ink so far as I can see.

Q. And No. 33?—A. So is this.

Q. No. 67?—A. That is in ink.

Q. No. 68?—A. That is in ink.

Q. These are in ink?—A. Yes.

Q. How many of these ballots that I have now shown you are you positive were written in ink; how many of them do you think may have been written in pencil?—A. Well, there might possibly be half of what I had; I could not tell you; I didn't take any track of it.

Q. Do you wish to take back what you first said when I inquired about those in ink; you had no doubt?—A. None whatever.

Q. Now these are the same ballots that you swore positively to as being in ink when I first examined you; now do you desire to take anything back in respect of them?—A. Nothing.

Q. Then you will stick to it that all these were endorsed by you in ink?—A. Yes.

Q. And the initials are all your initials of course?—A. Yes.

Q. Now, Sir, I am going to call your attention to this; would you be kind enough, Mr. Cummings, to look at these 14 ballots, I will show you what I wish you to observe, numbered from 1 to 14, series 3. Now sir, I call your attention to the space occupied by the name "Holmes;" do you see it?—A. Yes.

Q. And I call your attention to that line there, that is perfectly straight and not jagged?—A. Yes.

Q. Now will you look over these 14 ballots and see if that is not true of every ballot of these 14, that that line to the right hand of the name of Holmes is straight and not jagged, clear and well defined?—A. Square.

Q. That line to the right of the name of "Holmes"?—A. That is straight.

Q. Now I will go over them. That is perfectly straight, nothing jagged in that line to the right of "Holmes" (No. 14)?—A. Nothing.

Q. Nothing jagged in that line to the right of "Holmes" is there (No. 13)?—A. No.

Q. Nothing jagged in that line to the right of "Holmes" (No. 12)?—A. No.

Q. Nothing jagged in that line to the right of "Holmes" (No. 11)?—A. No.

Q. Nothing jagged in that line to the right of "Holmes" (No. 10)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 9)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 8)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 7)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 6)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 5)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 4)?—A. No.

Q. Or in that line to the right of "Holmes" (No. 3)?—A. No.

Q. Or in that line to the right (No. 2)?—A. No.

Q. Or in that line (No. 1)?—A. No.

Q. Now these are 14 of the ballots that you have sworn were endorsed by you with your initials in ink?—A. Yes.

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Q. Then from 1 to 14 inclusive of series 3 of Holmes' ballots the line to the right of Holmes' space is straight and definite and not jagged?—A. Yes.

Q. Now, sir, I ask you to take the remaining 84 ballots and see if you can find none but is jagged in various places. Now, sir, we take this, that is jagged, is it not?—A. Yes.

Q. That is jagged?—A. Ragged.

Q. And that is jagged?—A. Yes.

Q. And that one too, is it not?—A. Yes.

Q. And that?—A. Yes.

Q. And that?—A. Yes.

Q. And that one?—A. Yes.

A. Yes.

Q. And that?—A. Yes.

Q. And this?—A. Yes.

Q. And this?—A. Yes.

Q. Then every ballot there is deposited for Mr. Holmes, with the exception of these 14 that are marked in ink, are jagged so far as the line to the right of the name "Holmes" is concerned. Is that true?—A. Yes.

Q. And the 14 are not ragged or jagged, but the line is clear, definite, straight, and distinct?—A. Yes, so far as I could judge.

Q. Now we come to the balance of the stubs that you have; just tell me, that is ragged, is it?—A. Yes.

Q. These are the unused ballots. And that one?—A. Yes.

Q. And that one? Just watch closely as I go over them?—A. Yes.

Q. And that one?—A. Yes.

Q. Now there is not an unused ballot (I am putting this question to you, Mr. Cummings) but has also the edge to the right of Holmes ragged?—A. No, not that I can see.

Q. Not one? Now we will take the ballots that are marked for Mr. McLean, we will take McLean's ballots, these are marked for McLean. These are the thirty, that is ragged, is it?—A. Yes.

Q. That way?—A. Yes.

Q. That is ragged, is it?—A. Yes, apparently.

Q. Apparently, really, isn't it? That is ragged, is it?—A. Yes.

Q. Now then, every ballot that is returned as a McLean ballot. Every one of the thirty has the line to the right of Holmes' space ragged and broken, hasn't it?—A. Yes.

Q. Then sir, of all the votes, of all the ballots that you got, the only ones in which the line is unbroken and clear and distinct are these fourteen that are endorsed by you in ink?—A. Yes, as far as I can see.

Q. Does not that strike you as rather a peculiar thing?

Question objected to by Mr. Russell.

*By Mr. Powell:*

Q. I think I have a right to ask him this: Sir, doesn't it strike you as a peculiar thing that of all the ballots in the box the only ones different from the

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others should be marked for Mr. Holmes and should be of the few that are endorsed by you in ink?—A. I cannot account for it.

Q. You cannot account for this?—A. No.

Q. Now, on your oath can't you account for it?—A. No, sir.

Q. Now, I will call your attention to another thing. I will just call your attention to these fourteen ballots now. Now sir, Mr. Cummings, will you please look at these as I place them out before you. (Series 3). Mr. Cummings just leave them down there. Now, I call your attention to these. These are Mr. Holmes ballots. I will take some of the Holmes' ballots of series 3. Now, I will take them at random and I just want you to see them. Now, sir, I have taken these at random. There should be fourteen there. Now sir, I call your attention to this. Don't you see that these are different papers, that the fourteen ballots are of different paper entirely from the others? Now sir?—A. Yes.

Q. Yes they are. The witness says yes they are. That is in your judgment, of course?—A. Yes.

Q. In your judgment the fourteen papers that I have called your attention to as being endorsed in ink, that you have sworn practically are endorsed in ink, are on different paper from the rest of them deposited for Mr. McLean and Mr. Holmes and the unused ballots?—A. Yes.

Q. Different paper and lighter coloured?—A. Lighter paper. They don't show through so much.

Q. Different and lighter—the 14, the 14 numbered from 1 to 14;—3-1 to 3-14 inclusive. Now just tell me, Mr. Cummings, you say these 14 numbered "series 3, 1 to 14," are lighter and on heavier paper than the rest in your eyes?—A. Yes, in my judgment.

Q. Lighter and heavier?—A. Yes, whiter and heavier.

Q. That is your judgment and there is no question about that?—A. No.

Q. Now sir, would you put on your spectacles, I would just call your attention to another thing. Would you please put on your spectacles and look at these. Do you see a peculiar mark,—a black mark touching the side of the disc near the bottom of the disc on Holmes' ballot that does not cross the white disc?—A. On the disc?

Q. No, I say, it does not cross the disc.--A. Yes.

Q. Now we will go over them.

Q. Don't you see that same line in this (No. 14)?—A. Yes.

Q. Don't you see it on that (No. 13)?—A. Yes.

Q. The same on this (No. 12)?—A. Yes.

Q. The same on that (No. 11)?—A. Yes.

Q. The same on that (No. 10)?—A. Yes.

Q. The same on that (No. 9)?—A. Yes.

Q. The same on that (No. 8)?—A. Yes.

Q. The same on that (No. 7)?—A. Yes.

Q. And on that (No. 6), faintly, it is so dark?—A. Yes.

Q. And that (No. 5)?—A. Yes.

Q. And that (No. 4)?—A. Yes.

Q. And that (No. 3)?—A. Yes.

Q. And that (No. 2)?—A. Yes.

Q. And that (No. 1)?—A. Yes.

Q. Then on each one of these 14 ballots of series 3, numbered from 1 to 14 inclusive, you can detect a mark, a line rather, near the bottom of the disc opposite Holmes' name, extending on each side of the disc, but not running through it, that is correct, is it not?—A. Yes.

Q. Now, I would ask you if you can see the same mark on any of these others? A. No.

Q. Now another thing I show you; would you look at 3-5 before the light, look through the discs, don't you see a faint series of lines running across the disc in that one and none in the other?—A. I see lines in both.

Q. You see lines in both, you think? Well, we will put it this way, if you do are they not much more distinct in this one than that?—A. Yes.

Q. Now we will take another one, is not the same thing—but first in respect of 3-5, the paper is a different paper from the ordinary ballot?—A. Yes.

Q. It was different from the ordinary ballot?—A. Yes.

Q. Now I will call your attention to 3-6, is not that a different paper too?—A. Yes, that is a darker paper.

Q. Now here is 3-10, is not that different from the ordinary ballot, is it not a different paper?—A. Yes.

Q. Now we will take up 3-11, is not the same true of this, and this has lines across?—A. No, not so visible as the other.

Q. You consider them different papers?—A. Yes.

Q. Now I will call your attention to 3-9, is not 3-9 also different?—A. That may be darker.

Q. You consider it in your judgment a different paper?—A. Yes.

Q. In your judgment they are different papers?—A. Not all the same quality exactly.

Q. Now I take 3-4; now is not the same thing true of 3-4, that is different from the ordinary one in your judgment?—A. Yes, that appears to be darker.

Q. And appears to be a different paper?—A. Well, I suppose it signifies that.

Q. Now we will take 3-8; is that not true of 3-8 also?—A. There is not much difference on that.

Q. Look down here?—A. I could not distinguish very much.

Q. But still there is a difference?—A. Yes.

Q. And in your judgment?—A. It might have been.

Q. I am asking you for your judgment; is not your judgment that the ballot is a different paper?—A. Well, certainly that is the daker of the two, whether on account of the paper or the ink I could not tell you.

Q. Now don't you consider they are a different paper?—A. Yes.

Q. Now we will take No. 3-2?—A. That is about the same as the other one; this is the daker of the two.

Q. The darkest body inside?—A. Yes.

Q. And you think the paper is different?—A. The ink is.

Q. How about the paper?—A. I could not tell about the paper.

Q. What is your judgment?—A. I could not tell.

Q. Well, what do you think?—A. That appears to be the thickest paper.

Q. And the same thing is true of 3-3, is it not; feel the paper, you consider that a different paper, thicker and heavier?—A. Yes.

Q. Now you consider the same thing true of 3-12?—A. Yes.

Q. And of 3-14, is it not? Feel it.—A. Well it looks like it.

Q. And this, 3-13?—A. Yes.

Q. And the same is true of 3-1, is it not?—A. Yes.

Q. Then you are satisfied in your own mind, are you not, that all the ballots of series 3, from Nos. 1 to 14 inclusive, are different paper to the rest of the ballots?—A. In my judgment.

Q. I suppose you are no judge of paper to go into these stubs?—A. No.

Q. Now Mr. Cummings, you have already sworn that these initials on the back of all these ballots are in your handwriting?—A. Yes.

Q. There is no question about that?—A. No question.

Q. And how do you account for that fact sir, that 14 of these ballots, marked for Mr. Holmes are endorsed in ink when none of Mr. McLean's are initialled in ink, and that these 14 are on different paper and apparently printed with a different machine? How do you account for that?—A. I cannot tell you.

*By Mr. Tisdale:*

Q. Why?—A. I cannot account for it.

*By Mr. Powell:*

Q. You cannot account for it?—A. No.

Q. Did you, at any time sir, before that morning, did you look over these ballots?—A. No, sir.

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Q. You did not open the box before you got there?—A. No.

Q. And when the voter came to you for a ballot paper, what did you do?—A. I cut a ballot off.

Q. You cut one off?—A. Yes.

Q. And then, what did you do?—A. I put my initials on it.

Q. And what else?—A. I handed it to him, the voter. I handed the ballot folded in such a way that if he would return it in the same way I would not have to unfold it.

Q. You put your initials on the back of it?—A. Yes.

Q. Did you put anything on the counterfoil?—A. No, I did not.

Q. A number on the counterfoil corresponding to the number on the poll book of the voter?—A. No, sir, I did not.

Q. Then how could you tell that the ballot returned to you was the same ballot that you gave to him—that they were the same ballot?—A. I could tell by my initials.

Q. But might they not be other initials?—A. I cannot tell you.

Q. So you had no way of identifying the ballot that he brought back except by your initials?—A. Except the initials; no.

Q. You put no number on?—A. No.

Q. Didn't you know you were required to put a number on the counterfoil by law?—A. No, I did not.

Q. What did you do when you closed up these papers? You sealed them, did you?—A. Yes.

Q. And in the presence of Dancy?—A. I do not know.

Q. Of McManus?—A. Yes.

Q. And the other agents present at the time?—A. Yes.

Q. You sealed them there?—A. Yes.

Q. And at that time, you said, you had not received from Dancy any power of attorney or agency for Holmes?—A. No, I had not.

Q. And you sealed up the envelope with the agencies or powers of attorney in, didn't you?—A. Yes. What did you ask?

Q. You sealed up an envelope with these papers in it?—A. It might be so; I cannot tell you.

Q. It might be so; yes. Now, I will call your attention to this: You never saw that paper (Exhibit 5) before it was shown to you this morning?—A. Not that I am aware of.

Q. Eh?—A. No, I think not.

Q. How did it come to be returned in the same envelope among the papers?—I cannot tell you.

Q. Now, sir, that is Mr. Holmes' signature, is it not?—A. I think so.

Q. Now I put this question to you, Mr. Cummings, in view of all the facts that you have given to us only this morning, about these ballots, will you swear, sir, that a single one of these 14 ballots were taken by you from that parcel of ballots that was given to you, and the remnants of which are here?—A. I cannot positively swear.

Q. You cannot swear?—A. No.

Q. You won't swear a single one of these fourteen ballots was taken by you from that bundle?—A. I cannot distinguish one ballot from the other. I cannot swear that.

Q. You cannot swear that?—A. No, I cannot swear that.

Q. Even the fact of the initials being on the back of them does not convince you that one of these 14 was taken from that bundle?—A. It must have been so. It must have come off the ballots.

Q. Will you swear it did, sir?—A. I would not swear neither ways.

Q. You would not swear either way?—A. No.

Q. Reflect again. Are you prepared to swear sir, from your initials on the back of the ballots, of those ballots that a single one of these 14 ballots were received by you from the returning officer?—A. Well I can swear it, because they must have been taken off the bundle I got in the ballot box. It appears to me from the difference

in the paper and the lines you are showing to me that is the only difference, a very slight difference in some cases. I cannot swear positively.

Q. I will put the question at greater length. Considering the fact that each and every one of these 14 ballot papers is marked for Mr. Holmes, that it is endorsed in ink, that the ballot is on different paper and that the printing of it is apparently different on account of the jagged line, in view of these circumstances sir, are you prepared to say that you got a solitary one of these 14 ballots from the returning officer?—A. I cannot swear that.

Q. You cannot swear that?—A. No.

Q. Cannot swear it. Now sir, if you are not prepared to swear that you did not get them from the returning officer, would you please tell me where you might have got them?—A. I cannot tell you.

Q. You cannot tell me?—A. No. I must have got them from the returning officer. That is my judgment in my respect.

Q. Are you not satisfied in your own mind that these are not the ballot papers that you gave the voters that went in to vote?—A. They would appear to be the ballots. I gave them.

Q. Don't you think the appearances are all the other way?—A. As far as my judgment is concerned.

Q. You have sworn these are your signatures?—A. Yes.

Q. Was there only one bottle of ink there between you, between the clerk and yourself at the poll?—A. I cannot tell you—there might have been more. I think there was more than one bottle of ink.

Q. You think there was more?—A. Yes.

Q. Will you swear there was more?—A. No, I will not. We didn't get any ink returned to us at all, we got the ink from the neighbours.

Q. Now I will call your attention to these ballots; on the back of them—if you will look at these and then look at the "C's"—I direct your attention to the peculiar make of the "C." Is that the "C" you have made in the case of these other ballots for Holmes?—A. There is two different "C's" here at once.

Q. The "C" on these is chiefly a "C" of that kind?—A. I have not looked over them.

Q. And the "C" on the other is that kind?—A. Yes, there is one of both kinds here.

Q. Now if you will be kind enough to look over these and see if almost without exception—?—A. There is another; there is another different "C," it is my handwriting all right and I sometimes write the one oftener.

Q. Well in these all the "C's" are of this form?—A. Yes.

Q. And some are made that way?—A. Yes.

Q. Now I ask you to look at that block of series 3 and see if you can see a "C" made like that, the long "C," see if you can find one made like that?—A. These are written with pencil the most of them.

Q. I don't care what they are written with; I am just asking you—?—A. The "C" might be different in pencil as ink as a rule.

Q. You don't see in all the remainder of Holmes' ballots the initial "C" made what we would call a long "C"?—A. No.

Q. It is all the short "C"?—A. Yes.

Q. Now I will ask you the same thing with respect to McLean's, and as far as they are concerned there is not a single long "C"?—A. No.

Q. That is correct?—A. Yes.

Q. And the only long "C" is in these 14 of series 3 from 1 to 14 marked in ink?—A. Yes. Some others are marked with a short "C".

Q. Now I am going to call your attention to yet another thing. These are the ones of series 3 from 1 to 14; now sir, I am going to ask you to look at these, which I lay out here on the table, and the remainder of Holmes', a dozen or so at random which I lay out here beside the others; are not the crosses in these 14 ballots almost uniformly all alike, and look at these others how they vary, big and little and all kinds, do you notice that, sir?—A. Yes, they are pretty near uniform.

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Q. The crosses opposite Holmes' name in the 14 ballots of series three from 1 to 14 are pretty nearly uniform?—A. Yes.

Q. Apparently made by the one person, are they not, apparently?—A. Not much difference.

Q. And these 14 others, taken at random from Holmes' ballots, vary, big and little?—A. Some of them vary but some not; there is one.

Q. And here is another, and here are some big and more little?—A. Yes, there is a little variation in some of them.

Q. Take ticket 33, now there is another one of these endorsed by ink, that seems to be a genuine ballot; now I will place that X alongside the others, don't you see that differs entirely?—A. Yes.

Q. In the genuine papers the X's differs while the bogus ballots, as we might call them, are uniform in size?—A. Yes, a little different.

Q. Now there is another one of the genuine ballots endorsed by you in ink, No. 67; I will lay that down, does not that differ from the 14?—A. No, not much.

Q. Oh! but, Mr. Cummings, exercise your eyes; see the length and size of that X, does not it differ from the other 14?—A. There is one as long.

Q. No, that covers the whole disc?—A. Well it differs a little.

Q. Now I will take the next, No. 66, that is a genuine ballot too; now that is more like the 14, is it not?—A. Yes.

Q. And there is 68, that is a genuine ballot endorsed in ink, that is much smaller than any of the 14?—A. No, it is not any smaller than that one.

Q. Is it not a different kind of X; don't you see these are more at right angles?—A. Yes.

Q. Then all of the ballots, and I have them all here, that are endorsed by you in ink, the fourteen from 1 to 14 inclusive, are marked very uniformly with "X"?—A. Yes.

Q. And the "Xs" are marked almost with the two parts of the "X" at right angles to each other?—A. Yes.

Q. And the other three ballots endorsed with ink differ from each other and differ from them, don't they, as to the construction of "Xs"?—A. There is a little variation. So there is in the 14.

Q. Now, will you come to the Holmes' ballots here, sir. Now, Mr. Cummings, I am going to call your attention to these. You see a difference in the colour in these ballots in the edges?—A. I see one white one.

Q. There is an upper layer that is black and the centre layer is white and the lower layer that is black?—A. Yes.

Q. Now, that is quite marked and distinct, isn't it?—A. Yes.

Q. Now, would you please look and see if these white ones are not this series, from 1 to 14, series 3?—A. 3-14; 3-13; 3-12; 3-11; 3-10; 3-9; 3-8; 3-7; 3-6; 3-5; 3-4; 3-3; 3-2; 3-1.

Q. If the honourable gentleman will look the printer has dyed the edges of the black in the one case, which makes it black on the edges, but these are not dyed and are white on the edges?—A. Possibly.

Q. Now, Mr. Cummings, I will call your attention to these, which are also in ink, aren't they?—A. Yes.

Q. Black?—A. Yes.

Q. How about the others?—A. Not quite as black.

Q. In view of that fact, of that additional fact, are you not of the belief that the ballots that you have returned here are not the ballots given you by the returning officer, so far as numbers 1 to 14 in series 3 go?—A. Yes, they appear to be different.

Q. They appear to be different, and you do not believe now that these are the same ballots that the returning officer gave you?—A. I cannot swear to it.

Q. That is your belief?—A. Yes.

Q. Now, sir, if it is your belief that these are not the ballots that the returning officer gave you, how do you account for their being changed?—A. I cannot tell you.

Q. You cannot tell me?—A. No.

Q. If the correct ballots were put in the box, there would be no object in anyone substituting bogus ballots marked for Holmes for good ballots marked for Holmes?—A. I cannot tell you.

Questions objected to by Mr. Russell.

*By Mr. Powell :*

Q. Can you give us any idea how the change was made in these ballots from the time the returning officer gave them to you until they are produced here?—A. I cannot tell you.

Q. You see that the edges of these have been cut, so far as the unused ballots are concerned. The block has been trimmed, hasn't it, trimmed off? Look there at each end, cut with an edge even?—A. Yes.

Q. That is true, isn't it?—A. Apparently.

Q. That is correct, is it not, trimmed off straight?—A. Yes.

Q. Now, I call your attention to these 14 ballots, don't you see they are wider by about one-eighth of an inch than the block.—A. I do not see very much difference.

Q. Stand them on the table; don't you see they are wider?—A. There is no difference that I can see.

Q. No difference, Mr. Cummings, why the gentlemen of the committee can see the difference from here. Now, sir, are they not wider, side them down, are not the white edged ones wider?—A. Well, a little.

Q. And that block had been trimmed, had it not, that block as far as trimming is concerned is in the same condition as when you got it from the returning officer?—A. Yes.

Q. Now, sir, are you not absolutely satisfied that these fourteen ballots never came from the returning officer in that block?—A. I do not know.

Q. Are you not satisfied?—A. They appear to be different.

Q. Are you not now satisfied?—A. Yes, I am.

Q. That these fourteen ballots did not come from the returning officer, and are you not satisfied that you never tore the fourteen ballots out of that book?—A. I am not.

Q. You see how evenly that is trimmed there?—A. Yes.

Q. And you see how even the other end is trimmed?—A. Yes.

Q. Now, if these were removed from these stubs, can you conceive how it is possible for them to be wider than the stub, being in a book, fastened together, and trimmed with a machine?—A. I could not tell.

Q. No doubt of that; are you not satisfied that these fourteen ballots never were taken by you out of that book?—A. It would appear so.

Q. Are you not satisfied, sir, in your own mind they never were taken out of that book?—A. I could not swear to it.

Q. You would not like to swear positively to it, but I want your best judgment on it?—A. My judgment is that they vary.

Q. That they are different and could not come out of that book?—A. They are different.

Q. You are satisfied of that?—A. Yes.

Q. You are satisfied they could not have come out of that book, there is no question about that; now, Mr. Cummings, if you are satisfied as to that, I want you to explain to the committee how these fourteen ballots have your initials on the back?—A. I cannot explain it.

Q. You are satisfied they never came out of that book?—A. To my judgment.

Q. You have told me you are satisfied these fourteen ballots did not come out of that book; had you any other source of getting ballots than that book?—A. No.

Q. Then, sir, how are you prepared to explain, if you are satisfied they did not come out of that book and you had no other way to get ballots, how are you prepared to explain that your initials are on the back?—A. I cannot explain it.

Q. You have no explanation?—A. No.

Q. You are satisfied they didn't come out of the book?—A. According to my judgment.

## Privileges and Elections Committee.

Q. You have sworn positively these are your initials on the back?—A. They appear to be.

Q. And still you can't give this committee any explanation as to how your initials come to be on the back of illegitimate ballots?—A. No.

Q. Now, Mr. Cummings, will you tell us, sir, is your recollection sufficiently distinct to tell us the people with whom you conversed concerning the elections, so far as the holding of the election is concerned, from the time you received that ballot box from the returning officer until election day?—A. I don't think I had any conversation with anyone except the returning officer.

Q. Will you swear you had no conversation with any one?—A. In regard to elections, I don't think I had. I would not positively swear it.

Q. Before you got the papers from the returning officer, have you any recollection as to having any conversation with any person concerning the election?—A. No.

Q. Or concerning your being appointed deputy returning officer?—A. No.

Q. Will you swear you had not?—A. I will.

Q. Now, sir, when the voter came into the room you took this book, this ballot book, and you tore a ballot out of it?—A. Yes. Cut a ballot out.

Q. You cut a ballot out, you put your initials on the back of it, you didn't fulfil your duty by putting a number on the counterfoil?—A. No.

Q. No. You gave that to the voter?—A. Yes.

Q. He took it into the room?—A. Yes.

Q. He brought it back?—A. Yes.

Q. You examined it to satisfy your mind it was the same ballot?—A. Yes.

Q. You could not have satisfied yourself that any one of these fourteen was the same?—A. I looked at my initials; it was the only way I had.

Q. You looked at your initial?—A. Yes.

Q. Hadn't you a definite place to mark your initial?—A. No.

Q. Do you swear you had not a place fixed in your mind where you put your initials that day?—A. No.

Q. You look, sir, on the backs of these and see if you can find a single exception in these thirty Holmes' ballots to the system of writing your initials on that line showing through the paper, the edge of the dark portion of the paper to the right of "Holmes" and "McLean" dividing the discs. Look at these thirty and see if you can find a solitary exception in these thirty to your putting your initials in that place?—A. Well, there is not much variation.

Q. There is practically no variation?—A. Not much variation.

Q. Now, if you will take the ballots of Mr. Holmes and be kind enough to look from this No. 14 to 68, and see if there is practically any variation from that rule you adopted in the others?—A. There is not much variation in those.

Q. They are all practically endorsed by you on the one plan, so far as position is concerned?—A. Well, apparently they are.

Q. Well, there is no good in saying apparently?—A. There is a little variation.

Q. A little, but it is substantially the same?—A. Yes, sir.

Q. Now, I call attention to ballot 13 of series 3. Look at that, where it is endorsed?—A. That is different.

Q. They are marked transverse of the ticket, across the ticket?—A. Yes.

Q. And substantially written on the line of demarcation between the white and the black there?—A. Yes.

Q. But No. 13 is marked differently. It is marked the longitudinal way, the length of the ticket, is it not?—A. Yes.

Q. And there is another one (3-12) that is marked right at the top on the opposite side from the discs?—A. Across.

Q. Now, I give you No. 14. Where is that marked? Of the top the same place?—Yes.

Q. That is an inch from where the others are marked?—A. Yes.

Q. Does it strike you as peculiar that this variation should occur in the case of these 14? Do you think it peculiar that this variation occurs only in the case of some tickets of the 14, but not in the others?—A. Well, there might be a little pecu-

liarity about it, but the position of that ballot might have been different. The position might be different when they were initialled.

Q. I ask this question: When you put your hand in your pocket with the counterfoil, what object had you in view?—A. None whatsoever.

Q. No object whatever?—A. None.

Q. It was apparently accidental, was it?—A. It was not accidental. It could not be apparently accidental.

Q. What did you do it for, if you had no object?—A. To put the counterfoil out of the way.

Q. You were sitting at a small table, were you not?—A. Yes, sir.

Q. And you were at the right hand end of the table?—A. Yes.

Q. And next you on your left was the clerk?—A. The clerk, yes.

Q. And right in front of you the ballot box?—A. Not in front of me.

Q. Which way?—A. To my right.

Q. To your right?—A. Yes.

Q. Now the voter came by the end of the table, didn't he?—A. Yes, to my right hand.

Q. By the end of the table?—A. Yes.

Q. And advanced up the stage to screen?—A. He went back to the screen.

Q. Marked his ballot and then came out?—A. Yes.

Q. And as he passed you as he came out he gave you his ticket?—A. Yes.

Q. The ballot box was to your right?—A. Yes.

Q. Where were the scrutineers sitting?—A. To my right.

Q. Square off to your right, or a little down the hall? They sometimes changed their seats, but they were principally on the right hand side. And a little down the hall, not directly opposite?—A. Sometimes opposite, and sometimes a little nearer the door. I think they did not remain stationary.

Q. Well, generally, instead generally of being right opposite you on the bench, they were on the bench a little nearer the door?—A. Yes, sir.

Q. And the ballot box was between you and them?—A. In some cases it was.

Q. In every case?—A. No.

Q. What do you mean?—A. Sometimes they were sitting to the left of me on the bench, and the ballot box was in front of me on the right.

Q. They were sitting to the right of you all the time?—A. Most of the time. They might have gone to the other side.

Q. Do you recollect them going to the other side?—A. I think I do.

Q. But as a general thing the ballot box would be between them and you?—A. Not necessarily at all.

Q. As the voter came out he gave you his ballot?—A. Yes, sir.

Q. And you tore it off?—A. Yes, I tore it off the counterfoil.

Q. And rolled the ballot up and put it in the box?—A. Yes.

Q. Did any of the men who voted question your handling the ballots, that is not to object to your right to handling them, but raised the point that the manner in which you were handling them was not right?—A. No.

Q. You know Joe Thompson?—A. Yes.

Q. Didn't he raise a point as to your handling the ballots?—A. Not in my presence.

Q. Will you swear on oath that he never spoke about monkeying with the ballots?—A. Not in my presence.

Q. Will you swear he didn't, sir?—A. I will positively.

Q. You will swear he didn't in your presence?—A. Yes.

Q. Do you know William Vrooman?—A. Yes.

Q. A decent man isn't he?—A. Yes.

Q. Is Thompson a decent man?—A. Yes.

Q. Do you remember Vrooman speaking to you about handling ballots?—A. No.

Q. Did he do so, or didn't he?—A. He didn't.

Q. You swear positively he did not?—A. I do.

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Q. Don't you remember when Vrooman came out from voting and you took the ballot and put your hand into your pocket, don't you remember Vrooman eyeing you or staring at you and your asking what he was staring at?—A. No.

Q. Don't you remember that?—A. No.

Q. Didn't that take place?—A. No.

Q. And didn't he in reply to some question by you ask you what you were doing with the ballots or say he was looking at the ballots?—A. He did not.

Q. Who were these two gentlemen you met at Sands?—A. One gentleman.

Q. Who was that gentleman?—A. He was a friend of Sands, I don't know his name.

Q. Did you never see him before?—A. Yes.

Q. Where did you see him?—A. He was working for McEwan at the salt mills.

Q. And where does he live, in Goderich?—A. I think he lives with McEwan, he is something of a relative to McEwan.

Q. Where does he live?—A. I think he lives with McEwan, up town.

Q. With McEwan in Goderich?—A. Yes.

Q. What is his name?—A. I don't know his name.

Q. You had seen him before?—A. Yes.

Q. You know him?—A. By sight.

Q. You had spoken to him?—A. Not often.

Q. And still you don't know his name?—A. No.

Q. Where does he live, what portion of the town?—A. He lives going up towards McEwan's, his residence is when you pass the railway bridge, on the right side, the first house is his, a brick house.

Q. The man that was there lives on the same street as McEwan, in Goderich, and you reach it over the railway bridge, the first house after crossing the bridge, a brick house?—A. That is the gentleman.

Q. Did you discuss politics with the gentleman that day?—A. No.

Q. Never a word about politics?—A. No.

Q. Nor the elections?—A. No.

*By Mr. Russell :*

Q. You told Mr. Powell that you didn't put any number on the counterfoil?—A. Yes.

Q. You simply put the initials?—A. I simply put my initials.

Q. Now, if a voter brought back to you a ballot paper having the counterfoil on it and your initials on it, would you have any means of identifying that with the paper you had given him except what you would conjecture to be your initials put there?—A. No, no means.

Q. Would it be possible—did you examine the colour, thickness or print—of course not, that was on the face—the outside of the ballot was all that you could see?—A. That was all.

Q. Did you examine the colour of the paper of the ballots or the thickness or quality when the ballot was given back to you?—A. No.

Q. You simply took it in good faith from the voter, tore off the counterfoil in the way that has been described, folded it and put it in the box?—A. Yes.

Q. Now you have said to Mr. Powell you could not be certain these 14 ballots were the ones given to you by the returning officer?—A. I have.

Q. Could you be certain that they were the ones given by you to the voter if you had not numbered the counterfoil?—A. That is the same position.

Q. Just the same position getting it from the voter as from the returning officer?—A. Yes.

Q. That is to say it might be possible for a voter to bring back a different ballot bearing your initials and for you to fold it and put it in the box?—A. Yes.

The further examination of the witness was deferred, and the committee adjourned until to-morrow, at 10 a.m.

HOUSE OF COMMONS,  
Friday, 21st July, 1899.

The Committee met at 10.30 a.m., Mr. Flint presiding, in the absence of Mr. Fortin.

Inquiry *re* the last Dominion election in the west riding of the county of Huron, resumed.

Examination of DONALD CUMMINGS resumed :—

*By Mr. Russell :*

Q. Mr. Cummings, will you look at the ballots that were put in your hand the other day, these fourteen ballots?—A. Which way, sir?

Q. Oh, just look at them. I want to call your attention now to the edges of them as being white?—A. Yes.

Q. I want you to look at this bundle which I produce and tell me are there some with white edges and some with black edges among them?—A. Yes, sir.

Q. I want that identified as produced by Mr. Todd as the official ballots unused and returned from one of the districts I do not care which—No. 1 Ashfield. These are the unused official ballots returned to the returning officer and now in the custody of the Clerk of the Crown in Chancery as having been sent by the returning officer to the district of Ashfield No. 1. Now, there is also produced No. 2 Ashfield. I want you to look at both edges and say if they are not white and black, indiscriminately?—A. Yes, sir.

Q. I just want the Chairman to initial this batch as a bundle later on. Now, I want you to look at those ballots, Mr. Cummings. You can look at the one which is on the face first, and then we can see if the others are alike. This is a batch of ballots identified simply by the Chairman. Just look at the first one and compare it with the one before.—A. Yes, sir, will I take it out.

Q. Yes, if you require to, only put it back in the right place, that is all. I want you to tell me whether this ballot one that the Chairman has identified, and one of the fourteen referred to yesterday—I am asking the witness to compare one of these from the bundle which the Chairman has identified as No. 3, in Goderich township. Now, I want you to compare this ballot, this ballot from Goderich township, with this, which is one of the fourteen.—A. Yes, sir.

Q. I want you to tell me if you notice any difference between them, or if they are exactly alike, whether this ballot has not all the same peculiarities as were pointed out in these fourteen?—A. Yes, sir.

Q. The straight edge?—A. Yes.

Q. And the full-stop?—A. Yes.

Q. And the absence of a jog there?—A. Yes, sir.

Q. And this little flaw, up there?—A. Yes.

Q. I want you to say whether in every respect this ballot is not exactly the same as that ballot?—A. It is so near it—there is a white band there.

Q. A white band there, and not a white band there?—It is cut off.—A. The white band is on the top.

Q. You find a white band on the one underneath?—A. Yes, sir.

Q. The first one that we compared was No. 3-11. I compared No. 3-11 with the ballot from the group of Goderich ballots, and he says that it is all the same except that No. 3 has no white band underneath. Then I asked him to take No. 3-5 and he says that is the same and has the band underneath. You have looked at these enough to satisfy yourself, they are made off the same die.—A. Yes, sir; they are made off the same die?

## Privileges and Elections Committee.

Q. I want you to assist me in running over these just to tell if there are differences in the appearance of the paper.—A. That appears to be a little whiter than that.

Q. Does that appear to be substantially the same as this. This Goderich ballot and this bundle of fourteen so-called bogus ballots?—A. They are substantially the same.

Q. Mr. Bergeron says he did not hear what you said with regard to the quality of the paper in the Goderich township ballots and these fourteen.—A. They are substantially the same to my sight.

*By Mr. Morrison :*

Q. They appear to be the same paper?—A. They appear to be the same paper.

*By Mr. Russell :*

Q. In these Goderich township ballots do you, or do you not, find a different kind of paper. Now, just look at them in a general way, you know. There are two that seem to be different.—A. Yes.

Q. There is one that seems to be the same?—A. Yes.

Q. Then we will run over them?—A. The next one there is darker again.

Q. Now, I just want to ask you, speaking generally about those, what do you say as to the paper. These are the Goderich township ballots. You say there are differences in the paper. Some of them are lighter than the fourteen we examined yesterday, and some are darker?—A. Yes, sir.

Q. That is it?—A. Yes, sir.

*By Mr. Powell :*

Q. Differences in colour?—A. In colour.

*By Mr. Russell :*

Q. Are there differences in the texture of the paper. Do you notice any difference between that and the fourteen?—A. No, I am not an expert.

Q. And these fourteen?—A. I cannot tell any difference.

Q. You can see no difference between the texture of these Goderich township ballots and those fourteen put in yesterday?—A. None.

Q. Now I want you to observe, Mr. Cummings, that all these Goderich township ballots were marked for McLean?—A. Yes.

Q. These are all McLean ballots?—A. Yes.

Q. Now for the purpose of comparison you see that is one of those we were using yesterday?—A. Yes.

Q. And this is one of the Goderich township ballots?—A. Yes, sir.

Q. Well now we will make a little more exact comparison about these; can you discover any difference in the ballots in the width?—A. No, none.

Q. Comparing these two ballots, one of which you perceive is one of the 14 that were called bogus ballots yesterday, and this ballot from Goderich township cast for Mr. McLean, I want to see whether the size, the width of the two ballots is not absolutely the same?—A. Yes, just the same.

Q. And look again at the general features of the ballot, the full stop and the others?—A. There is the white of that one.

Q. Comparing the place where it is good it is from the same die, of the same characteristics in every particular as the one I have selected from the 14 used yesterday?—A. Yes.

Q. Mr. Cummings, you made your statement yesterday that you had initialled all these ballots; I want to ask you, as a matter of fact, did you initial any ballots but those handed to the voters in the booth?—A. None.

Q. I suppose, Mr. Cummings, that in speaking of your initials on these ballots as to which you were questioned yesterday you assumed the same ballot was being put into your hand which you had handed to the voters?—A. Just the same.

Q. If this committee should find out they were not the same then what about initials?

Mr. Tisdale objected to the question and Mr. Russell withdrew it.

Q. You observe, Mr. Cummings, that these ballot papers which I handed to you a moment ago and which you were comparing with the 14 Mr. Powell occupied so much time on yesterday, were all of these ballots which were exactly of the same form and shape and from the same die and with the same defects and peculiarities as the ones Mr. Powell was speaking of yesterday—these 14 so called bogus ballots—and that every one of them was marked for McLean?—A. Yes.

*By Sir Louis Davies :*

Q. Mr. Cummings, the question was asked you yesterday with reference to the manner in which you deposited in the ballot box the ballot paper you received from the voter after he had gone behind the screen and marked it and came back and give it to you; I ask you on your oath are you prepared to pledge your oath that you put in the ballot box the identical ballot paper that each voter handed to you when he came from behind the screen?—A. Yes.

Q. You did?—A. Yes.

Q. And no other paper?—A. No.

*By Mr. Powell :*

Q. Just look here at these Goderich township ballots, are not the statements you made respecting the two ballots that Mr. Russell showed you generally true with respect to all the ballots deposited for Mr. McLean at the third Goderich township booth?—A. Yes.

Q. Now, what you said about the similarity of the bogus ballots, the similarity in the appearance of the bogus ballots to the ballots from Goderich township.

Sir Louis Davies objected to the use of the term "bogus."

Q. The so called bogus ballots. Now we will withdraw the term "bogus," withdraw that from your mind. Mr. Russell showed you two ballots of the 14 ballots in the poll that you presided over?—A. Yes.

Q. And you said in their general appearance and in detail they resembled two ballots that he showed you that were taken from this list in Goderich?—A. Yes.

Q. You remember that?—A. Yes.

Q. Now I ask you if these two ballots taken from the poll in which you presided and shown you by Mr. Russell are not in general details similar to those deposited for Mr. McLean in Goderich?—A. Not similar in all details, some of these are different.

Q. But almost all?—A. Yes.

*By Mr. Russell :*

Q. From the same die?—A. Yes.

*By Mr. Powell :*

Q. Now, if you will let me see them. Look at these again; these are the ballots cast for Holmes in No. 3, Goderich township?—A. Yes, sir.

Q. Will you look at these again. Now, the ballots that are deposited for Holmes, these were the ballots in Goderich township No. 3 are the same general character as were deposited for McLean in the other polling subdivision?—A. Yes.

Q. And would you consider them the same run of ballots?—A. Yes.

*By Mr. Russell :*

Q. Add the same run of ballots as the fourteen?—A. Yes.

## Privileges and Elections Committee.

*By Mr. Powell :*

Q. Now, you have already sworn to us that those fourteen ballots particularly mentioned in regard to the booth you presided over were of a different width from the block of ballots that were given you?—A. Yes.

Q. Were different ballots?—A. Yes.

Q. And then, if you have formed any judgment about the identity of these ballots, do you or do you not think these 14 ballots came from the same official source?

Question objected to by Mr. Russell and Sir Louis Davies.

*By Mr. Powell :*

Q. Then, I will put it this way. If these are the official ballots and came from the official sources—these that are shown you from the Goderich township No. 3—your opinion is those 12 or 14 ballots spoken of which came from the booth over which you presided are of the same general character.

Question objected to by Mr. Russell.

*By Mr. Powell :*

Q. The question I am asking you is this. From looking at these 14 ballots do you say that they are in all respects similar to the ballots deposited for Mr. Holmes and Mr. McLean in district No. 3, Goderich township?—A. As near as I can tell.

*By Mr. Russell :*

Q. I just want you to look at these now which I have taken care to make perfectly flush on this edge, and to ask you if there is any difference in the width of them?—A. Yes, there is a difference in the width. Some narrower and some wider.

Q. Those are the No. 3 Goderich township ballots which were cast for Holmes?  
—A. Yes, I would say there is about a sixteenth of an inch between them.

Q. They vary in width?—A. They are varied in width.

Q. You found the same difference in width in that batch of ballots that you found yesterday between the 14 ballots and the other ballots with which they were compared yesterday?—A. Yes, equally, if not more.

Q. And these were not the ballots that were in your booth?—A. No.

Q. These are the ballots that Mr. Powell showed you five minutes ago from No. 3, Goderich township?—A. Yes.

Q. And they differ in width among themselves just in the same way as those 14 differed from the other ballots with which they were compared yesterday?—A. Yes.

Q. And the same thing with regard to the difference of width applies to the ballots from the third division of Goderich township that are cast for McLean. They are flushed on this edge and there is a variation of about a sixteenth of an inch on this outer edge?—A. There is.

Q. As to the length of them you observe one edge of them is rough and they vary?—A. Yes.

Q. Your attention was called to the ballots, the 14 ballots, I mean, yesterday and you were asked if the crosses were all of the same size?—A. Yes.

Q. Are not the crosses on those two ballots of a very different size?—A.—Yes.

Q. These ballots I have just spoken of Mr. Borden, were 3-8 and 3-3.

*By Mr. Bergeron :*

Q. You were not busy all the time during the day there?—A. No.

Q. You would have some moments of leisure?—A. Yes.

Q. During these moments of leisure did you put your initials upon a few ballots in advance?—A. No.

Q. Did you not do that?—A. No.

Q. You only put them on as the voters came in?—A. Yes.

Q. You didn't put your initials upon the ballots beforehand?—A. No, I did not to the best of my belief.

Q. Will you swear to that?—A. Yes, I did not do it.

Witness was allowed to retire.

JAMES WATSON, SWORN:—

*By Mr. Borden:*

Q. Mr. James Watson is No. 81 on the polling book. You reside in Colborne? Mr. Watson?—A. Yes.

Q. And you voted at No. 4 Colborne at the last Dominion election held on the 21st of February last?—A. Yes.

Q. The returning officer was Mr. Donald Cummings?—A. Yes.

Q. Did you receive a ballot from him?—A. Yes.

Q. Did you go behind the screen and mark it?—A. Yes.

Q. Who were the candidates?—A. Mr. Holmes and Mr. Robert McLean.

Q. Mr. Holmes and Mr. Robert McLean, for whom did you mark your ballot?—A. For Mr. McLean.

Q. How did you mark it?—A. With a cross in the usual way.

Q. Where did you put the cross?—A. On the right hand side of his name.

Q. Was there any place there reserved?—A. Yes.

Q. What kind of a place?—A. A bare space.

Q. A circular white space?—A. Yes.

Q. You put a cross in that opposite McLean's name?—A. Yes.

Q. After marking your ballot and folding it what did you do with it?—A. I came out, gave it into Cummings' hand and stood there till I seen him unfold it. I had folded it a little too fine I suppose. I should have folded it just together but I folded it over the second time. He folded it over and placed it down this way and placed his finger between it this way; he tore the counterfoil off and put this small counterfoil in his coat pocket. He tore off the counterfoil and folded up the ballot. He held the ballot with his left hand and held the counterfoil with his right and then he took the two hands and folded the ballot up smaller and put it in the box.

Q. You stood there while he was doing that?—A. Yes; some walked out but I stood there about three feet back and just kept my eyes on him till I seen it go in the box.

Q. Had you any particular reason for doing that?—A. Well, no, I partly thought it was my place to see it go there.

Q. Can you tell us what the condition of the floor was?—A. Well, there was smoking going on and spitting and such like.

Q. Was there any snow outdoors?—A. Yes, sir, slush.

Q. Was there any of that on the floor?—A. Oh, yes, the snow on the 21st of February—they were sitting round the stove in the north-east corner of the building talking. I do not generally remain, I have other work on my farm to attend to.

Q. Was the floor in a very great state of neatness?—A. No, it was not in any great neatness, you cannot expect it in the spring of the year that way.

*By Mr. Russell:*

Q. What time of day did you vote do you remember, as nearly as you can Mr. Watson?—A. It was about 3.30.

Q. In the afternoon?—A. Between that and 4. I did not wait for the close of the poll for the recount.

Q. This was in No. 4 Colborne?—A. Yes.

Q. And the presiding officer of that Mr. Cummings was there?—A. Yes.

## Privileges and Elections Committee.

Q. Mr. Tobin, you know him I suppose, the poll clerk, he entered your name on his book. Of course you might not remember that. No answer.

Q. Mr. McManus was there, the scrutineer for Mr. McLean?—A. Yes.

Q. And Edward Shaw was there, scrutineer for Mr. McLean also?—A. Yes, Mr. Shaw.

Q. And was Mr. Lawson there?—A. Yes, sir, Mr. Lawson.

Q. Was Mr. Chisholm there too?—A. Yes, sir.

Q. Well you did not observe anything wrong with your ballot, it went in all right?—A. No, sir, I cannot remember anything wrong with my ballot.

Q. You were asked afterwards to make a declaration about the fact of having voted for McLen?—A. Yes, sir.

Q. Was the declaration made at your house or in town?—A. In Goderich. I happened to be in town and Mr. McLean requested me, if I would have any objection, I said "not in the least". As I had never voted on the Conservative side in my life.

Q. You would not have the least objection?—A. I thought the Conservative party looked upon me with suspicion.

Q. You were too good for them?—A. I had said before the election I would vote for McLean if he would come out.

Q. And so McLean asked you if you would make a declaration?—A. I did not know I was going to sign a declaration, I thought I would be sworn in the usual way.

Q. Yes, well the declaration was read over to you I suppose?—A. The declaration was read over.

Q. And you signed it. Of course you were not sworn to it.—A. I asked "why don't you swear me", and he said no it is not necessary. I didn't swear on the bible.

Q. In whose presence was this declaration made?—A. In Robert McLean's.

Q. In the presence of Robert McLean.—A. And Joseph Beck and Marshall Johnson, barrister.

Q. Marshall Johnson and who else do you say?—A. Robert McLean.

Q. These three persons, where was it done.—A. In Marshall Johnson's office.

Q. Did you meet Mr. McLean there in Marshall Johnson's office?—A. No, I was passing on the street and I called at McLean's, I generally get a beef there.

Q. You deal with McLean?—A. I generally deal in the shop and I was delivering hay.

Q. You mean Mr. McLean the candidate, of course?—A. Yes, Mr. McLean.

Q. Where did you first meet Mr. McLean, where did he first speak to you about the declaration?—A. He was walking along the street and I passed him with my team and he hailed me and he asked me would I have any objection to go over to Mr. Johnson's, as he was intending to see about how the parties that were supposed to vote for him did vote.

Q. He was going to bring them down to the wrinkle, and you think he supposed he had his doubts about you?—A. No.

Q. The party had their doubts about you?—A. I thought probably some of the party in the riding had suspicion, they had it on some, I know.

Q. But he had doubts about you and he asked you would you have any objection to making a declaration that you had voted for him?—A. Yes.

Q. And you had'nt, because you did vote for him?—A. Yes.

Q. You say you deal with McLean?—A. I buy stock from him and I think it is right I should deal there.

Q. What is the extent of your dealings with him, Mr. Watson?—A. I sometimes sell him \$150 in the year in lambs, and he has been buying from me this last four or five years.

Q. You would naturally wish to accommodate him?—A. Yes, although not requested. I was never requested by Mr. McLean to vote for him.

Q. You were requested to make the declaration?—A. Yes.

Q. Who drew up the declaration?—A. Marshall Johnson.

Q. And you signed it?—A. I signed it; I said "read that over first"; I started it first myself and then he read it, I kept my eyes on it, on the print; it was partly printed.

Q. What part did Joseph Beck take in the business?—A. He took little or no part in the room, nothing.

Q. Was he there when you went?—He was in; he had nothing to say regarding it; he was sitting to one side like.

Q. I was asking you about Beck because I wanted to know whether he was a magistrate or not?—A. No. I had no conversation with him.

Q. Beck happened to be there?—A. He was in the office when I went in.

Q. But it was Johnson you went in to see?—A. Yes.

Q. Now tell me exactly what took place when you called?—A. I was acquainted with Johnson. He said, McLean, "will your team stand, Watson." I rolled the lines, opened the door.

Q. And he read it over to you?—A. He read it over to me and I signed it and went out.

Q. That is all that took place?—A. That is all that took place.

*By Mr. Britton :*

Q. I understand you have been always known as a Liberal?—A. Yes.

Q. And when Mr. McLean came out you voluntarily said you would vote for him?—A. I had said it before he was ever nominated.

Q. That you would vote for him?—A. Yes, he had done a great deal for our town and was a great business man in our county.

Q. Did you tell him?—A. No.

Q. Did you tell it in any way it would get to him?—A. No.

The witness was discharged.

JOSEPH C. McCANN, No. 92 on the poll book, sworn:—

*By Mr. Borden (Halifax) :*

Q. You reside in Colborne?—A. Yes, sir.

Q. You are a merchant or farmer, or what is your occupation, Mr. McCann?—A. Farmer.

Q. You voted at the last Dominion election held on the 21st day of February, 1899?—A. Yes, sir.

Q. You voted at No. 4 Colborne where Mr. Donald Cummings was deputy returning officer?—A. Yes, sir.

Q. You received a ballot from Mr. Cummings for the purpose of marking it?—A. Yes, sir.

Q. And you went into the compartment and marked it?—A. Yes, sir.

Q. For whom did you mark it?—A. For Robert McLean.

Q. How did you mark it, where did you put the cross?—A. Forneest Robert McLean's name on the right hand side.

Q. Just show me where you put your cross?—A. There.

Q. In the circular white space opposite Mr. McLean's name. After marking the ballot what did you do with it?—A. I folded it up.

Q. And then?—A. Carried it out.

Q. And what then?—A. Gave it to the deputy returning officer.

Q. Gave it to the deputy returning officer, Mr. Cummings?—A. Yes, sir.

Q. Did you give him the same ballot he had given to you?—A. Yes.

Q. After delivering the ballot to him did you remain or go out?—A. I remained a short time.

Q. Did you see what he did with the ballot?—A. Well, to the best of my knowledge he tore the counterfoil off and put it in his right hand pocket and put the ballot I supposed I give him into the box.

Q. That is as far as you observed?—A. That is as far as I observed.

## Privileges and Elections Committee.

*By Mr. Russell :*

Q. You looked at him while he was doing that?—A. Well—

Q. You saw deputy returning officer Cummings when he put the ballot into the box?—A. Yes, sir.

Q. You watched the operation? You had sufficient interest in your vote to look at it and see what he did with it?—A. Yes, sir.

Q. Well, he put into the box the ballots you gave him?—A. I suppose he did.

Q. Didn't you suppose he did now?—A. Yes, sir, I suppose he did.

Q. About what time of the day was it, in the morning or afternoon?—A. It was in the afternoon.

Q. Then you would find about the polling booth a pretty large number of people? McManus was there I suppose? or did you notice who was there?—A. Yes, McManus was there.

Q. Mr. McManus was there and Mr. Shaw?—A. No, I didn't notice Mr. Shaw.

Q. Did you notice McManus?—A. Yes.

Q. He was looking on, interested in the voting?—A. He was sitting back on the side.

Q. Then you afterwards came to make a statement about this?—A. Yes, sir.

Q. Tell us how you came to do that? Where you made it? What led you to make the written statement you tell us about?—A. Well, I thought —

Q. Who asked you to make the declaration? That's all I want to know, where and how, and under what circumstances you made it? Who asked you to make it?—A. Robert McLean.

Q. Where did you meet him?—A. I met him in Mr. Hayes' office.

Q. In Mr. Hayes' office?—A. Not when he asked me.

Q. When you first met him, where was it?—A. I just don't remember where I first met him.

Q. Did he ask you to come to Mr. Hayes' office?—A. He said we could do it there or at another place if I was willing.

Q. Willing to do what?—A. To sign this declaration.

Q. Did show you the declaration—this paper?—A. After I got to the place he showed it to me.

Q. After you got to Hayes' place?—A. Yes.

Q. He showed you this writing, this paper?—A. Yes.

Q. What took place about the paper?—A. I simply signed it.

Q. You did not sign it without reading it, of course?—A. Well, I didn't read it all over.

Q. You did not read it all over, and it was not read over to you?—A. I didn't read it all over.

Q. It was not read over to you, and you did not read it all over yourself, but you signed it?—A. Yes.

Q. And then having signed it, was there anything further took place?—A. No.

Q. Who was present there at the time, was McLean there?—A. Yes.

Q. McLean was there and Mr. Hayes also.—A. Yes, sir.

Q. Is he a lawyer?—A. Yes.

Q. It was in his office?—Yes.

Q. And was there anyone present except these two and yourself?—A. Not to my knowledge.

Q. After you signed the paper what then took place.—A. I went out and went off home.

Q. A paper which was not read over to you, and the whole of it, at all events, you did not yourself read, you signed and went out and went home?—A. Yes.

Q. Of course there was no book put to you, no oath or anything like that?—A. No.

Q. You simply signed the paper the same as you would sign a promissory note?—A. Yes, sir.

Q. Except that if it was a promissory note you would take care to read it over or have it read to you?—A. Yes.

Q. The form of your signature was the same?—A. Yes.

Q. You were not asked to swear to anything at any time of course?—A. No, sir.

Q. Of course if you had been asked to swear to anything, you would have had it read over to you?—A. Certainly.

Q. Or else you would have read it over yourself?—A. Yes.

Q. But you were not asked to swear to this and therefore you were satisfied with what you heard about it. Is that correct?—A. Yes, sir, I was satisfied.

Q. You were proceeding to tell me something and I think I stopped you. I am not sure, but I think you were going on to say that for some reason you were anxious to show McLean that you voted for him or something like that. Was it anything like that you were going to say?—A. I do not know.

Q. What was it you were about to say when I asked you about the signing of the paper.—A. I cannot recollect.

Q. I was asking you how you came to sign this paper, and you said you thought something, and I said I thought you had no right to tell us what your thoughts were?—A. I cannot recollect.

Q. Did you have any dealings with McLean?—A. Yes, sir.

Q. What is the nature of them—you buy and sell to him?—A. I buy and sell.

Q. Sell stock?—A. Yes, sir.

Q. What would be the extent of your dealings?—A. I never kept account.

Q. In a general way?—A. I cannot really state any price.

Q. Do you sell all the stock you sell to him?—A. No, sir.

Q. Do you sell the bulk of what you sell to him or not?—A. I cannot say.

Q. You cannot tell us the extent of your trade with him?—A. No.

Q. Who buys your stock?—A. Several of them.

Q. I suppose you had told McLean before the election that you would vote for him. Did you?—A. Yes, sir.

Q. And that was the reason you were anxious to prove to him afterwards that you had done so?—A. Yes, sir.

Q. Did I understand you to say you had always been Conservative?—A. Mostly so, yes.

*By Mr. Borden:*

Q. You understood what you were declaring to Mr. McLean, didn't you, when you signed that declaration?—A. I understood it was certifying that I voted for him.

Q. For McLean?—A. For McLean.

Q. And you say you don't remember it being all read over to you. Are you sure about that?—A. According to my memory just now I cannot remember if it was all read over or not.

Q. Or all explained to you?—A. I think so. It was explained in that light to me, that it was to certify that I voted for Robert McLean.

*By Sir Louis Davies:*

Q. Is that right that when giving this certificate you speak of that you had voted for McLean that McLean and Hayes and yourself were present?—A. Yes, sir.

Q. In the office, was it?—A. Yes, sir.

Q. And anybody else?—A. Not to my knowledge.

Q. You surely have knowledge of who was there. You can say if anybody was there?—A. As far as I can remember, no. I do not remember anybody else being present.

*By Mr. McClure:*

Q. How long ago was this since you signed this certificate?—A. I do not remember the date.

Q. About how long?—A. Shortly after the election.

## Privileges and Elections Committee.

*By Sir Louis Davies :*

Q. I did not quite catch your reply to Mr. Russell. You went there with Mr. McLean, then?—A. Yes, sir.

Q. Where did you meet him? Did he come to you to ask you?—A. I cannot say to it whether he met me for that purpose or not.

Q. Did you go to him to volunteer?—A. No, sir.

Q. You did not?—A. Not that I remember of, making that a special business. I happened to be in town that day and met him accidentally, as far as I can mind, and discussed the matter with him, and went with him.

Q. One question more. When you were in the polling booth voting, and you marked your ballot, you took it back to Cummings and gave it to him, all the scrutineers were there. Is that so? The agents representing the two candidates were there standing around?—A. I cannot say they were.

Q. You cannot remember who were present in the booth at all?—A. I did not pay particular notice.

Q. You did not pay any particular notice who were present. Are you sure Cummings was there?—A. Yes, sir.

Q. But didn't see anybody else?—A. Yes, sir.

Q. Who did you see besides?—A. James McManus.

Q. James McManus. Whom did he represent?—A. He was a scrutineer.

Q. For whom?—A. For the Conservative side.

Q. The Conservative side. Who else? Have you any recollection of anybody else, or is your mind all misty on this case?—A. The other poll clerk was there.

Q. McMannus and the poll clerk are the only two you can recollect?—A. The other men that were there, I might have known them all if I had paid particular attention. I did not, and am not prepared just now to say they were there.

Q. Can you or can you not recollect who was present in the room when you polled your vote? If you cannot remember, say so?—A. I do not mind who was present.

Q. You do not mind other than those you told us?—A. No.

Q. Do you mind coming back from marking it?—A. Yes, sir.

Q. Have you anything to mark it on your mind further than the fact that you went up and voted?—A. What question do you mean?

Q. Have you any clear and distinct recollection of the facts connected with the voting?—A. Not more than usual.

Q. You thought you voted for McLean?—A. I was sure I voted for Robert McLean.

Q. You were sure?—A. Yes, sir.

Q. You were sure you voted for him?—A. Yes, sir.

Q. And when you came back were you sure he put the ballot in the box?—A. I suppose he put the same ballot in the box.

Q. How far were you off from him?—A. Just a short distance.

Q. How far, sir?—A. I did not measure the distance.

Q. I did not ask you whether you measured the distance?—A. No, but I have to measure before I can state just exactly how far.

Q. And because you did not measure you refuse to say how far?—A. No, I do not.

Q. Do you wish to state on your oath that you are unable to state how far you were off, because you did not measure?—A. To the best of my knowledge, a few feet.

Q. You watched him tearing off the counterfoil. Describe how he did it?—A. Yes, he held the ballot in one hand, the counterfoil he took in the other and kind of opened out the ballot from the folds I had made.

Q. Did you fold it more than once?—A. Yes, but left his initials out. He tore the counterfoil off with one hand, held the ballot in the other, and when he put it into the right hand pocket it kind of drew my attention, because it was something new, and I put my eyes there and paid no more attention.

Q. You watched his hand going in the pocket?—A. Yes.

Q. The other hand he held your ballot in while he put his right in the pocket?  
—A. I suppose he put it there; my attention was called to the pocket just at the time.

Q. You saw the ballot in his left hand and saw him take off the counterfoil from it, didn't you see he continued to hold the ballot in his left hand?—A. I could not watch both places at once.

Q. You swear that whilst standing three feet from that man—you have earned the approval of Mr. Bennett, one of the judges, you ought to be satisfied—you swear that standing three feet from that man you saw him tear the counterfoil off with his right hand and put it in his pocket, and you do not know whether he held the ballot in his left hand or not?—A. I could not say.

Q. Where did he put it? If it was in his left hand when the counterfoil was torn off, tell me where he put it?—A. I think he did hold it in his left hand.

Q. Have you any doubt about that, that he held it in his left hand?—A. That he held it—I aint sure whether he held it in his hand or not. When I drew my attention back to the ballot again he was folding it or making preparations to fold it to put it in the box, and I suppose it was still the same ballot I gave him to put in the box.

Q. Your eyes were never off him?—A. Not off him. Not off that right hand.

Q. You kept your eye on the right hand?—A. While it was in the pocket.

Q. And bringing it back?—A. While putting it in and bringing it back.

Q. When he brought it back had he a paper in it?—A. Not to my knowledge.

Q. But if he put the counterfoil in his pocket with his right had and drew back his hand with nothing in it, how can there be any doubt about it?—A. It might not be.

Q. Who told you there was a doubt?—A. Nobody.

Q. Do you suggest a doubt on your oath, sir, do you on your oath suggest a doubt?

Hon. Mr. HAGGART.—I object.

Sir LOUIS DAVIES.—And I object to witness being interfered with.

Hon. Mr. HAGGART.—I object to the question to the manner in which it is being put to the witness. I have heard examinations before the committees for the last twenty years and I never heard anything like that before.

Sir LOUIS DAVIES.—I think it is highly improper that a gentleman should interrupt me in the examination, just when I get to the critical point; of course it is all over now, the witness has got his cue.

Mr. McINERNEY.—That is not a right insinuation.

Sir LOUIS DAVIES.—There are experienced lawyers on the committee to watch my examination. A gentleman who is not a lawyer had better not intervene.

Mr. McINERNEY.—I think he is perfectly right, I think Sir Louis Davies has no right to insinuate that Mr. Haggart gave the witness a cue.

Mr. BORDEN (Halifax). I took objection first to the same extraordinary style.

*By Sir Louis Davies :*

Q. I asked the witness had anybody suggested to him that Cummings had not put in the ballot box the ballot which he gave him and which he held in his left hand, and he said nobody had suggested it to him. And I ask him now—do you suggest on your oath that Donald Cummings did not put in the box the ballot he held in the left hand?—A. No.

Witness discharge.d.

## Privileges and Elections Committee.

JOSEPH J. WRIGHT, No. 93 on the poll book, sworn.

*By Mr. Borden (Halifax) :*

Q. Mr. Wright, you reside in the township of Colborne?—A. Yes, sir.

Q. You are a farmer?—A. Not exclusively.

Q. You voted at the Dominion election on the 21st February, 1899?—A. Yes, sir.

Q. The deputy returning officer was Mr. Donald Cummings?—A. Yes, sir.

Q. The candidates were Robert Holmes and Robert McLean?—A. Yes, sir.

Q. Did you receive a ballot from Mr. Cummings for the purpose of marking it?—A. Yes, sir.

Q. And you went in to the compartment and marked it?—A. I did, sir.

Q. You voted for whom?—A. For McLean.

Q. Where did you put your cross, show me?—A. I put my cross where McLean's name is.

Q. In the circular white disc opposite McLean's name. After making the cross you folded up the ballot, I suppose?—A. Yes, sir.

Q. And what did you do then?—A. Handed it to the deputy returning officer.

Q. Did you remain to see what he did?—A. Sufficiently long to see him drop it in the box.

Q. Did you see what he did with the counterfoil?—A. No.

Q. You didn't notice?—A. No, I didn't remain longer than a few minutes.

Q. You didn't observe whether he put his right hand in his pocket?—A. No, I didn't observe that.

Q. And you say he put the ballot in the box?—A. Yes, sir.

Q. Where were you standing?—A. Probably as closely as to the honorable gentleman here.

Q. Were you watching him closely?—A. No, sir.

Q. Did you give to him the same ballot you received from him?—A. I believe I did.

Q. Have you any doubt about it?—A. None.

Q. Well do you know whether you gave him the same ballot?—A. I am certain I did, sir.

*By Mr. Russell :*

Q. You afterwards made a declaration, Mr. Wright?—A. Yes, sir.

Q. That is to say you signed the paper I mean, of course?—A. Yes, sir.

Q. Just explain the circumstances of signing the paper?—A. The declaration paper?

Q. Well, what ever you call it?—A. I happened to be in town on business when I met Mr. Hayes, when he said the men who had voted for McLean had dropped in occasionally to make this declaration—had I any objection? I said "no", and went in and made it.

Q. Mr. Hayes had it on paper?—A. He did, sir.

Q. All prepared when you went in?—A. Yes, sir.

Q. Typewritten?—A. I think not, sir.

Q. Was it in manuscript?—A. Yes, sir.

Q. It was all ready when you went in?—A. All ready.

Q. And you signed it?—A. I did, sir.

Q. Did you do anything further; any swearing, anything like that?—A. No, sir.

Q. There was no formality, you signed the paper and went out?—A. I signed the paper and went out.

Q. You read it, I suppose or it was read to you?—A. It was read to me.

Q. You have told us all that took place as far as you remember?—A. I have as far as I know.

Q. And I suppose you have told us all that took place now? Is there anything else?—A. I have nothing else that I think of.

- Q. You stayed long enough to see the ballot go into the box?—A. I did, sir.  
 Q. And you saw it go into the box?—A. I did, sir.  
 Q. You know Mr. Cummings?—A. Quite well.  
 Q. What sort of a man is he?—A. As far as I know he is an upright honourable man.  
 Q. Is he a juggler?—A. I never knew him to be one.  
 Q. Did you ever see him performing any tricks?—A. I never saw him performing any.  
 Q. He could not do things like that man at Victoria Park would do?—A. I don't think so.  
 Q. You don't think he could do that kind of thing?—A. Human nature can do a great deal when it is necessary.  
 Q. I understood you to say Cummings was not a man to do tricks?—A. I never knew him to do anything.  
 Q. You have been acquainted with him for a considerable time?—A. Yes, for thirty or forty years.  
 Q. Repeat what you said about Mr. Cummings' character just now?—A. It is good, I never heard anything in all that forty years against his character.  
 Q. His character and reputation are beyond reproach?—A. Yes, sir.  
 Witness discharged.

KENNETH MORRIS, SWORN.

*By Mr. Borden (Halifax):*

- Q. This witness is No. 65 on the poll book. Mr. Morris you reside in Colborne?—A. I do.  
 Q. You voted at the Dominion election on the 21st February, 1899?—A. Yes, I voted at the Dominion election, I don't remember the date, though.  
 Q. The candidates were Robert Holmes and Robert McLean?—A. Yes.  
 Q. You voted at No. 4 polling division, Colborne?—A. In No. 4 polling division.  
 Q. And Cummings was the deputy returning officer there?—A. Yes, sir.  
 Q. You received the ballot from him?—A. I did.  
 Q. You took it into the compartment and marked it?—A. I did.  
 Q. For whom did you vote?—A. I voted for McLean.  
 Q. Where did you put your cross? That is a copy of the ballot, where did you put your cross? In the circular white disc opposite Mr. McLean's name?—A. I did.  
 Q. After marking and folding your ballot did you give it to Mr. Cummings?—A. I did.  
 Q. Did you give him back the same ballot which you received from him?—A. I did.  
 Q. Did you observe closely what he did with it?—A. Not very closely. I gave it to him, he tore off the counterfoil and put it into the box. I saw him put it into the box.  
 Q. Did you notice what he did with the counterfoil?—A. I do not know whether it was that time or another, but I saw him put his hand into his pocket with the counterfoil.  
 Q. Did he do that in your case?—A. I cannot say, whether it was with my ballot or with another.  
 Q. Did you remain long in the polling station?—A. I did not remain long. I did not take any notice but it may have been fifteen or twenty minutes.

*By Mr. Russell:*

- Q. Do you remember what time of day it was?—A. No.

## Privileges and Elections Committee.

Q. You do not remember whether it was the morning?—A. It was the afternoon.

Q. Do you remember whom you saw in the polling booth at the time?—A. No, I do not.

Q. You cannot tell who was there?—A. I cannot swear. I was in a hurry at the time.

Q. You did not give enough attention to it to care to give me your impression?—A. No.

Q. Perhaps if I read the names you may remember them?—A. I was talking to some of them but do not remember who I was talking to.

Q. You remember coming in, getting a ballot from Cummings, taking it behind the screen, and marking it?—A. Behind the screen and marking it.

Q. Do you remember which way you marked it, was it at the top or bottom?—A. Well I would not swear to that. I voted for McLean.

Q. That is just what I am coming to. Where did you put your mark?—A. I would swear that I put my mark opposite McLean's name.

Q. You would swear you think you did?—A. I would swear I did.

Q. You have never heard of people making mistakes with their ballots, I suppose?—A. I have heard of men spoiling their their ballots by mistake in marking them.

Q. Have you ever heard of men after coming out of the polling booth wondering whether they had voted right or not? Whether they had not marked their ballot for the wrong man?—A. No.

Q. You are not that kind of a man yourself, anyway?—A. I don't know that I have any more nerve than anybody else.

Q. You do not know whether it was the upper circle or the lower circle that you put your cross in?—A. I would not swear.

Q. From your recollection, which means that you can see the picture up before your mind's eye, you cannot at the present moment bring any picture before your mind's eye to show whether it was in the upper or lower circle you marked your ballot?—A. No.

Q. Then you brought it back to the deputy returning officer who tore the counterfoil off, I suppose your memory suggests that he tore it off with his right hand?—A. I do not know even that.

Q. You saw him tear it off?—A. Yes.

Q. On the edge of the table or did he put it so?—A. I cannot remember. I think he laid it on the table, and can't remember where it was, but this time or some other time I saw him put the counterfoil into his pocket, I cannot say whether he kept the ballot in his hand, but I saw him tear the counterfoil off and put his hand into his pocket.

Q. And when he tore it off he put it into the box?—A. Yes.

Q. Do you remember whether you folded it once or twice yourself?—A. I folded it together.

Q. It is something like this?—A. No, I folded it, I think I took it about half way and folded it endways, like that.

Q. And then he would have to unfold it to tear off the counterfoil?—A. Oh, I was careless, I did not think anything about that.

Q. That thing there, is the counterfoil which is torn off?—A. Yes.

Q. And this is the ballot which he had to give you folded like that?—A. Yes.

Q. And you would open that up and mark it and you would fold it up that way?—A. I think I folded it the other way.

Q. He would hand you this ballot folded like that and you would take it and open it and put your mark on it somewhere and then bring it back to him this way, either that way or that way?—A. I think I folded it endwise.

Q. You mean that way?—A. I think I did.

Q. Why?—A. I thought it would be easier for him to put it in the box.

Q. But he had to cut this piece off, you know, and in order to do that it would seem to me he would almost have to read your name off. Your idea was it would be easier?—A. Yes.

Q. As the matter of fact that was the reason of the way you folded it?—A. Yes.

Q. Then you saw him tear the counterfoil off the ballot, and put the counterfoil in his pocket and the ballot in the box?—A. I won't say he put mine in his pocket, but he put some in his pocket.

Q. He did get rid of it?—A. Yes.

Q. And then he put it somewhere? After you folded the ballot he would fold it thus?—A. He did fold it in order to get it in the box.

*By Mr. Tisdale :*

Q. But he had to roll it up, it's a round hole?—A. He rolled it up this way, in this shape in order to get it in the small hole.

*By Mr. Russell :*

Q. Is it a round hole?—A. Yes.

Q. He had to fold that up in such a way as to put it in the round hole in the box?—A. The small hole.

Q. Did you look at the box?—A. I saw it.

Q. Was there a round hole or a slit?—A. I think it is a round hole.

Q. Well then, now, we have got this far, that he put that paper in the box that you gave him?—A. Yes.

Q. And then you left?—A. Well, I cannot say I left directly. I won't say I left directly.

Q. The only reason I mentioned that is you said you had not time to stop?—A. I might have stopped fifteen minutes.

Q. Do you say you did?—A. I think I did. I talked for a time.

Q. Well then sometime after that you made a statement in writing?—A. I gave an affidavit that I voted.

Q. Whom did you give an affidavit to?—A. An affidavit or statement.

Q. A statement?—A. I took no oath.

Q. Took no oath?—A. Simply signed a statement.

Q. Where was the paper read?—A. I read it at my door.

Q. Who came with it?—A. Mr. McLean and another gentleman who called whom I was not acquainted with.

Q. Mr. McLean and another came to your house with the paper?—A. I was coming out and met them on the road.

Q. They had the paper ready when they met you?—A. Yes.

Q. And then what took place?—A. He asked me to sign.

Q. When he was speaking about the paper just tell us as near as you can about what he actually said?—A. He told me there was some misunderstanding that he thought he had got more votes than what had been counted for him, and thought some that had promised to vote for him had made a mistake and did not vote for him.

Q. You were one of those that had promised?—A. Yes.

Q. How was that?—A. He asked me.

Q. You had not been voting on his side before?—A. No.

Q. And that is one reason that you signed?—A. Yes. If I hadn't signed it he would have said, "You are a liar."

Q. When was it that he asked you to vote for him?—A. When was it?

Q. Yes?—A. I cannot tell you.

Q. Not the date, and hour and day, but perhaps you can remember the place?—A. I can.

Q. Where was that?—A. In his shop.

Q. Some days before the election?—A. Yes.

Q. Did you go in his shop?—A. Yes, I was in his shop.

Q. And he simply asked if you would vote for him and you said you didn't belong to his side?—A. I did.

Q. And then what did you do?—A. I did not promise him I really would vote for him.

## Privileges and Elections Committee.

Q. But there was a time when you said you would vote for him?—A. No, no more.

Q. You said there was a time?—A. I did not directly.

Q. What do you mean by "directly"?—A. I said I would, if there was not another candidate came out, vote for him.

Q. If there was not another candidate came out to oppose him?—A. No, there was not.

Q. You mean another candidate besides Holmes?—A. Yes.

Q. You said if there was no other candidate besides Holmes you would vote for him. Is that all between you and McLean at that shop?—A. On that day, yes.

Q. Was there any other time?—A. No.

Q. No other time before that election that you saw him?—A. Never saw him

Q. The conversation began by his asking you to vote for him and your telling him you were a Liberal, not on that side?—A. I did.

Q. And then he said something, what did he say? Because he must have said something before you told him you would vote for him unless some other candidate came out?—A. I told him if there was not another person besides the present I would vote for him.

Q. What did he say?—A. I don't remember.

Q. He said something?—A. I don't remember he said anything.

Q. Between these two statements of yours, one that you were a Liberal and the other that you would vote for him unless there was another candidate, he said something to you?—A. I do not remember his answer to that.

Q. Yes, but between these two statements of yours?—A. I do not remember his answer to that.

Q. I do not ask about your answer to that; I asked what he said between your first and second?—A. I don't remember.

Q. But he said something?—A. I don't remember, I told him—

Q. But between your first statement to him and your second, did not he say anything?—A. I told him this—

Q. You told him you were a Liberal first of all?—A. Yes I did, and then if there was no other man to oppose him; I think that is all.

Q. When you said you were a Liberal, you meant that was a reason why you could not vote for him?—A. Yes, I said "you know I am a Liberal."

Q. What did you mean by that, that you could not vote for him?—A. I told him that; I thought he had no business to ask me to vote; I wondered at him asking me.

Q. And when you wondered at that you would also wonder at yourself promising to vote for him?—A. No.

Q. Well, you didn't intend then to vote for him?—A. I hadn't made up my mind to vote for either.

Q. Then he had some conversation about your vote?—A. I said I would vote for him if no other man came out.

Q. I have tried to get what he said between your two statements?—A. I don't remember.

Q. I ask you what he said between the times when you told him you were a Liberal and wondering in your own mind he should ask you and the time when you said if there was no other candidate you would vote for him?—A. I told him he knew I was a Liberal and I wondered he spoke.

Q. Now, there was nothing took place to change your mind between the first and last of that conversation?—A. No.

Q. You never met Mr. McLean any other time; now did you meet any of Mr. McLean's workers in the election, before the election?—A. No.

Q. Did you meet anybody who was canvassing for Mr. McLean?—A. No; I wasn't to any political meetings either.

Q. And you had no interest in the election?—A. No.

Q. But you were a Liberal who voted for McLean?—A. When I say Liberal I voted sometimes before, I voted for a Conservative once before.

Q. But in the main you were a Liberal till this time?—A. I didn't think so.

Q. You had no conversation then with anybody who was canvassing for McLean during this election?—A. I didn't meet anybody.

Q. None of them met you, none of them called to see you?—A. I have never been troubled with canvassers.

Q. Now, I want to ask you somewhat more about that paper that you signed; I think you said they came to your house with it?—A. I was going along the road when I met them in the front of the house.

Q. And McLean and some gentlemen you didn't know—you knew his face?—A. I knew his face and I heard since who he was.

Q. He was Johnson?—A. Yes, Johnson the lawyer.

Q. Well, they had a paper with them ready for you to sign?—A. Yes.

Q. And you were anxious to sign it, because you had promised?—A. Well, I was not anxious.

Q. I thought you did say so, but you were desirous, at all events, to sign, because you wanted McLean to know you had kept your promise?—A. Yes.

Q. What business was it of McLean's whether you kept the promise or not?—A. Well, it was to me; McLean and others said I was a liar.

Q. Well, what is the lie; they don't have these declarations always made after elections?—A. No, I never saw it before.

Q. Well, Johnson and McLean came with the paper all ready for you to sign, and they asked you as you were going up to your house if you were willing, and you were?—A. Yes.

Q. And then you went into the house to sign?—A. No.

Q. You signed on the road?—A. Yes.

Q. With pencil or pen?—A. Pen.

Q. Are you sure?—A. He had ink; I signed it on the buggy.

Q. He was going around getting them?—A. Yes.

Q. What business are you in yourself?—A. Farmer.

Q. Do you buy or sell?—A. I sell a little stock.

Q. Who do you sell to?—A. To one and another.

Q. Who?—A. To butchers.

Q. You don't tell me to whom you sell?—A. Well, one or another.

Q. You sold to McLean?—A. Yes.

Q. McLean is a heavy dealer?—A. I sold him a horse a year ago.

Q. McLean is a heavy dealer in that business?—A. Yes.

Q. And he had the declaration ready, with pen and ink?—A. Yes.

Q. And on the roadside he put it down?—A. Yes.

Q. He hadn't a bible with him?—A. No.

Q. You didn't take any oath?—A. No.

Q. You just signed the paper?—A. Yes.

Q. That was all; you signed the paper and you went on your way and they went on their way?—A. Yes.

Q. Of course you read it over?—A. The man that was with him—I said afterwards it was Johnson—read it over and I signed it.

Q. And it was a fact that you had voted on election day for McLean?—A. Yes.

*By Mr. Britton:*

Q. How far do you live from Cummings?—A. Well, I would have to guess.

Q. Well guess.—A. Oh, about three miles.

Q. How long have you known him?—A. I have known him for, I guess, thirty-five years.

Q. A respectable man in the neighbourhood?—A. He is considered so.

MR. BORDEN (Halifax) objected to the question as not relevant.

MR. BRITTON.—My question is, what is the character of Mr. Cummings, what is his reputation?

After argument,

The Chairman ruled that the question was admissible.

## Privileges and Elections Committee.

*By Mr. Britton :*

Q. Then, what was your answer to my question as to the character of Mr. Cummings' reputation in the neighbourhood where he lives?—A. I told you I had known him for thirty or thirty-five years and never heard anything against his character.

Q. Nothing against him at all?—A. Nothing at all.

Q. This was a very quiet election, was it not?—A. As far as I was concerned; I wasn't out much.

Q. It was quite at that poll?—A. While I was there.

Q. How long were you at the poll?—A. I took no note of the time.

Q. You told me you did not remember him putting the counterfoil of your ballot into his pocket?—A. I do not know whether he did or not.

Q. What do you say you saw Cummings do when you came in with the ballot?—A. I brought the ballot to him.

Q. The identical ballot he gave you you handed back to Cummings?—A. Yes.

Q. And he tore off the counterfoil?—A. And put it in the box.

Q. Put what in the box?—A. The ballot.

Q. You saw him do it?—A. Yes.

Q. All you did not see was what he did with the counterfoil?—A. I did not see what he did with it.

Q. Did you come out immediately?—A. Not immediately.

Q. Who was there?—A. I do not remember.

Q. You know Mr. Lawson and Shaw?—A. Yes.

Q. Were both of them there?—A. I could not swear.

Q. Was McEvoy there at the time?—A. I do not know.

Q. Do you remember whether Dancy was there?—A. I know Dancy, but can't say I saw him there.

Q. Was McManus there?—A. Yes.

Q. The fact is all you identified as being there were the deputy returning officer, the poll clerk, I suppose you know him, and McManus. Is that right?—A. Yes.

Q. You don't remember any others who were there?—A. No.

Q. Were there other outsiders there?—A. Yes, they were coming and going.

Q. At that particular time?—A. At the time I was there.

Q. But when you were handing your ballot to Cummings was there anybody else there you identify besides those you have named?—A. No, I saw others there but can't remember who they were.

Q. Then, you did see other people there besides these people I have named?—A. Yes.

Q. In the place at that time?—A. Yes.

Q. And it was apparently going on as you have seen other elections go, there was nothing unusual?—A. No.

Q. Nothing to excite your suspicions?—A. Not a bit.

Q. And who was the first one afterwards that did excite your suspicions with regard to that vote, Mr. McLean?—A. No, I heard some of the neighbours talking about the votes.

Q. And that declarations had been made?—A. No, about the ballot.

Q. That persons who had promised to vote for McLean had not voted for him?—A. Yes.

Q. That was it?—A. Yes.

Q. And that the matter was going to be looked up?—A. Yes.

*By Mr. Borden :*

Q. You heard some discussion about the vote you say before this declaration was brought to you?—A. Yes. They knew how many votes there should be and there was not enough votes for McLean.

Q. Discussion about what?—A. Votes for McLean.

Q. That there should have been more votes for McLean?—A. Yes.

- Q. That was discussed among the neighbours?—A. Yes.
- Q. Now, you understood what this declaration was when you made it Mr.—?
- A. Yes.
- Q. And after it had been read over you said it was all right?—A. I said nothing, I signed it.
- Q. And signed it as a declaration?—A. Yes.
- Q. You told Mr. Russell that you were not sure whether McLean's name was on the top or bottom?—A. No, I was not sure.
- Q. But you were sure you put your mark before McLean's name?—A. Yes.
- Q. You are positive about that?—A. Positive about that.
- Q. And as to putting it into the ballot box I think you told me you did not watch very closely because you had no suspicion?—A. No, but I saw him put it in the box.
- Q. And you swear positively that it was the same paper? Did you watch close enough?—A. I had no suspicion to watch. I saw him tear off the ballot and put it in the box.
- Q. Did you state you had any suspicions?—A. No.

*By Sir Louis Davies :*

- Q. Did you know what that paper was that McLean gave you?—A. Yes, I understood what it was. I understood I was making the declaration to him that I was voting for him.
- Q. What kind of declaration? Did you understand you were making an oath?—A. I was not sworn by a bible.
- Q. You did not understand it was an oath?—A. Yes, I did.
- Q. Do I understand you to say that you didn't even swear to it, that you didn't swear to it?—A. I said I did not swear to it on the bible.
- Q. No bible?—A. No.
- Q. You did not understand it was an oath?—A. I understood it was as much an oath as if I had a bible.
- Q. How did you understand that?—A. I have seen men sworn in the courts by holding up their hand.
- Q. But there was nothing of that kind?—A. No.
- Q. You said nothing of that kind?—A. No.
- Q. You simply gave a certificate that you voted for him?—A. Yes, I understood it was like giving an affidavit, making a declaration upon oath that I had voted for him.
- Q. Did you understand you were taking the oath on the roadside?—A. In that way I did, but not using any bible.

*By Mr. Borden :*

- Q. You understood it had the same force as an oath?—A. Just the same, I understood it the same.

Witness discharged.

JAMES KIRKPATRICK, No. 51, sworn.

*By Mr. Borden :*

- Q. Mr. Kirkpatrick, you reside in the township of Colborne?—A. Yes, sir.
- Q. And you voted at the Dominion election which was held on the 21st of February last?—A. Yes, sir.
- Q. The candidates were Robert Holmes and Robert McLean?—A. Yes, sir.
- Q. And you voted at polling district No. 4, at which Donald Cummings was the deputy returning officer?—A. Yes, sir.

## Privileges and Elections Committee.

Q. Did you receive a ballot from him for the purpose of marking it?—A. Yes, sir.

Q. From Mr. Cummings? A. I did.

Q. You took it into the compartment and marked it?—A. Yes.

Q. For whom did you vote, Holmes or McLean?—A. Robert McLean.

Q. Will you show me, there is the ballot, where you made your mark, in the circular disc opposite McLean's name?—A. Yes, sir.

Q. After marking and folding your ballot what did you do with it?—A. I brought it out and returned it to Cummings.

Q. Brought it out and returned it to Cummings?—A. Yes, sir.

Q. Did you give him the same ballot which he had delivered to you?—A. I did, sir.

Q. Had you any suspicion at the time about the matter?—A. None whatever.

Q. Did you watch him closely to see what he did with it?—A. I did not.

Q. Did you observe whether he tore off the counterfoil?—A. I did not, sir, but as I passed away a little distance some of the crowd remarked he was opening my ballot to see what was in it, but I didn't see it, my back was to it, some of them told me he was looking at it.

Q. You handed him your ballot?—A. I handed him my ballot and passed on.

Q. You didn't observe him?—A. I didn't observe him.

Q. Were you present at the close of the polls when the ballots were about being counted?—A. Yes, sir.

Q. Did you remember a gentleman by the name of Mr. Dancy being there?—I do, sir.

Q. Do you remember whether Mr. McManus said anything in regard to his presence?—A. Yes, sir, I remembered Dancy walked in and McManus followed him.

Q. Walked in where?—A. Behind the screen, where there was the box.

Q. I want to get at that; there was a platform at the end of the hall?—A. Yes.

Q. And a screen at the back of it?—A. Yes.

Q. And the voters had gone behind it during the day?—A. Yes.

Q. And at the close of the poll the box was taken up there to count on the table where the voters had marked their ballots?—A. Well, I did not see, the screen was there.

Q. And Dancy went up there and McManus followed?—A. Yes.

Q. And what did McManus do?—A. He went in and asked what that man was doing there and by what authority he had, and as near as I can tell—I cannot remember the exact words the man used—but as near as I remember he was there to ascertain and see there were no spoiled ballots.

Q. Dancy said that?—A. Yes.

Q. Did McManus persist about it?—A. No sir, I think the subject dropped; I was quite a little distance from the screen, perhaps fifteen or twenty feet, and I heard no further remarks.

Q. Was Mr. Cummings there?—A. I think so, I didn't see him, he was there to the best of my knowledge.

Q. He was not in the room outside?—A. No.

Q. You were in the room outside?—A. Yes.

Q. And the remonstrance made by McManus was made up on this platform?—A. Yes, sir.

*By Sir Louis Davies :*

Q. There appears to have been a good many of you?—A. Yes, a good many.

Q. Quite a number of voters, and gathered around?—A. Yes, sir.

Q. How many, ten, fifteen, twenty?—A. More than that.

Q. Twenty-five, thirty?—A. Yes, a good many; they waited to hear the returns.

Q. The returning officer Cummings was in behind the screen?—A. Yes.

Q. And you don't know who were there; Dancy?—A. Yes.

- Q. You can't remember whether Cummings went in or not?—A. No, sir.
- Q. Do you remember if Dancy or McManus were there?—A. Yes, and the other scrutineers.
- Q. But you don't know if the returning officer went in?—A. No.
- Q. You are not able to answer?—A. No.
- Q. It was behind the screen?—A. Yes.
- Q. You know Dancy personally?—A. Yes, and I knew the voice; at least I knew enough to know it was him from the manner McManus spoke to him and the reply he made.
- Q. They were inside?—A. Yes, and the screen in front.
- Q. Was there anything more said but he was there to investigate what was done?—A. Yes.
- Q. What were the words?—A. To ascertain and find out, to see there was no spoiled ballots, that was his business there.
- Q. To see there were no spoiled ballots?—A. Yes, that is as near as I can remember.
- Q. Did anybody go up to get a peep?—A. No.
- Q. Everything was conducted in order?—A. Yes.
- Q. You were not taking any particular notice?—A. No.
- Q. Did you make a remark about it at the time?—A. No.
- Q. You didn't pay any attention to it at the time?—A. No.
- Q. Just one of those casual things that will happen?—A. Yes.
- Q. You voted at the election?—A. Yes.
- Q. And you marked your ballots?—A. For Robert McLean.
- Q. You have no doubt about that in your own mind?—A. Not the slightest.
- Q. Can you remember whether it was the top or bottom?—A. Oh, yes, I remember McLean was under.
- Q. And you remember you voted for him?—A. No hesitation.
- Q. No hesitation about it, and you intended to vote that way?—A. Yes.
- Q. And you believe you voted that way? You took the ballot back to Cummings?—A. Yes.
- Q. You handed it to him?—A. Yes.
- Q. What did he do?—A. I don't know.
- Q. You came up within handing distance?—A. Yes.
- Q. You gave it to him?—A. Yes.
- Q. What did he do with it?—A. I could not swear to that; he might have put it in the box or not; I do not want to swear to what I don't know.
- Q. I asked you if you gave the ballot in his hand?—A. Yes.
- Q. And he tore off the counterfoil, I suppose?—A. I don't know.
- Q. You don't know, and he put it in the box?—A. I suppose.
- Q. You have no doubt?—A. No, I have not.
- Q. You were within three or four feet of him, as near as to that reporter?—A. Well, I don't know.
- Q. About the distance of the table apart?—A. Well, I don't know; I wasn't far away when I heard this remark of "Jim, he wants to see how you voted."
- Q. Never mind that; I want to meet you at the ballot box; you were near enough to Cummings to hold it in your hand, the ballot, and for him to receive it from you?—A. Yes.
- Q. So you must have been as near as you are to that writer to him?—A. Yes.
- Q. There you handed him the ballot?—A. Yes.
- Q. What did he do when you handed it to him?—A. He took the ballot from me.
- Q. Well then, what then?—A. I can't say.
- Q. You knew what was to be done with the ballot?—A. Yes.
- Q. What was to be done with it?—A. Put in the box.
- Q. And did you see it put in the box?—A. I could not swear I did.
- Q. Is your recollection hazy of that day, faint that day?—A. No.
- Q. Why can't you say whether you saw it put in the box, you may have some reason?—A. No, I have no reason; I have no doubt but it is quite possible he did.

## Privileges and Elections Committee.

- Q. You might not have looked, some men are careless?—A. That is so.
- Q. Some men look, some of the witnesses watched to see it put in?—A. didn't watch.
- Q. But you have no doubt it was put in?—A. No.
- Q. You know Mr. Cummings?—A. Yes.
- Q. For a number of years?—A. Yes.
- Q. What is his character?—A. Good.
- Q. Never heard anything about him?—A. No.
- Q. He is a good, respectable citizen?—A. Yes.
- Q. Had you ever heard of rascals, card sharpers?—A. Yes.
- Q. You would be surprised if you heard he was a card sharper?—A. Yes, I would be surprised.
- Q. So you remember everything that took place at the polling place?—A. Yes.
- Q. Who was sitting around; in the first place the room was somewhat crowded?—A. Yes.
- Q. How many were there?—A. Fifteen or twenty.
- Q. They were all in sight of the ballot box?—A. Yes.
- Q. Everything Cummings did with the ballot box was visible to these fifteen or twenty persons?—A. Yes.
- Q. These fifteen or twenty were standing alongside and watching him closely?—A. Well, I don't know.
- Q. Didn't one of them tell you he was looking at your ballot?—A. Yes.
- Q. One of them was close enough to say, "Jim, he is looking at your ballot?"—A. "Jim, they want to see your ballot."
- Q. So he was doing his duty and fifteen or twenty voters were all standing there watching him?—A. Standing or sitting.
- Q. And all had their eyes on him?—A. They could have.
- Q. And one of them said he had his eyes on him and saw him look at the ballot, did he not?—A. Well, he said he was.
- Q. All I want to ask you is: Twenty men were looking on while this voting was taking place?—A. Yes, sir.
- Q. After the election, Mr. Kirkpatrick, you signed a paper, I believe?—A. Yes.
- Q. Where did you sign it?—A. Within about half a mile of my house, I met him on the way.
- Q. Who?—A. McLean and M. O. Johnson.
- Q. They were driving around collecting them?—A. Yes.
- Q. They met you?—A. Yes.
- Q. What did they say?—A. They had a paper they asked me to sign.
- Q. They had it prepared and ready to sign?—A. Yes.
- Q. Had you given instructions to prepare it?—A. No.
- Q. They had them ready to get your signature?—A. Yes.
- Q. They had a number of others?—A. Yes.
- Q. They met you on the roadside?—A. Well, they were on the way to my house.
- Q. What did they say?—A. They wanted me to sign this. I had heard there was declarations being made, and I pretty near knew what they wanted.
- Q. You knew from general conversation, and you knew they wanted you to sign a paper as to how you voted?—A. Yes.
- Q. Tell me the words.—A. They said they had a declaration to sign; he heard there had been so many promises and only so many ballots, when they had heard there were more promised, and they were trying to find out. They knew I had voted, and they wanted me to sign.
- Q. And you signed it there and then?—A. Yes.
- Q. At their request?—A. Yes.
- Q. There was no oath or anything of that kind about it?—A. No, nothing more than what is in the form that I signed.
- Q. But you were not asked to swear on the Bible?—A. Not at all, they asked me to sign and said it wasn't the same as swearing.

*By Mr. Russell :*

- Q. What is that?—A. They said it wasn't the same as an oath.  
 Q. And then you signed the paper?—A. I signed the paper.  
 Q. Understanding that?—A. Understanding that.  
 Q. They drove off and I suppose that is an end of it?—A. Yes.  
 Q. You had no hesitation in giving a certificate that you had voted for McLean?  
 —A. Not at all.

*By Mr. Belcourt :*

- Q. Do you remember the name of the man that told you Cummings was trying to look at your ballot?—A. No, I do not.  
 Q. You did not attach any importance to the statement?—A. I think not, they were laughing.  
 Q. Was it said jokingly?—A. Yes.  
 Q. And you took it as a joke?—A. Yes.

*By Mr. Britton :*

- Q. What time did you vote?—A. In the forenoon.  
 Q. And then you were there at the close of the poll?—A. Yes.  
 Q. Were you there all day?—A. No.  
 Q. What did you do the rest of the day?—A. I went to Goderich and on the way back I stopped at the poll.  
 Q. You were interested enough to be there at the close of the poll?—A. Yes, I was interested in the result.  
 Q. And what time did you get back there again?—A. About three o'clock.  
 Q. You were there from three to five?—A. Yes.  
 Q. And at five o'clock there was a general march in behind the screen, is that correct?—A. Yes.  
 Q. You joined too in the march? Who were there?—A. The scrutineers and returning officer were there all the time. They were at liberty to go behind the screen.  
 Q. But another man went behind apparently?—A. I do not know whether he was a scrutineer or who he was.  
 Q. Who did you identify that went behind the screen at the close of the poll?—A. Shaw and McManus, I did not see Cummings go myself, but suppose he was there. Michael Tobin and John Lawson and Dancy.  
 Q. And when they got behind there you know nothing whether Cummings was there or not, you heard McManus say something as to who he was?—A. He asks this man what authority he had for being there, and I understood Dancy to say ascertain and find out.  
 Q. You are sure it was at that time that McManus asked that?—A. Yes, sir.  
 Q. Did you hear him ask anything at any other time during the day?—A. No, I did not.  
 Q. Did you see Dancy at any other time?—A. Yes.  
 Q. When did you see him first?—A. He was there when I came back.  
 Q. Don't you think it was at that time you heard McManus ask this?—A. No, I swear it positively, because he wasn't there.  
 Q. It is very curious that you should swear to these words at that time?—A. I swore that I could not say positively just the exact words.  
 Q. What other words did you hear?—A. I do not think I have any right to tell what transpired at the poll.  
 Q. You have told me this, but you cannot tell me anything else that was said by anybody?  
 Mr. RUSSELL.—Everything has been thrown open, you must tell everything you are asked.

## Privileges and Elections Committee.

*By Mr. Britton :*

Q. I suppose you were canvassed for your vote ?—A. I do not think so, sir.

Q. Have you always voted that way ?—A. Yes, nearly. I have voted the other way, for M. C. Cameron.

Q. And you don't remember being canvassed this time ?—A. No, sir.

*By Mr. Borden :*

Q. You passed along, as I understand it, Mr. Kirkpatrick, when you handed your ballot to the deputy returning officer ?—A. Yes, sir.

Q. You passed along ?—A. Yes, sir.

Q. And you did not see him put it into the box ?—A. I did not.

Q. The ballot box was in front of the deputy returning officer on the table, was it not ?—A. Yes.

Q. And the ballot box would be between him and the people on the other side of the room, would it not ?—A. Between him and those on one side.

Q. Was the table in the centre ?—A. It was in the centre, and there were people on both sides.

Q. The table was put in the centre of the room ?—A. In the centre of the room, and the people on the benches could see him on the one side, but they could not see him from the other.

Q. You spoke about the declaration being written out; do you know if it was partly printed ?—A. It was a partly printed form.

Q. And you understood that you were making a declaration that you had voted for McLean ?—A. Yes.

*By Mr. Sifton :*

Q. I did not catch what you said, whether or not you were canvassed for your vote before the elections ?—A. I don't really remember whether he asked me for my vote or not.

Q. Just tell me now whether anybody asked you either on behalf of McLean or Holmes ?—A. I certainly was asked, but whether it was by the candidate or not I cannot say. Several asked me how I was going to vote.

Q. Did anybody solicit you to vote for McLean ?—A. Certainly.

Q. Can you tell me who it was ?—A. There were several, but I do not know that any of his agents canvassed me at all.

Q. Were they men who were working for him in the elections ?—A. I do not know who his election agents were.

Q. Somebody canvassed you for McLean ?—A. Several asked me to vote for him certainly, but whether they were his agents or not I cannot tell. Even in our own polling place and a lot of witnesses there some of them asked me how I was going to vote.

Q. I do not mean simply the question as to how you were going to vote ?—A. If that is not canvassing, I have not been canvassed.

Q. Did anybody before the elections ask you to vote for McLean ?—A. Not that I am aware of.

Q. Did McLean ask you ?—A. I don't think McLean ever asked me, but whether his agents did or not I cannot tell.

Q. Did anybody canvas you for Holmes ?—A. I can't remember whether I received a card in that election or not.

Q. I do not mean a card, did anybody ask you to vote for Holmes ?—A. His agent may, I am acquainted with Holmes, but don't think that Holmes asked me.

Q. I did not ask you if Holmes asked you, but if anybody else did for Holmes ?—A. Not that I know of.

Q. Nobody canvassed you for Holmes ?—A. No.

Q. And no body canvassed you for McLean ?—A. Not that I am aware of.

*By Mr. Belcourt :*

Q. Did anybody ask you how you were going to vote?—A. Several did.

Q. Who?—A. The neighbours in our own polling subdivision.

Q. What did you tell them?—A. I told them how I was going to vote. I didn't mind, for I am not going to vote for a man and be ashamed to tell it.

Q. Who did you say you would vote for?—A. Robert McLean.

Q. Who were the neighbours who asked you?—A. I can't tell you all exactly. McManus was one and Taylor another. He is a witness here.

Q. Where did they ask you?—A. I cannot tell you that exactly, a person can't remember everything, you know.

Q. No, I am not finding fault with you, but asking you to remember what you can. Just try what you can remember. Did anybody come to your house and there ask you to vote for McLean?—A. No, sir, they did not.

Q. Did anybody come to your house and canvass you for Holmes?—A. Not that I am aware of.

Q. The questions that you were asked as to how you were going to vote were all asked you when you were away from your home?—A. Yes.

Q. You just happened to meet them?—A. Just happened to meet.

Witness discharged.

The Committee then adjourned.

## Privileges and Elections Committee.

HOUSE OF COMMONS,  
MONDAY, 24th July, 1899.

The Committee met at 10.30 a.m., Mr. MALOUIN, in the absence of the Chairman presiding.

Inquiry *re* the last Dominion election in west riding of county of Huron resumed.

HAMILTON McMANUS (No. 40 on the poll book) sworn :

*By Mr. Borden :*

Q. Mr. McManus where do you live?—A. In Colborne.

Q. In Colborne? You voted in the last Dominion election for the west riding of Huron?—A. Yes, sir.

Q. On the 21st of February, 1899?—A. Yes, sir.

Q. You voted at No. 4, Colborne, where Mr. Donald Cummings was the presiding officer?—A. Yes, sir.

Q. For whom did you vote?—A. Robert McLean.

Q. The candidates were Robert Holmes and Robert McLean?—A. Yes, sir.

Q. Will you show me how you marked your ballot?—A. I marked it here.

Q. In the circular white disc opposite Mr. McLean's name?—A. Yes, sir.

Q. After marking your ballot you folded it I suppose and what did you do with it then?—A. I just folded it double and handed it to Mr. Cummings.

Q. Handed it to Mr. Cummings?—A. Yes, sir.

Q. Did you hand back to him the same ballot which he gave to you?—A. Yes, sir.

Q. Did you closely watch what he did with it?—A. Well not particularly so. I handed it to him.

Q. Did you observe whether or not he tore off the counterfoil?—A. Yes.

Q. Did you observe what he did with the counterfoil?—A. I did not.

Q. You did not observe?—A. No.

Q. After handing him it did you stand there or did you pass along?—A. I passed along.

*By Mr. Russell :*

Q. You did not observe what he did with your ballot?—A. Well not particularly anything than I—

Q. In a general way?—A. Yes.

Q. In a general way you waited until he put it in the box. Well, you saw him put it in the box?—A. I cannot say positively, I just simply handed him the ballot and he tore off the counterfoil and put it into the box, I suppose. I didn't take no particular notice, I just passed right on out.

Q. You were looking at him when he handled the ballot?—A. Certainly.

Q. When did you stop looking at him?—A. When he was putting it into the box.

Q. When he was putting it into the box?—A. Yes.

Q. You saw him put it into the box?—A. Yes.

Q. You looked at him while he was putting it in the box?—A. Yes.

Q. Afterwards of course Mr. McLean saw you; he got you to make a statement in reference to your vote?—A. Yes.

Q. Who was with Mr. McLean?—A. There was nobody I think; I met him in the street in Goderich.

Q. I prefer you to tell what he said?—A. There was some conversation, I cannot tell you exactly, but he asked me if I would sign this paper.

Q. Asked if you would sign?—A. Yes.

Q. Did he have the paper with him?—A. No.

Q. Well he cannot have said "this paper". He asked you to sign this paper but didn't have any paper with him? He could not have said then "this paper", did he?—A. No.

Q. You do not profess to give his exact words?—A. No I cannot give his exact words.

Q. I want you to remember what he said as nearly as you can, what he said about the paper you were to sign?—A. Well I do not know as I could tell you exactly anything more than he was going around getting the names of the voters; he said he was going to get the names of those who voted for him. He thought he did not get a fair show.

Q. And then what else?—A. I think that was all.

Q. He must have mentioned something about the papers?—A. I do not remember anything else particularly.

Q. The only reason I said anything else is that you said "this paper" and I said there must be some paper?—A. I understood it that way.

Q. I would not expect you to remember exactly what was said any more than I could remember it myself. And when did you have the paper to sign?—A. I signed the paper afterwards in Goderich in Mr. Hays' office. I did not sign that day.

Q. He was not ready that day for you to give your signature, to sign?—A. No.

Q. How did you find out?—A. One of my neighbours told me he was in town and that McLean wanted me to go and sign and I went.

Q. You went to his office and of course you read the paper?—A. Yes.

Q. He read it all over?—A. Yes.

Q. And you put on your signature?—A. Yes.

Q. You did not swear on any book or anything of the kind?—A. No.

Q. He read it over to you?—A. Yes.

*By Mr. Borden :*

Q. This was shortly after the election, McManus, that you made this declaration?—A. Well I cannot say exactly what length of time it was, it was quite a little time after the election.

Q. You stated that you saw the returning officer put the ballot in the box. Are you able to tell as a matter of fact that he put the same ballot in the box that you handed back to him? Do you know that positively of your own knowledge?—A. I handed him the ballot in the usual way. I did not take any particular notice any more than that I thought he put it into the ballot box.

Q. Had you any suspicions at the time that there was any doubt about its going into the ballot box?—A. None.

Q. You had no suspicion?—A. No.

Q. And for that reason I suppose your observation was not very close?—A. No.

*By Sir Louis Davies :*

Q. So far as your own recollection goes, what took place at the poll. When you brought back your ballot if I understood you right you saw him tear the counterfoil off.—A. Yes, sir.

Q. Did he put it on the table when he tore it off?—A. Yes, sir.

Q. How did he hold the papers, show me with these papers?—A. He put the ballot something in this way.

Q. Yes.—A. And tore it off.

Q. Leaving the ballot in which hand?—A. In the left hand.

Q. And then so far as your observation went did what with them?—A. I do not know what he done with what he tore off. I did not notice.

Q. But with the ballot?—A. He put it into the box.

## Privileges and Elections Committee.

Q. You have no doubt about it?—A. No.

Q. You have no doubt about it?—A. No, I have no doubt about it.

Q. No doubt about it now?—A. No.

*By Mr. Borden (Halifax):*

Q. Did I understand you to say you had no doubt about it then or now?—A. Oh, well, I had no doubt about it then as I can see; I hadn't any that I could see; I have no doubt of it.

Q. Now, Mr. McLean when he spoke to you said that he wanted to get the names of those who had voted for him, when he spoke to you about this declaration?—A. Yes, sir.

Q. And I did not quite gather what you said about his not getting fair play?—A. Well, I don't know as I can put it just in the words he used. He said he thought there was more votes in that polling division than they counted; that there ought to have been more votes there than was counted for him.

Witness discharged.

WILLIAM McCONNELL, No. 41 in the poll book, sworn :

*By Mr. Borden (Halifax):*

Q. You reside in Colborne, Mr. McConnell?—A. Yes, sir.

Q. You voted at the last Dominion elections on the 21st of February, 1899, for the riding of West Huron?—A. Yes.

Q. You voted at the polling subdivision at which Mr. Donald Cummings was deputy returning officer?—A. Yes sir.

Q. For whom did you vote?—A. For Mr. McLean.

Q. The candidates were Robert McLean and Robert Holmes, I think?—A. Yes.

Q. Will you look at this ballot and show me how you marked your ballot?—A. I put the cross here opposite Mr. McLean's name.

Q. You marked with a cross in the circular space opposite Mr. McLean's name. The ballot that you marked you received from the deputy returning officer?—A. Yes.

Q. After you marked it you folded it, I suppose?—A. Yes.

Q. And what did you do with it then?—A. Took it out and gave it to Mr. Cummings.

Q. To the deputy returning officer?—A. Yes.

Q. Did you take out and give him the same ballot you had received from him?—A. Yes sir.

Q. Did you watch closely to see what he did with it?—A. No.

Q. Did you see him tearing off the counterfoil?—A. He was tearing it off as I passed out.

Q. He tore it off as you passed along?—A. Yes.

Q. Then I understand he was tearing it off as you passed along and went out?—A. Yes.

Q. Did you pass out or wait a while?—A. I passed right out.

Q. Did you observe what he did with your ballot?—A. No, I did not.

*By Sir Louis Davies:*

Q. You saw the parties who were there?—A. Yes, sir, I did.

Q. And I suppose they were pretty well known to you?—A. Yes, they were all known to me.

Q. Who were the men there?—A. I recollect McManus.

Q. He represented McLean?—A. Yes.

Q. McManus was one?—A. And Mr. Cummings.

Q. Who were the two McLean scrutineers?—A. Mr. Shaw and Mr. McManus.

Q. Shaw and McManus, and then Mr. Holmes' two scrutineers were also there?

—A. One I remember.

Q. One you remember, Cummings you remember; they were standing around the returning officer?—A. Well, I don't remember.

Q. Well, within the usual place the scrutineers were standing watching the proceedings, seeing fair-play to each party?—A. Well, yes.

Q. And you have been accustomed, I suppose, to vote at elections?—A. No.

Q. No?—A. The last two years I voted, but previous to that I hadn't voted for ten years.

Q. Hadn't voted for ten years; and had you taken any instructions in ballot voting?—A. Yes, Mr. Cummings explained, asked me if I knew how to mark it.

Q. That is the deputy returning officer asked you; and you told him you did?—A. Yes.

Q. And you went and marked it for McLean, or believed you did?—A. Yes.

Q. And you marked it with pencil and gave it to Mr. Cummings?—A. Yes.

Q. And you remember up to the time of tearing off the counterfoil distinctly, but you passed on?—A. He was tearing it off as I passed and I didn't remain to see what he had done with it.

Q. You were satisfied, I suppose, that all would be right, Mr. Cummings and all being there?—A. Yes.

Q. You know Cummings, I suppose?—A. I know him to meet him.

Q. You were not neighbours, I suppose; you were not a close neighbour apparently?—A. No, not very close.

Q. Otherwise, he being there many years, you would know him?—A. I have only been there three years myself.

Q. A comparative stranger?—A. Well, no.

Q. But comparatively to men who have been there 30 and 40 years?—A. Yes.

Q. You don't know what became of the ballot?—A. No.

Q. But the fact that the different scrutineers were around gave you an idea all would be right?—A. I never thought anything of it.

Q. You did not think it worth while waiting to see it put in the box, you thought it would be all right, otherwise you would have waited?—A. Certainly.

Q. You were afterwards spoken to by McLean, were you?—A. No, not until McLean was round with these papers.

Q. Where was that?—A. He came to my place.

Q. How long after the election was that?—A. I cannot say exactly.

Q. Well, give us some idea; one of the witnesses preceding was asked and did not know?—A. I do not recollect.

Q. I don't ask you to a day, but give us an idea?—A. It might have been three weeks or a month.

Q. A month we will say; he came to your house; was he accompanied by any one?—A. By Mr. Johnson.

Q. What did he want, what did he say he wanted?—A. He asked me if I would sign this paper.

Q. He produced the paper and asked you to sign?—A. Yes.

Q. Had you not some curiosity to know what you were signing, whether it was a note of hand?—A. Yes.

Q. It was all prepared?—A. Yes.

Q. You signed it?—A. Yes.

Q. What did this paper say which was prepared for you?—A. That I had voted for him.

Q. As a matter of fact I have no doubt he was a good friend of yours, Mr. McLean?—A. Well, nothing particular.

Q. You voted for him?—A. Yes.

Q. And you signed his paper, no doubt?—A. Yes.

## Privileges and Elections Committee.

Q. A friendly act. You did not take any oath about it?—A. He told me to be particular to read it before I signed it.

Q. I ask you, did he ask you to take an oath?—A. No.

Q. Did he produce a Bible?—A. No.

Q. Do you wish to say anything more on that point? I don't want to leave anything uncleared up; did he ask you to take any oath about this paper?—A. No, but I think Johnson gave me to understand, to the best of my knowledge, it was the same thing.

Q. You do not seem to have a clear recollection?—A. No, as I didn't think there would be anything about it.

Q. It was all a printed form?—A. I cannot recollect.

Q. I don't blame you, but just look at that paper, which the gentlemen produce as the document?—A. Yes.

Q. That is the paper?—A. Yes.

Q. Did you sign it there?—A. Yes.

Q. Did he sign it there?—A. I don't remember.

Q. You don't remember whether he signed or not?—A. No.

Q. You signed it?—A. Yes.

Q. Was it in your house or in the carriage?—A. He met me at the gate.

Q. And you signed on the carriage side?—A. No, I signed it on the gate post.

Q. It was all printed?—A. I don't remember.

Q. But that is the paper and it speaks for itself?—A. Yes.

Q. "That I marked a ballot paper for the said Robert McLean"; that is all printed?—A. Yes:

Q. That is what I want to see; it is a printed form?—A. Yes.

Q. You had not told them that before. You hadn't seen them before?—A. No, I had not seen them before.

Q. It was rather curious they should prepare an affidavit, for you to swear to, that you had marked your ballot in the identical spot opposite McLean's name, before he had ever asked you whether you had. Did it strike you as curious at all?—A. No, it did not.

Q. Does it not strike you now as rather curious that somebody should prepare a very special affidavit for you to sign?—A. It did not strike me, not in particular when it was explained what it was for.

Q. Well, did you know Mr. McLean intimately?—A. No, I did not.

Q. Were one of those who dealt with him?—A. Yes, I dealt with him. This last winter on one occasion.

Q. Did he canvass you for your vote?—A. No.

Q. He did not. Had you been canvassed by others?—A. No.

Q. Did they know you to be a thorough Conservative an out and outer, that's what it is called I think?—A. Yes, I would think so.

Q. A true blue?—A. I suppose so.

Q. Eh?—A. I am not sure, but I think so.

Q. As a matter of fact you are supposed to be so fixed in your opinion one way or the other that nobody asked you how you were going to vote?—A. I do not know their reason, but no person canvassed me.

Q. But no person asked you how you were going to vote?—A. Not that I remember of.

Q. It does not appear to have been a very active canvass taking place up there in that poll. Did you go and ask other people yourself. Were you a canvasser?—A. No, I did not take very much interest in politics.

Q. Simply went out to vote?—A. Yes.

*By Mr. Mills :*

Q. When you took your ballot out did you notice whether the initials of Mr. Cummings were on the back of that ballot or not?—A. I cannot say, I did not notice.

Q. You cannot remember?—A. I cannot remember.

*By Sir Louis Davies :*

- Q. Did you stay in when any other voters were voting?—A. Not after I voted.  
 Q. Before you voted?—A. I think I had to wait on one person.  
 Q. Did you take any particular notice of voting going?—A. No, I did not.  
 Q. So that you would not be able to say whether the deputy returning officer marked his initials on the ballot or not?—A. I could not say.

*By Mr. Borden :*

- Q. I think up to the time mentioned ten years ago you were in Australia?—  
 A. I was in Australia three years, South America three years, Africa three years, and West Indies, one year,  
 Q. Your politics were pretty well known I think in the district?—A. Pretty well known I think.

Witness was discharged.

HENRY ZOELLNER, called and sworn.

*By Mr. Borden :*

- Q. You are No. 35 on the poll book? You reside in Colborne?—A. Yes, sir.  
 Q. And you voted at the last Dominion election on 21st February?—A. Yes.  
 Q. Mr. Holmes and Mr. McLean were the candidates?—A. Yes, sir.  
 Q. And Mr. Donald Cummings was the deputy returning officer at the poll at which you voted?—A. Yes.  
 Q. You voted for whom? For whom did you voted?—A. I voted for Mr. McLean.  
 Q. Did you make any mark on the ballot?—A. Yes, sir.  
 Q. You made what?—A. A cross.  
 Q. Opposite whose name?—A. Mr. McLean's.  
 Q. Opposite Mr. McLean's name?—A. Yes.  
 Q. Did you notice any place opposite his name where you were to mark a cross?—A. In a circular white disc opposite Mr. McLean's name.  
 Q. That is where you put your cross?—A. That is where I put my cross.  
 Q. Who gave you the ballot which you marked?—A. Mr. Cummings.  
 Q. After you had marked your ballot and folded it what did you do with it?—  
 A. After I had marked it I gave it to Mr. Cummings.  
 Q. Did you give back to him the same ballot which he had given to you?—A. Yes, sir.  
 Q. Did you watch closely to see what he did with it?—A. I watched him till he put it in the box.  
 Q. What did he do with the counterfoil?—A. I can't just say.  
 Q. Did you see him tear anything off?—A. No.  
 Q. Or put anything in his pocket?—A. No, sir.  
 Q. Did you pass right along when you gave him the ballot or did you stand there?—A. I passed right along.  
 Q. What was he doing when you passed along, with the ballot?—A. He put it in the box.  
 Q. He was putting it in the box when you passed along?—A. When I passed along.

*By Mr. Mills :*

- Q. Did you notice the initial "D. C." on the ballot when you got it?—A. No, I did not look.

## Privileges and Elections Committee.

*By Mr. Russell :*

Q. Who did you come out to the polling booth with?—A. Mr. Chisholm.

Q. Did you have any conversation with Mr. Chisholm as you were coming out?  
—A. No.

Q. You did not have any word at all?—A. No.

Q. How far did you walk with him?—A. I had a ride with him.

Q. How far did you ride out with him?—A. From my house to the polling booth.

Q. How far was that?—A. About a mile and three quarters.

Q. He did not say anything to you, and you did not say anything?—A. No, sir.

Q. You had a quaker's meeting coming out. You didn't have any conversation at all?—A. No, there was another man with me.

Q. Didn't you talk about the weather. What did you talk about?—A. We didn't talk anything about the elections.

Q. You mean you did not talk about the elections?—A. No, sir.

Q. Who was the other man?—A. Dan. McLeod.

Q. What is he, Grit or Tory?—A. I don't know what he is, I didn't ask him.

Q. Did he go in for free corn or not? Who is he?—A. He came with Chisholm and went back with Chisholm, that's about all I can tell you.

Q. He and Chisholm are political friends?—A. He is working for him.

Q. Well now, which part of the ballot was it you put your mark on, the upper or lower?—A. The lower part.

Q. And you read it?—A. Yes sir.

Q. You read English?—A. Yes.

Q. You read English as well as you do German?—A. Yes sir.

Q. And speak English very well I see too? Well now, you had some conversation with Chisholm after you came out of the polling booth?—A. No, I talked to him but that is about all.

Q. You talked to him. You cannot tell us what he said to you and what you said to him when you were going out of the polling booth?—A. No.

Q. You cannot remember anything you said going in or coming out?—A. No.

Q. You went up in the waggon with Chisholm and McLeod and when you came back you had a conversation with him?—A. I did not go all the way back with him.

Q. You did drive back part of the way with Chisholm?—A. Yes sir, but I met my own neighbour.

Q. This Mr. Chisholm, I was just going to ask you what Mr. Chisholm he was, what his initials are?—A. James Chisholm.

Q. James Chisholm?—A. Yes.

Q. You told him, Chisholm, how you voted?—A. No sir.

Q. And you told him how you were going to vote?—A. No.

Q. You did not give him any idea?—A. No.

Q. Had you been canvassed by Mr. McLean?—A. No sir.

Q. Or any of McLean's friends that you knew?—A. No.

Q. You were not canvassed at all one way or the other?—A. One way or the other.

Q. The first person you saw with regard to taking you up to the booth was Chisholm?—A. Yes.

Q. And McLeod?—A. Yes.

Q. And none of the other side had come for you and asked you how you were going to vote?—A. No.

Q. To ask for your vote?—A. No.

Q. Neither McLean or any of his friends?—A. No.

Q. Chisholm drove up to your door for you I suppose?—A. Yes.

Q. And what did he say then?—A. He came out and said he wanted to drive me down.

Q. To the place to vote?—A. Yes.

Q. And McLeod was with him?—A. Yes.

Q. And you jumped into the waggon?—A. Yes.

- Q. And drove to the poll?—A. Yes sir.
- Q. Was there snow on the ground?—A. Yes, but they had a buggy.
- Q. A two-seated or one-seated buggy?—A. There was only one seat.
- Q. And you got snugly in between Chisholm and McLeod and drove up to the polls and then went back on them?—A. No.
- Q. That is not German, and nobody had asked you to vote for McLean any time?—A. No sir.
- Q. And while you went up you thought you would change your mind and give McLean a vote?—A. I always voted that way.
- Q. How did you vote the previous election?—A. What election was that.
- Q. In June 1896, the Dominion election of 1896?—A. In 1896 I voted—
- Q. Who were the candidates in 1896?—A. Was Mr. Cameron running in 1896?
- Q. You are wiser than I am, I do not know?—A. Mr. Cameron was one.
- Q. Who else?—A. I do not know who was the other.
- Q. McLean was one?—A. McLean and Cameron, I voted for McLean.
- Q. You deal with McLean?—A. Yes.
- Q. You sell him stock?—A. Not often.
- Q. Sometimes?—A. Sometimes, not often.
- Q. And you considered he was the best man for the county because he buys the stock?—A. In one way he is I suppose; I think so.
- Q. Anyway you drove out with Chisholm and Mr. McLeod and they never said anything to you about your vote?—A. No.
- Q. But you said something to Mr. Chisholm when you were going back about voting?—A. No.
- Q. Well, you don't run elections there the way we do in our part of the country. Do you mean to say you drove a mile and a half and did not talk?—A. We talked about something or other.
- Q. You know Mr. Cummings?—A. Yes sir.
- Q. How long have you known him?—A. 20 years.
- Q. You have known him a very long time, is he one of your neighbours?—A. He lives about two miles away.
- Q. Do you meet him frequently?—A. Yes.
- Q. You do not go to the same church I suppose, being so far away?—A. No sir.
- Q. Have you been intimately acquainted with him for these 20 years or not?—A. I had no dealings with him; I had a little dealings some times but not much.
- Q. In a friendly way, a social way?—A. No, I had no dealings with him in a friendly way, a social way.
- Q. You do not know enough to tell what sort of a man he is?—A. No sir.
- Q. An honest man or not, you do not know?—A. I think he is an honest man all right enough.
- Q. An honest man all right enough. Mr. McLean came to see you after, didn't he?—A. Yes, sir.
- Q. How long afterwards?—A. I cannot tell you how long, it was the time he fetched the writings.
- Q. Was anybody with him the time he fetched the writings?—A. Yes.
- Q. Who was with him?—A. Mr. Johnston.
- Q. Mr. Johnston?—A. Mr. M. O. Johnston.
- Q. He had the writings with him?—A. He had the writings with him.
- Q. Did he show you the writings?—A. Yes, sir.
- Q. That is the first time you heard about the writings?—A. The first time I heard about the writings.
- Q. He and Johnston brought the writings to your house?—A. Yes, sir.
- Q. They were driving around together with the writings that way?—A. Yes, sir.
- Q. And had one filled out for you?—A. Yes, sir. They had it filled up.
- Q. They didn't show you any others I suppose except your own?—A. No, sir.
- Q. You cannot tell whether others were filled up or not?—A. I cannot tell; it was filled up and I signed it.
- Q. And you signed that one, just put your name to it?—A. Yes, sir.

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- Q. You used no book, no Bible?—A. No, sir.
- Q. You signed your name in German letters or in English letters?—A. I can sign in English letters.
- Q. Signed in English letters?—A. Yes, sir.
- Q. You did sign that?—A. Yes, sir.
- Q. Did they tell you what it was that they asked you to sign?—A. They read it over to me.
- Q. The first thing?—A. Yes.
- Q. With your name in it?—A. Yes, my name was in it.
- Q. You signed it?—A. Yes.
- Q. And then they rolled it up?—A. Yes.
- Q. And he put it in his pocket and drove away?—A. Yes.
- Q. That was all that occurred?—A. Yes.
- Q. You did not put up your hand, or use the book or anything of that kind?—A. No.
- Q. You just simply signed the document?—A. Signed the document.
- Q. I want you to think carefully about what your recollection is, all about this, because I want you to recollect everything that was said by you or him?—A. There was nothing said; he asked me first if I voted for him and I said yes; he asked me if I would sign this paper and I said yes.
- Q. But you didn't sign it without knowing what it was?—A. He read it over.
- Q. He asked you to sign it and you had him read it over?—A. Yes.
- Q. And having said you would sign the paper you did sign it?—A. I did sign it.
- Q. He first asked you if you had voted for him?—A. Yes.
- Q. Did you promise him at any time to vote for him?—A. No, sir.
- Q. Had you promised any of his friends at any time to vote for him?—A. No, sir.
- Q. Did you promise anything to any body?—A. I always vote that way and I can hardly say if I did promise anyone.
- Q. Now, didn't you promise Chisholm that you would vote for Mr. Holmes?—A. No sir.
- Q. Didn't you lead Chisholm to believe you would vote for Mr. Holmes?—A. Well, he talked to me and asked if I would vote for him, and I said neither yes nor no.
- Q. You gave him some answer?—A. I gave him no satisfaction.
- Q. You gave him some answer?—A. I neither said no nor yes.
- Q. You went up in his team?—A. Yes.
- Q. And you had no conversation with him?—A. No.
- Q. You rode up and you and your neighbor jumped out, and you had no conversation about the election? Chisholm might come here and I want you to remember.—A. I told you the truth about that.
- Q. Now in the previous election you say you voted for Mr. McLean too?—A. Yes, sir.
- Q. What part of the paper was his name on? Mr. Zoellner, which kind of ballot was it you voted on; this kind (showing witness one of the ballots from Ashbridge Township, exhibit No. 7), or that kind (showing one of the ballots from Colborne Township, exhibit No. 6); which kind was it of these two?—A. One with a square hole I think; I would not like to swear to it.
- Q. You don't know which of these two it would be like or whether like either of them?—A. I don't think it was like either of them, I would not swear to it.
- Q. You think the place where you put the cross was square?—A. I think it might be square, I would not swear whether it was round hole or a square hole.
- Q. Your idea would be?—A. My ideas would be that it was a square hole, not a round one.

*By Mr. Sifton:*

- Q. That is a square white hole?—A. Yes.

*By Mr. Russell :*

Q. Read that one and see whether it is the same as this ; I want to see whether it is the same ; did you have your glasses on when you voted ?—A. Yes, always carried them.

Q. But your spectacles were not good enough to see whether it was a round or square hole ?—A. That is my memory.

Q. Did you get a little confused when you got in there and wondered what was the right way to mark your ballot ?—A. No, sir.

Q. You never got confused ?—A. No, sir.

Q. I was trying to get from you what position the name was in when you voted there, when there were three candidates to be voted for ?—A. Three.

Q. That was in 1896 ?—A. I voted for the Conservative.

Q. Things were so mixed up I didn't think any one could vote Conservative and be sure ; what position was the name in on the ballot, upper, middle or lower ?—A. I don't remember.

Q. That is not so much longer ago than February ; are you sure that you remember where it was, above or below, when you put your mark in February ?—A. Well I am sure of that, I put it at the bottom.

Q. But you cannot be sure of the previous election ?—A. No, I can't.

Q. Then there was an election between these, an Ontario election ?—A. Yes, sir.

Q. How many candidates were there then to vote for ?—A. Two.

Q. How long ago was that, do you remember ?—A. No, sir.

Q. Well you can remember the circumstances ?—A. It was last summer.

Q. Was it on the upper part or the lower part of the ballot you put your mark that time ?—A. On the lower part.

Q. And who was it you voted for ?—A. I voted for Mr. Beck.

Q. Who was the other candidate ?—A. Mr. Garrow.

Q. And you voted for Beck and put your mark on the lower part of the ballot ?—A. Yes.

Q. And the other candidate was Mr. Garrow ?—A. Yes.

Q. There were just two candidates ?—A. Yes.

Q. Mr. Beck and Mr. Garrow ?—A. Yes.

Q. And you voted for Mr. Beck, and put your mark on the lower part of the ballot ?—A. I wouldn't like to swear to that.

Q. You are not swearing any more about that than you are about this one. You are not any more certain about that than you are about this McLean-Holmes case ?—A. No, I don't remember anything about it.

Q. You do not remember anything more particular about that than this ?—A. No.

Q. Everybody can be mistaken ?—A. Anybody might be mistaken. I read the names ; that is all I can say.

*By Sir Louis Davies :*

Q. I would just like to know whether you are certain or not about the marking of the ballot, whether it was on the top or the bottom ; you seem to say you had some doubt as to whether you signed it on the top or the bottom ?—A. The last election I signed the bottom.

Q. And the previous election ?—A. I don't remember that.

Q. You don't remember ?—A. I don't remember that.

Q. You can't remember ?—A. All I can say is I voted for Beck ; that is all I can say.

Q. How can you say differently here this time ?—A. I know that McLean's name was on the bottom.

Q. How did you know it ?—A. I knew it.

Q. Did you ever see the ballot paper, except the one time you went in there to vote ?—A. No, I never saw it anywhere else.

Q. Only that once ?—A. That once.

Q. That is all you can remember about it ?—A. All I can remember about it.

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Q. And you cannot remember about that paper any more than the other, except that you thought you were intending to vote for McLean?—A. This last election is more in my memory than the other one—the other one is so long ago.

Q. The other one is longer ago?—A. Yes.

Q. And you can remember this one better, you think?—A. Yes, sir.

Q. You never saw the ballot paper any time but that once?—A. Just that once.

Q. And you remember, you think you remember, where you put your mark on the ballot, whether it was at the top or at the bottom?—A. Yes, sir.

Q. And it was a square mark or disc?—A. I think so.

Q. And that is your recollection?—A. Yes.

Q. Are you as sure of that as that you marked it at the bottom or the top?—A. Yes.

Q. You are as sure of one now as the other?—A. Yes.

Q. Your recollection of the last election—the last one you remember distinctly dont you?—A. Yes.

Q. That is not very long ago?—A. Yes.

Q. And you have it before your mind's eye now I suppose?—A. Yes, sir.

Q. And the place where you marked it was a square hole?—A. That is my opinion.

Q. You have no doubt about that at all?—A. No, sir.

Q. And if your vote depended upon that you will be prepared to swear to it?—

A. Yes, sir.

Q. And you are as sure about that as you are that you marked it at the lower side of the ballot?—A. Yes, sir.

Q. Did Chisholm canvass you very hard?—A. No, sir.

Q. Come now, Henry Zoellner, do you mean to say that he drove to your house and took you to the polls and never canvassed you at all?—A. He did canvass me but didn't say much about it. He knew of course I was an opposition man.

Q. What did he say to you:—A. He wanted to show me some papers about what Holmes had done and I said I couldn't read. I can read printing but what he had was written.

Q. The papers he wanted to show you were in writing were they?—A. Yes, sir.

Q. What kind of papers were they?—A. I couldn't tell you what he had the papers for.

Q. Did he read them to you?—A. Yes.

Q. What were they about?—A. It showed that I should vote for Holmes because of what he could do for the county.

Q. So there was a pretty hard canvass, a pretty heavy canvass?—A. I do not think he canvassed much.

Q. He asked you to vote for Holmes and read you some papers showing how you ought to vote for Holmes, that it would be for the good of the county and so on?—A. Yes.

Q. He evidently thought you were a little doubtful?—A. I suppose.

Q. You suppose he did?—A. I suppose he thought so.

Q. And Dan McLeod I suppose chimed in too, did he?—A. Well he had nothing to say.

Q. He was satisfied that Chisholm should do the talking too?—A. Yes, sir.

Q. Had you been canvassed for Holmes before that?—A. No, sir.

Q. What size were these written papers he was reading from?—A. Oh, I don't know.

Q. What shape or kind of papers were they?—A. Oh, square shape—one something like this here.

Q. Pick it up and show me the size of the paper, if you can; is this the size?—A. Yes.

Q. About the size of this?—A. Yes.

Q. Are you sure of that?—A. I wouldn't like to swear to it.

Q. I do not mean to say it was of that exact size?—A. I did not take any notice to it, but it was about that size.

Q. It was in writing?—A. Yes, sir.

Q. Are you sure of that?—A. Well, I would not say for sure whether it was written or printed. I was out in the stable and he said he would read it over to me if I couldn't read it, and I said I couldn't read it.

Q. Did he give it to you to read?—A. I couldn't read it.

Q. You can read printing?—A. I can read printing.

Q. But could not read that?—A. I had not my spectacles.

Q. Oh, you told me a moment ago it was in writing; do you want to alter that?—A. I understood it was.

Q. Do you want to alter what you stated just now?—A. No, I don't want to alter that.

Q. You are prepared to stand to that statement, now, that it was in writing?—A. Yes, sir.

Q. You don't want to alter that at all?—A. No, sir.

Q. And you are prepared to swear to that now after thinking it over?—A. Well, I guess, I can swear to that.

Q. You guess you can swear to that? And can you swear what was in it when it was read to you?—A. No, sir.

Q. You cannot?—A. No, sir, I cannot.

Q. You listened very carefully to it, I suppose?—A. I did not; I cannot swear what was in it.

Q. You cannot swear what was in it, was it signed by anybody?—A. I did not see that.

Q. Did he read any name on the top of it?—A. No, sir.

Q. He did not. Just a piece of paper in writing without a name to it?—A. I cannot say if there was a name to it, he did not show it to me.

Q. He showed it to you, he read it?—A. He showed it to me, but I could not read it. I have to put my spectacles on to read something.

Q. After he read the paper to you, you got into the wagon to go to the poll with him?—A. Yes, sir.

Q. And I suppose he got talking with you on the way up how you should vote for Holmes?—A. No, sir.

Q. He did not?—A. No, sir.

Q. He stopped talking?—A. We talked about something else.

Q. You were quite satisfied to go up with him?—A. I had to walk about two miles and I thought I had better take the ride.

Q. I see you are a very wise man. I suppose you had been canvassed by other people before this?—A. No, sir.

Q. Had no talk at all?—A. No, sir.

Q. Did not talk with anybody at all about the elections?—A. I might have talked about the elections.

Q. But people canvassed you?—A. No, sir.

Q. Not Mr. McLean?—A. No, sir.

Q. Nor anybody for him?—A. No, sir.

Q. Nor Mr. Holmes?—A. I never seen Mr. Holmes till I came down here to the Parliament House.

Q. Nobody for him?—A. No, sir.

Q. And so you came to the polls and from them and didn't tell anybody how you were going to vote?—A. I had a mind to vote for McLean.

Q. And didn't tell anybody?—A. No, sir.

Q. You swear to that?—A. No, sir.

Q. You are positive that you didn't tell anybody how you were going to vote and when you came away from the polls you must have told Chisholm?—A. No, sir.

Q. You are sure?—A. No, sir.

Q. You did not tell anybody, you swear to that?—A. Yes, sir.

Q. Therefore you went to the poll a very silent man, no living being except yourself knowing how you were going to vote and came away and did not tell?—A. I did not.

Q. And Johnston knew about it and made an affidavit saying you voted for McLean and you had never told him nor anybody else?—A. No, sir, I had not.

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Q. Was not that funny?—No answer.

Q. Until the time Johnston came with McLean there to sign that are you sure you had not told anybody before that?—A. No, sir.

Q. And you did not tell Johnston?—A. No, sir.

Q. Nor Holmes?—A. Nor Holmes.

Q. Nor anybody for him?—A. No, sir.

Q. Well now are you a man that has a good memory, Mr. Zoellner?—A. Yes, sir.

Q. You have a good memory?—A. Yes, sir.

Q. You must be mistaken about that ballot paper. You say you marked it at the bottom. You may be mistaken about that. Do you think your memory has failed you now?—A. No, sir.

Q. No, you have a clear idea about the ballot paper?—A. Yes, sir.

Q. And there was a square mark and you put it in that?—A. Yes, sir.

Q. And these were not the papers, these I produced here, but some forms to show you, they were not like this?—A. Well I think so, I do not know.

Q. Have a good look at it, do not hurry just take your time that you may say honestly and clearly?—A. My memory is that these were square.

Q. That they were not like these but of a different kind?—A. Yes.

Q. Your memory is that in the one you marked it was a square block?—A. A square block.

Q. Can you read?—A. Yes, sir.

Q. Read that?—A. That is Holmes.

Q. And that is what name?—A. That is McLean.

Q. Oh, yes, you can read clearly then?—A. Oh, yes.

*By Mr. Russell :*

Q. I do not think you told me a candid story. Perhaps you were mistaken? You have been telling Sir Louis Davies you had a lot of conversation with Chisholm or he with you about the election going up in the buggy?—A. You asked me before the election. He talked to me, he came I was in the barn feeding the cattle and he talked to me there.

Q. How long was he talking to you?—A. About ten minutes I guess.

Q. He did not say anything in the buggy going up?—A. No, sir.

Q. He didn't keep on talking in the wagon?—A. No, sir.

Q. And McLeod didn't, he was a silent man?—A. No, sir.

Q. And you didn't say anything going back?—A. No, sir.

Q. And he didn't say anything to you going back?—A. No, sir.

Q. I want to know whether you did not say to Chisholm going back from the polling booth when you got into his wagon after the voting that you had voted for Holmes?—A. No, sir.

Q. You did not say anything of that sort?—A. No, sir.

Q. You did not have a conversation with him about having voted for Holmes at all?—A. No, sir.

Q. You did not have any conversation about voting at all?—A. No.

Q. I want to know if you did not tell me you did not have any conversation with anybody before the election with regard to voting for Holmes? It was one of the first questions I asked you?—A. No, I did not.

Q. At no time before the election?—A. No, sir.

Q. Did not I ask you whether you had any conversation with any person on any side before the election about voting?—A. No, sir.

Q. I did not ask you?—A. You may have asked me that.

Q. I asked you that and you said you did not have any conversation at a before the election?—A. I hadn't any conversation with anybody.

Q. And nobody with you?—A. Before the election.

Q. At any time before the last election?—A. No, sir.

Q. After the voting?—A. No, sir.

Q. Or the election?—A. No, sir.

Q. You don't mean that? Don't you mean you had a conversation with Chisholm in the barn?—A. Oh, that was on election day.

Q. That was before the election?—A. That was on election day.

Q. Didn't I ask you before whether before you had voted you had any conversation with anybody about the vote?—A. That was before I went I had conversation with Chisholm.

Q. But did you not tell me you had not any conversation with anybody?—A. I thought you meant the day before the election.

Q. Oh, well, I did'nt mean the day before the election, it was a misunderstanding?—A. There is a mistake in that.

Q. I am talking about the election, when you went up to vote and before you voted. Now it turns out you did have a conversation?—A. I had a few words with Chisholm.

Q. And rode in his wagon and went up with him for the purpose of voting?—A. For the purpose of voting.

*By Mr. Borden (Halifax):*

Q. You are a Conservative in politics, Mr. Zoellner?—A. Yes, sir.

Q. And your politics are known?—A. Yes, sir.

Q. Do your neighbours know what you are, Liberal or Conservative?—A. Yes, sir.

Q. The paper which Mr. McLean brought to you when Mr. Johnson was there was read over to you?—A. Yes, sir.

Q. Now I understood you to say in answer to Mr. Russell that they asked you how you voted?—A. Yes, sir.

Q. They asked you then and there how you voted?—A. Yes, sir.

Q. They asked you if you had voted for McLean?—A. Yes, sir.

Q. And they read this paper over to you and you signed it?—A. I signed it.

Q. Now some questions have been asked about conversations, as I understand you had no conversation with any one before election day?—A. No, sir.

Q. As I understand Chisholm came to your house on election day and had a conversation with you?—A. Yes, sir.

Q. And you drove with Chisholm to the poll?—A. Yes, sir.

Q. And voted?—A. Yes, sir.

Q. And voted for McLean?—A. Yes, sir.

Q. Now the paper which was shown to you in the stable you could not read?—A. No, sir.

Q. In the first place, I think you said, you had'nt your spectacles?—A. No, sir.

Q. And in the next place it looked like writing rather than printing?—A. Yes, sir.

Q. You have been asked about the shape of the place where you put your mark and you told Sir Louis Davies that you thought it was square?—A. That is in my mind.

Q. Are you sure about that, whether it was round or square?—A. Well, I said I would not like to swear to it.

Q. Now you can read Mr. Holmes name and you can read Mr. McLean's name from that ballot, can you not?—A. Yes sir, I can.

Q. I would just like you to look at one of these ballots for a moment; there are two names on them?—A. Yes, sir.

Q. What is the top name; put on your spectacles?—A. Robert Holmes; I can see it without.

Q. It is big print, that name is Holmes'?—A. Yes.

Q. And that name?—A. Is Robert McLean's.

Q. Can you read that small print there?—A. "Robert Holmes, of the town of Clinton, editor."

Q. And can you read this name?—A. "Robert McLean, of the town of Goderich, cattle dealer."

Q. Now, when you voted, did you put your mark in a white space?—A. Yes, put my mark in a white space.

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Q. Now, whether that mark is round or square, was it opposite Mr. Holmes name or Mr. McLean's; I mean, was it opposite Mr. McLean's name—?—A. Yes, sir.

Q. Or opposite Mr. Holmes' name?—A. Opposite Mr. McLean's name.

Q. Now, have you any doubt about that?—A. No, sir.

*By Sir Louis Davies:*

Q. I only want to know if you are going back on your recollection or not; I want the facts; do you or do you not believe that you voted for McLean?—A. I voted for McLean.

Q. Do you or do you not believe that you put it in the white place opposite his name?—A. Yes, sir.

Q. Do you or do you not swear, or do you want to withdraw it, that it was in a square hole?—A. I would not like to swear it was round or square.

Q. What do you swear?—A. I swear I put my mark in the white spot.

Q. What did you swear a moment ago?—A. I said I thought it was a round hole.

Q. Has anything changed your memory since then?—A. No, sir.

Q. And do you still believe it?—A. I almost think it was a square one.

Q. What raised a doubt in your mind, if there is one?—A. I have no doubt.

Q. You have no doubt, very well, and you have no doubt it was a square mark you put it in?—A. Well, I said that, and of course I understand it was a square hole.

The witness withdrew.

EDWARD SHAW, called and sworn:—

*By Mr. Borden:*

Q. This witness is No. 10 on the poll book? You reside in Colborne?—A. I do.

Q. You voted at the last Dominion election for the west riding of Huron on the 21st of February, 1899?—A. I did.

Q. You voted at No. 4 Colborne where Donald Cummings was the deputy returning officer?—A. Yes, sir.

Q. You voted for whom?—A. I voted for McLean.

Q. The candidates were Robert Holmes and Robert McLean?—A. They were.

Mr. BORDEN—Will you give me the ballots please?

Q. Will you look—

Dr. RUSSELL objected to the question.

*By Mr. Borden:*

Q. Mr. Shaw, you have already told me you voted for Mr. McLean, how did you vote for him?—A. By ballot.

Q. Well, you had a ballot, what did you do to it?—A. I went in behind the screen, marked the ballot and came out again.

Q. Where did you mark it?—A. In front of Mr. McLean's name.

Q. In any particular place?—A. There is a round space, I think, I would't say positively for to put the cross in.

Q. You put your cross in that?—A. In front of Mr. McLean's name.

Q. What is the colour of the spot in which you put the cross?—A. White.

Q. After marking your ballot in that way—now, I suppose there will be no objection now to show the ballot? That is one of the ballots, now, would you show me on that where you put your cross?—A. Right in there.

Q. Opposite Mr. McLean's name?—A. Yes.

Q. After marking the ballot, you folded it, I suppose?—A. I folded it.

Q. What did you do with it then?—A. I handed it to the deputy returning officer, and left it with him.

Q. Did you hand to him the same ballot which he handed to you?—A. I did.

Q. And was the ballot which you marked the same which you delivered to him?

—A. It was.

Q. Now, did you observe what the deputy returning officer did with the ballot?

—A. What was the question please.

Q. Now, did you observe what the deputy returning officer did with the ballot?

—A. Well, I saw that after I had handed it to him, he had to kind of unfold part of it for to tear off this counterfoil.

Q. He partly unfolded it to tear off the counterfoil?—A. Yes, just enough to get down far enough to tear the counterfoil off.

Q. What did he do with the counterfoil, did you observe?—A. He put it in his pocket.

Q. What did he do then?—A. He had the ballot in his left hand when he put the counterfoil in his pocket, and while I can't say positively, as he had his hands together like that, I think, of course, he took the ballot in his right hand then, I suppose it would be the same ballot anyway, and he put it into the ballot box.

Q. You were one of the scrutineers?—A. Yes, sir.

Q. Were you there at the opening of the poll?—A. Yes, I was there at the opening of the poll.

Q. And produced your authority from Mr. McLean to act for him?—A. Yes.

Q. Were you sworn?—A. Yes, I was sworn.

Q. And James McManus was there as scrutineer for Mr. McLean?—A. Yes.

Q. Who were the scrutineers for Mr. Holmes?—A. James Chisholm and John Lawson.

Q. Were they sworn in in the morning, do you remember?—A. Well, I didn't see them sworn in. Well, they must have been sworn in after I got there, but I did not take particular notice. They must have been sworn in after I got there, because I was there, I think, all the time.

Q. Do you remember McEvoy?—A. Yes.

Q. John McEvoy?—A. Yes.

Q. Did he act as scrutineer for Mr. Holmes at any time?—A. He came there.

Q. When?—A. Oh, I suppose maybe an hour after we were started, and Chisholm went away and he acted in Chisholm's place.

Q. Do you remember whether he was sworn or not?—A. Well, I cannot say because I did not think it made any difference, these other two were as scrutineers and I thought it was all right.

Q. Well, during the day was there any other person there who claimed to act as the representative or scrutineer for Mr. Holmes?—A. Yes.

Q. Who was he?—A. Mr. Dancey.

Q. He resides in Goderich, I think?—A. Yes, sir.

Q. Is a lawyer?—A. Yes, sir.

Q. What time did he appear on the scene?—A. I think it was between ten and eleven o'clock.

Q. Did he remain all day?—A. He was in the room and out.

Q. What time did he first claim, as far as you remember, to act as scrutineer for Holmes?—A. Well, the first time I heard him claim anything about his papers was when we were going in to count the ballots.

Q. What did he claim?—A. Mr. McManus objected to him going in there at all.

Q. Who were present when Mr. McManus objected?—A. Mr. Cummings, Mr. Lawson, the poll clerk, Mr. McManus and myself. That was in the—

Q. Upon the platform?—A. Yes, behind the screen.

Q. This took place behind the screen on the platform?—A. This took place behind the screen.

Q. Did Mr. McManus state the ground or reason of his objection?—A. As near as I could tell what McManus said to Dancey was when he got in there he said, "you have no business in here," and Dancey says, "we will see whether I have or not," and he just kept walking on and never stopped.

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Q. Was anything said about his papers do you recollect?—A. Well, Mr. Dancy said “I filed my papers long ago.” Mr. McManus said “if you did it you did it mighty quiet for none of us see you do it.” I think these are the words as near as I can say.

Q. Did Mr. Cummings say anything?—A. I don't remember his saying anything.

Q. Had you seen any papers filed by Mr. Dancy?—A. No, sir.

Q. Had you seen him sworn?—A. No, sir.

Q. Did he act as scrutineer while the ballots were being counted?—A. Yes.

Q. As scrutineer for Mr. Holmes.—A. Yes, he acted; he helped to count the ballots. At least he sat there.

Q. What did he say?—A. He said to McManus that he was coming in there to see that there was none of these ballots spoiled. I think these were the same words he said.

Q. Well, he and Mr. Lawson were in there on behalf of Holmes while the ballots were being counted?—A. Yes, he and Lawson.

Q. Where was Chisholm?—A. That I can't tell you.

Q. He wasn't there?—A. He wasn't behind the screen anyway.

Q. During the day of the election while you were acting as scrutineer. What was your position?—A. My position was sitting on the bench on the other side of the stand where the ballot box was.

Q. Were you on the right hand or the left hand of the deputy returning officer?—A. The deputy returning officer was sitting at the west end of the table I think it was and I was sitting at the other side of the table.

Q. That would be at his right hand?—A. Yes.

Q. On his right hand. Did he face the voters, the voters in going from the place where they marked their ballots passed between you and the deputy returning officer?—A. They passed between us.

Q. Did McManus sit on the same bench as you sat on.

No answer.

*By Sir Louis Davies:*

Q. Did you say witness that the voters passed between you and the deputy returning officer?—A. It seems to me that I am kind of lost in here, that the door was there and the stand was setting here and the voters came right in along here and in behind the screen here.

*By Mr. Russell:*

Q. Which way would the presiding officer be facing?—A. Well, he would be facing kind of out this way.

*By Mr. Borden:*

Q. The deputy returning officer had his back to the platform?—Yes.

Q. And was sitting with his face towards the other end of the room?—Yes.

Q. As the voter came in the deputy returning officer would be facing him as he came up the room?—A. The deputy returning officer would be facing the voter when he would be coming in.

Q. And as he came up to the deputy returning officer to get his ballot he would pass between you and McManus and the deputy returning officer?—A. Yes.

Q. Then he would go further up the hall on to this platform?—A. Yes.

Q. For the purpose of marking his ballot?—A. Yes, sir.

Q. Then in returning he would come back and pass again between the two Conservative scrutineers and the deputy returning officer?—A. Yes, sir.

Q. Do you remember the position of the seats in the room. How far away they were from the table at which the deputy returning officer sat?—A. I cannot tell the exact distance, but it was not very far.

Q. Not very far?—A. Not very far.

Q. In front of the table was it? Where was the stove?—A. In the east end of the building.

Q. In the east end of the building?—A. In the corner.

Q. Now do you remember the condition of the floor that day Mr. Shaw?—A. In what way, sir.

Q. I mean in regard to neatness and cleanliness, and so forth, whether there was any dirt or litter on it?—A. I did not pay any particular attention to the floor. I do not suppose it was any too clean, it had been used at public meetings of one kind and another, and I do not suppose it had been cleaned out too often.

Q. Do you remember whether the people were smoking?—Oh, yes, I remember that.

Q. Do you remember if there was any expectoration going on?—A. I think I can say yes to that question.

*By Sir Louis Davies :*

Q. Can you draw a map on a piece of paper here, a little sketch of this thing. I am getting mixed. I dare say you can straighten it out in a moment or two. Just take a piece of paper and draw the room the way you were sitting at the table, in a rough way?—A. I am a poor hand at drawing. We will say this was the north; well the door comes in here.

Q. There is the door, two little marks for the door. We will say there is the door of the building?—A. Well, you come in here in the corner, here is the stove.

Q. Well, put that stove there, that is the stove?—A. That is right.

Q. Where was the table. Was it in this part or that?—A. The table was here.

Q. Did it run this way in length? How long was it, can you draw it?—A. The table was only a small stand.

*By Mr. Mulock :*

Q. What sized table, a small kitchen table?—A. No, it was a stand.

Q. As big as this table here?—A. No.

*By Sir Louis Davies :*

Q. Where was the box?—A. I think the box was standing here.

Q. Where would the deputy returning officer be?—A. The deputy returning officer sat somewhere about here.

Q. Somewhere about here, well we will mark that D.R.O. Was anybody else sitting at this side of the table with him?—A. Dancy sat here for some time.

Q. Where did you sit?—A. That is the door. This is the other side we will say. This is an aisle although there is no aisle there.

Q. How many feet would you be from the deputy returning officer?—A. It may be six or eight.

Q. About here?—A. That is all right but we was on the other side of the passage where they came in.

Q. But there was no passage, there were no chairs?—A. The door seems to be too far away. We was sitting six or eight feet south of the deputy returning officer on the south side.

Q. That will be somewhere here, and your friend was six or eight feet south. That would be here. You would not be behind his back would you?—A. Oh, no.

Q. You would be where you could see his face?—A. Yes, sir.

Q. Well then on this bench where you were sitting were the whole four of you sitting there?—A. No, sir.

Q. Who was sitting with you?—A. Shaw and McManus.

Q. Did you sit next the deputy returning officer or he?—A. I cannot tell that.

Q. You were both sitting there, Shaw and McManus where were the others?—A. Chisholm was not there at all. After the thing started he went away.

Q. Where did he sit when he was there?—A. He sat on the bench along with us a greater part of the time.

Q. Where did Chisholm sit?—A. He was not there at all.

Q. When he came first?—A. He was not there any length of time, only till McEvoy came.

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*By Mr. Mulock :*

Q. Did he vote there?—A. Yes.

Q. Did Chisholm sit there five minutes or half an hour?—A. Oh, yes.

Q. Where did he sit?—A. I cannot say he sat down at all.

Q. When he went away Lawson took his place?—A. Lawson was on this bench at the time.

Q. On a bench along here Lawson was up there?—A. Further off this way.

Q. Further over so as a matter of fact there was one bench and you all sat there. There were not separate benches. You and the Holmes men sat on the same bench. (No answer).

*By Mr. Borden :*

Q. Were there not two seats on the other side of the table where the Liberal scrutineers sat part of the time?— (No answer).

*By Sir Louis Davies :*

Q. Did the Liberal scrutineers sit on the other side of the table or on the same bench as you did?—A. One of these, Lawson, sat on the same bench with us a good part of the time.

Q. Where did McEvoy sit?—A. Well, McEvoy was pretty near all over, I think.

Q. Moving about?—A. He had no particular place.

Q. No particular place to sit?—A. No.

*By Mr. Mills :*

Q. Where did Dancy sit?—A. Well, Dancy wasn't in all the time.

*By Sir Louis Davies :*

Q. He wasn't there all the time?—A. No.

Q. He took no part, you have stated, in the proceedings until you had to count the ballots?—A. No, I don't think he took any part.

Q. Where were the other men besides Dancy?—A. Which other?

Q. One of the witnesses swore there were twelve or fifteen men standing up down in the room?—A. Well, the men standing up I could not tell.

Q. Well, as a matter of fact, do you recall where they stood?—A. You mean where would they have room?

Q. They would have room standing back here?—A. They would have no room back here.

Q. Well, might there be any man?—A. There might be some standing around the stove.

Q. How many would there be?—A. Oh! I don't know, they would be changing.

Q. Five or six?—A. There might be.

Q. And this is the bench where you were, you and Lawson and McEvoy and McManus?—A. Yes.

Q. And when the voters came in they were with their backs to you?—A. Yes.

Q. And where was the poll clerk sitting?—A. Over there (indicating the spot).

Q. So the voter would stand on this side with his back to you?—A. Yes.

Q. And you would see the returning officer hand in the ballot?—A. Yes.

Q. And when he passed from there where was the screen?—A. Up there (indicating the spot).

Q. And that is where he voted; he went up there?—A. There was a little table in there.

Q. And when he came back?—A. He came down and gave it to the returning officer.

Q. You could see, if you wanted to, what was going on?—A. Yes, sir.

Q. And from the time you went in were you a more or less observant scrutineer or were you a negligent scrutineer?—A. Well, I will tell you that the thing had always been carried on so quiet in that polling booth that we had no suspicion whatever.

- Q. Had you any suspicion that day?—A. No.
- Q. Had you reason to have any?—A. No, I don't think it.
- Q. I suppose Mr. Cummings is a neighbour?—A. About a quarter of a mile off.
- Q. I suppose you have been scrutineer before?—A. Yes.
- Q. With him?—A. No.
- Q. You know him, what is his character?—A. His character is all right.
- Q. A good, honest man?—A. I suppose so, I have nothing whatever against Cummings.
- Q. Had you any suspicion on election day that he was a sleight-of-hand man, a three-pea man, eh?—A. No.
- Q. He wasn't such a fellow, you had no suspicion?—A. No.
- Q. Is he a card sharper?—A. No. I have heard of Mr. Cummings playing a hand of cards, but I don't play.
- Q. You don't?—A. No, so I don't know.
- Q. Did you ever hear he was a fraudulent dealer in cards?—A. No.
- Q. Did you ever hear he was a fraudulent dealer at all?—A. No.
- Q. So you went there that day and the proceedings passed off as quietly as usual?—A. Quietly as usual.
- Q. From the time you went in till the close of the poll had you any suspicion that he was not performing his duty honestly?—A. The only thing I ever had any suspicion—but I hadn't any at the time——
- Q. During the time you sat there, and from the time you went in till the close, had you any suspicion of anything wrong?—A. On the part of Mr. Cummings; never had a suspicion except seeing him put the counterfoils in his pocket.
- Q. And he didn't give reason for any suspicion then?—A. Not then.
- Q. And you hadn't till afterwards, till people were talking, and the day passed off quietly and you had no suspicions at all that day?—A. Not until he went in to count the ballots.
- Q. Had you a tally given you of the number of men Mr. McLean expected to vote for him?—A. I never got any tally of that kind.
- Q. A memorandum, a statement?—A. No, sir.
- Q. You didn't know how many were going to vote?—A. No, sir.
- Q. You didn't know?—A. No, sir.

*By Mr. Sifton :*

- Q. You had a marked list?—A. I had the voters' list, but it was not marked.

*By Sir Louis Davies :*

- Q. Did you mark it?—A. I marked it myself.
- Q. As you supposed they voted?—A. As I supposed they voted.
- Q. Have you got it?—A. I have not got it here.
- Q. You kept it?—A. Yes.
- Q. You produced it afterwards?—A. Afterwards.
- Q. For Mr. McLean?—A. Mr. McLean never talked to me.
- Q. But you did keep the book and you marked it?—A. Yes.

*By Mr. Powell :*

- Q. Where is the book?—A. Down at the hotel.

*By Sir Louis Davies :*

- Q. But you can get it?—A. It is in the drawer but I forgot to bring it up.
- Q. Did you vote early?—A. Yes, I voted; I think I must have been third or fourth.
- Q. The scrutineers voted as usual, first?—A. Yes.
- Q. How did you vote?—A. How?
- Q. Yes, I mean in what manner?—A. I went up, Cummings gave me a ballot, and I voted.

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Q. There was a pad there with ballots?—A. Yes.

Q. And he took one off in each case?—A. Yes, he did.

Q. Have you any doubt; some answers you give as if you reserve a doubt?—A. I have no doubt.

Q. Your memory is that he took a ballot off the pad?—A. I saw him take a ballot off and hand it to each voter.

Q. Precisely, and in your particular case you went behind, marked it as you wanted, and came out and gave it to him, and what did he do with it then?—A. I told you before he unrolled it sufficient to get this counterfoil and then he put it down on the table like this.

Q. Did he put it on the table as you put your hands?—A. Some of them I think he did.

Q. And some he tore off, holding the counterfoil in his hand; what did he do with them?—A. With the ballot, he tore the counterfoil off.

Q. Yes?—A. He put the counterfoil in his pocket and put the ballot, I suppose, in the box.

Q. Have you any doubt? A. No.

Q. Speak out, have you any doubt?—A. I had no suspicion.

Q. And except for that peculiarity as far as you could see everything went regularly?—A. As far as I could see it did.

Q. And he put every ballot in the box as far as you could see?—A. As far as I could see, yes.

Q. Now there is some suggestion of Dancy interfering; did he interfere in taking the ballots and putting them in the box, did anybody interfere?—A. No, sir.

Q. I ask you the fair and square question, did anybody interfere with Cummings?—A. Not that I know of.

Q. And you were there all day?—A. I was there all day, except the time I was away at my dinner.

Q. And while you were away?—A. McManus was there.

Q. McManus remained to represent the party. McEvoy acted in Chisholm's place when he went away?—A. Yes.

Q. He didn't stay in any particular place, you say? Now when Dancy went behind the screen, there was some objection. Now, tell us what took place behind the screen; who opened the box; when he went in who carried the box in?—A. Cummings.

Q. Cummings took it in and he opened the box?—A. Cummings opened the box.

Q. You were all standing there?—A. Well.

Q. Now you told me it was a small place, and five of you standing in there would be close to the box and you must have seen everything?—A. If I mind right the box was not setting on the table when he was taking out the ballots.

Q. Then describe it exactly; the box on the floor?—A. The box was either on the floor or a chair alongside.

Q. Who opened it?—A. Cummings.

Q. Who took the ballots out?—A. Cummings did.

Q. He took them out one by one?—A. Yes.

Q. He read them as he took them out?—A. He read them as he took them out.

Q. What did he do with them as he read them?—A. There were two piles made of the ballots.

Q. He put them on the table in two piles?—A. I think I handled McLean's ballots if I mind aright. I was marking them down as he was counting them off.

Q. You were marking them down?—A. No, I am mistaken, McManus did. I was just telling these ballots one pile was put down for Holmes another for McLean. Well we will say that's a weight, there was a ballot put down there and this weight was put on top of it, and the same here; there was another ballot and the weight on top of it.

Q. So there was two piles with a weight upon each?—A. Yes. When there was another ballot I lifted the weight off the pile and put the ballot down.

Q. All this was done right before your eyes from the beginning to end?—A. Right before our eyes.

Q. There was nothing wrong there of course?—A. I couldn't see any.

Q. You could not think of anything wrong could you?—A. I couldn't see anything.

Q. The ballots were taken out singly in the presence of all by Cummings and shown to you all and put in each pile?—A. We saw each ballot after it was read.

Q. To see that it was read correctly that's what you were there for?—A. We read them off.

Q. So that the ballots as they came out of the box on that day and were read by Cummings were the ballots as they were in the box, and as they were marked at the time?—A. Oh yes, yes.

Q. There is no doubt about that?—A. No.

Q. Dancy was not interfering in this?—A. I don't think it.

Q. There can be no mistake about that?—A. No.

Q. And the result was that McLean had 30 votes?—A. He had 30 votes.

Q. And there were against?—A. Sixty-eight votes.

Q. And these certificates, scrutineer's certificates were signed by you, I suppose?—A. Yes.

Q. A statement of the poll?—A. Yes.

Q. And you signed them as scrutineers?—A. Yes, well—

Q. I suppose that is correct? You never heard anybody doubt about that?—A. That is all right.

Q. Whatever else took place there was no wrong-doing in opening the ballot box, reading the papers in it and taking down the votes for each candidate, did you at that time have any idea in your mind that there was anything wrong?—A. I don't know that I had. It did strike me there was something wrong when I saw such a majority for Holmes.

Q. That is you were surprised at the majority nothing beyond that?—A. Nothing beyond that.

Q. As a matter of fact you were amongst the first arrivals of the scrutineers in the morning, I think?—A. Yes, sir.

Q. Did you look into the ballot box?—A. There is one thing I will have to say about that. I acted as scrutineer for Beck and Garrow once and I acted as scrutineer for Holmes and McLean and one time of the two I remember being distinctly asked to put my hand in the ballot box to see that it was empty and I done so, but I can't take my oath whether it was this time or the other.

Q. You can't swear whether it was this time or not?—A. No.

Q. Was the ballot box opened in the morning?—A. Yes.

Q. You could see it?—A. Yes.

Q. And it was shown to all hands, I suppose?—A. I do not know whether anybody else went to see it.

Q. You could see it yourself?—A. Yes.

Q. And then it was locked?—A. Yes.

Q. And it remained locked during the day?—A. Yes.

Q. And it was locked when he carried it behind the screen?—A. Yes.

Q. You are not quite certain whether when you went behind the screen the ballot box was put on the table or on the chair?—A. I am not quite certain.

Q. As a matter of fact it was stated that it was on the table, but you are not quite sure of it?—A. No.

*By Mr. Borden :*

Q. I do not quite understand whether you looked inside the ballot box in the morning or not?—A. I do not like quite to swear whether I did or not.

Q. You say that you thought at the conclusion when the votes were counted that there was something wrong somewhere?—A. Well I thought—I was surprised to see such a majority and I said at the time there was something wrong.

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Q. The number of votes did not correspond to the way in which you had marked down the voters?

*Sir Louis Davies*:—I don't think that is a fair question.

*By Mr. Borden* :

Q. That is the way in which you had them down in your canvass book as they voted?—A. That is on the voters' list, I marked each one as he came in which way I thought he voted of course.

Q. Now you say Mr. Cummings is a very good card player?—A. I did not say that.

Q. You said he was a card player?—A. I know he can play cards but I said I never played with him.

Q. You do not know whether he is quite a euchre player or not?—A. No, sir.

Q. How did you understand that he plays a game of cards, how did you learn that?—A. I heard people talking about it. Some of the neighbours would say that Mr. Cummings was over and we were having a game of cards last night.

Q. I think Sir Louis Davies asked you about his capacity to deal cards but you don't know anything about it, you never saw him doing it at all?—A. No, I know nothing about it.

Q. Well as I understand during all the progress of this day you had no suspicion of Cummings at all?—A. I had no suspicion.

Q. And were you watching for the manipulation of the ballots?—A. That is—

Q. Were you watching to see whether or not he was dealing with the ballots unfairly?—A. Well having no suspicion of that I was not watching.

*By Sir Louis Davies* :

Q. Either I must have misunderstood you or you told me this before, I understood you to say that you sat there with the exception of an hour when you were out to dinner and saw each man come in, receive his ballot, go behind the screen, bring it back and hand it to the returning officer, and then, as you thought, the returning officer put it into the box?—A. That is right, I had no suspicion that there was any other ballot put in.

Q. But as a matter of fact you were there to see that this was done?—A. I was there to see and had no suspicion of anything wrong going on and I didn't see anything wrong going on.

Q. Mr. Borden was asking you whether you were there watching what was going on, do I understand you to say you did not watch the proceedings?—A. I watched the proceeding of Mr. Cummings with these ballots.

Q. Did you watch as scrutineer that day to see that the men got their ballots and returned them to the deputy returning officer and that he put them in the box?

Q. Did you see anything?—A. I seen Mr. Cummings hand the ballot to the voter and he went and voted it and came back.

Q. Yes?—A. And handed it back to him.

Q. Yes?—And of course I seen Cummings put the ballot in the box.

Q. Put the ballot in the box? I suppose the right one?—A. I suppose the right one. I had no suspicion whatever.

Q. No suspicion whatever?—A. I do not wish to tell anything but what is right.

Q. Can you suggest any fact, on your oath, that ought to cast suspicion on his conduct?—A. I cannot suggest anything.

*By Mr Fraser (Guysboro')* :

Q. No ground for suspicion aside from the ground that you did not get as many votes there as you thought you would?—A. I do not quite understand the question.

Q. Any talk about there being anything wrong arose from the fact that you did not get as many votes there for your candidate as you expected?—A. There was no talk as the time.

Q. I mean afterwards. There was no talk at the time, I know, but any talk afterwards arose from the fact that you didn't get as many votes as you expected?—A. There was lots of talk.

Q. But that was the occasion of it?—A. I suppose it was.

Q. Was there anything else to cause it?—A. We did not get as many as we expected.

Q. And they began to talk and say there must be something wrong?—A. Yes.

*By Mr. Sifton :*

Q. What was the information Mr. Shaw from which you marked the voters list?—A. The information?

Q. Did you personally think you knew how the men voted as they went in?—

A. That was the idea. I marked them down as well as we knew.

Q. You were acquainted with them all?—A. Yes, with all the men that voted.

Q. Who canvassed the township for McLean?—A. Nobody that I know of.

Q. Then was no canvass made of the township for this particular election?—A. Not in my knowledge.

Q. Did McLean have a committee to look after the election for him? Was there a number of men working in his interest?—A. Yes, there was a committee of course.

Q. You were on the committee?—A. I was on the committee.

Q. Did the committee make a canvass of the votes in the township for McLean?—A. I do not think so. I did not make a canvass; I did not ask anybody to vote.

Q. Do you know anybody who did?—A. No, sir, I do not.

Q. Was any return made from time to time of the canvass made?—A. No, sir, there was not.

Q. Any meetings to go over the voters' list?—A. We had one, just went over the voters' list and marked how they were going to vote, that was all.

Q. And never went out to canvass the people? That was not in the township?—A. Not that I know of.

Q. Who appointed you to act as scrutineer?—A. I met Mr. McLean on the street and he asked me.

Q. And no canvass of the township was made as far as you know?—A. Not as I know.

Q. And your estimate of the vote as you marked it on the voters' list was from your belief how the men would vote?—A. From what I thought myself.

Q. Without having asked them?—A. Without having asked them.

Q. Or anybody else as far as you know?—A. Yes.

Q. About the time you were counting the ballots, the poll clerk was there?—A. Yes, the poll clerk was there.

Q. And I understand the presiding officer would take the ballots out of the box read them out, and you and your friend would keep tally?—A. I kept tally.

Q. And he kept an eye on the returning officer to see that no spoiled ballots or bad ballots were counted in favour of the other man?—A. Yes.

Q. The poll clerk, what part had he in the counting of the ballots?—A. He was standing beside the returning officer, I think.

Q. I understand it that way, and he put these ballots in two piles and put a weight on them?—A. A weight on each one.

Q. He had a weight on them, and Dancy was not as near to the presiding officer as the poll box was. The poll clerk was between him and the presiding officer?—A. Dancy was we will say here, and the poll clerk was over there.

Q. And where was the presiding officer?—A. He would be there.

*By Mr. Fraser :*

Q. Between them?—A. Yes.

## Privileges and Elections Committee.

*By Mr. Russell :*

Q. And Mr. Cummings was here, where this gentleman is, and Dancy there and the poll clerk where I was, Cummings here, Dancy there, and the poll clerk there, as near as I can mind.

Q. Or vice versa. The poll clerk between Cummings and Mr. Dancy?—A. No, I think not. I think the poll clerk stood on that side.

Q. I would like you to remember that if you can?—A. I would not say positive, because I do not want to say anything but what I am sure of.

Q. Don't you understand that Tobin, the poll clerk—I want you to try and think of this—that the poll clerk was between the presiding officer and Dancy when the ballots were taken out of the box and counted?—A. I do not think he was.

Q. Your impression is he was not?—A. That is my impression.

Q. You have not any definite impression?—A. Not distinct enough to swear to it.

Q. I prefer you should not if you do not remember, because there are others that can?—A. I do not think so.

Q. I am talking about the time the ballots were counted?—A. I understand that.

Q. There were no bad ballots or spoiled ballots?—A. No, everything was right and tallied afterwards.

Q. When voters came in to vote if you had been smoking or reading papers when a voter came in you would all stir up and get to work to get the vote in?—A. I do not smoke.

Q. I was not asking that I am just asking if when a voter came in if you did not all pay attention?—A. When the voter came in we would tick him off.

Q. You would put a tick on to show how he would vote?—A. Yes.

Q. I suppose there was not much swearing of voters?—A. None were sworn at all.

Q. Then after you got his name ticked off you would be interested enough in it to see the process of voting go on. Would you not?—A. Oh, we seen all the voting.

Q. You would take enough interest to see the voting go on?—A. Oh, yes, yes.

Q. And your attention would be directed to the voting that was going on until it was done that day, would it not?—A. Yes, sir.

Q. The only time that your attention would be distracted from the voting would be when you were looking at your book?—A. Yes.

Q. That is when the voter came in and presented himself?—A. Yes.

Q. Then, you looked up your book, and then you would look at what was going on?—A. Yes.

Q. As a matter of fact you did look at what was going on?—A. Yes.

Q. And no doubt you were keenly interested in the voting, and watched when a voter was seen to come to the deputy returning officer, and he taking the ballot and tearing off the counterfoil, and you would have seen that in each individual case?—A. Yes, sir.

Q. Was that as a matter of fact in each individual case?—A. Yes, while I was there.

Q. Of course, I do not speak of the time you were out to dinner; that was so in each individual case, as far as you know?—A. Well, I would not say I had seen each individual case; there might be some cases I would miss.

Q. But that is when you were there, for you would not swear a man might not have his ballot put in without your seeing; your impression is that you saw the operation and saw the deputy returning officer go through that operation?—A. Yes, sir.

*By Mr. Mills :*

Q. Was this man Dancy in the poll before before the votes were counted?—A. Dancy, yes.

Q. How long was he in?—A. Well, he came in between 10 and 11 in the morning.

Q. How long did he stop?—A. Off and on all day.

Q. Where did he sit or stand?—A. Well, I could not say. Sometimes he sat in one place, sometimes another.

Q. He had no particular place?—A. No.

Q. He did not sit on the bench?—A. No.

Q. He had a chair?—A. Yes.

Q. Where would be his chair?—A. Back some little distance from the returning officer.

*By Sir Louis Davies :*

Q. I understood you to say before that as far as Dancy was concerned he took no part in the proceedings till you went behind the screen?—A. He took no part; I can't say Dancy took any part.

Q. You say there were five or ten men around the stove?—A. I could not positively say.

*By Mr. Borden (Halifax) :*

Q. You said the committee made no canvass of voters in this district?—A. That's what I said.

Q. What was the reason you did not canvass?—A. What was my reason?

Q. What was the reason of the committee?—A. Well, I don't know. I never did canvass in my life.

Q. Well, were their politics known?—A. I think there was no use knowing.

Q. Why no use?—A. Because one was voting one way and another another.

Q. The people were settled in their political convictions?—A. Yes.

Q. And you thought you would know how people had voted?—A. Yes, but I thought afterwards on going over the list that people would have voted for Holmes whom I thought would vote for McLean.

Q. Now, these 43 men who made these declarations, do you know them?—A. Yes, I think so.

Q. Were they men who you marked as voting for McLean?—A. One or two I marked the other way.

Q. With that exception you would mark them on your list as voting for McLean?—A. Yes.

Q. While sitting, did McEvoy enter into conversation with you or McManus on politics?—A. Well, I think so.

Q. Was that while McEvoy was sitting on the bench with you?—A. They were sitting on the bench at the time when they were talking.

*By Mr. Russell :*

Q. Can you tell us anything about the previous election in 1896, how the vote stood?—A. I can't.

Q. You don't know anything about it?—A. Not about 1896.

Q. There were three candidates?—A. I could not tell you the first thing about it.

Witness discharged.

The committee adjourned until Tuesday morning at 10 a.m.

## Privileges and Elections Committee.

HOUSE OF COMMONS,  
TUESDAY, 25th July, 1899.

The Committee met at 10 a.m., Mr. FORTIN in the Chair.

Inquiry *re* the last Dominion election in the West Riding of Huron resumed.

JOHN M. WILLIAMS (No. 83 on the poll book) sworn.

*By the Chairman :*

Q. What is your name ?—A. John M. Williams.

*By Mr. Borden :*

Q. What is your full name, Mr. Williams ?—A. I beg pardon ?

Q. What is your full name ?—A. John Merrick Williams. I sign my name John M. Williams.

Q. You reside in Colborne, Mr. Williams ?—A. Yes.

Q. You voted at the last Dominion election for the West Riding of the county of Huron ?—A. Yes, sir.

Q. Held on the 21st of February, 1899 ?—A. Yes, sir.

Q. The candidates were who ?—A. Robert McLean and Robert Holmes.

Q. Who was the officer in charge of the polling at that booth ?—A. Donald Cummings.

Q. For whom did you vote ?—A. Robert McLean.

Q. How did you vote ? I mean what did you mark on the ballot ?—A. I put an X for Robert McLean.

Q. A cross ?—A. Yes.

Q. Was there anything opposite his name ? any place for the purpose ?—A. Yes. On the ballots I saw there was a mark there, right opposite his name.

Q. On a white space or a black space ?—A. I cannot swear to that.

Q. You cannot swear to it ?—A. No, I cannot.

Q. Well, you marked your cross opposite his name, you recollect that ?—A. Yes.

Q. You put your mark in the white circular disc opposite McLean's name ?—A. Yes, right there.

Q. Was the ballot which you marked the one which you received from the deputy returning officer ?—A. I beg pardon ?

Q. Was the ballot which you marked the one which you received from the deputy returning officer ?—A. Yes sir, certainly.

Q. And after marking it and folding it, what did you do with it ?—A. I handed it to the deputy returning officer and walked right out.

Q. Was the ballot which you handed to the deputy returning officer the same ballot that you received from him ?—A. Yes, sir.

Q. You say that you walked right out ?—A. Yes, sir.

Q. Did you observe what he did with the ballot ?—A. No, I did not.

Q. You handed him the ballot and walked out ?—A. I handed him the ballot and walked right out and went home.

*By Sir Louis Davies :*

Q. You are accustomed to vote ?—A. Oh, yes.

Q. You were in a very special hurry that day, in a hurry to get home ?—A. Yes.

Q. Didn't you have a gossip with some of the neighbours ?—A. No, I went home.

Q. You stayed about talking ?—A. No, I went right home.

Q. You make a dash from the poll ?—A. Yes.

- Q. You stayed before voting?—A. No.
- Q. Didn't you talk to anybody?—A. No.
- Q. You took an active part in the election?—A. No.
- Q. Did you canvass anybody?—A. None whatever.
- Q. Did anybody canvass you?—A. No.
- Q. You did not tell how you would vote?—A. No.
- Q. You did not go around telling people?—A. No, I did not.
- Q. No one knew but yourself how you would vote?—A. No, I guess not. I guess my own party must have known.
- Q. They may have supposed; you say you didn't tell anybody?—A. No, I did not.
- Q. Neither canvassed yourself nor did anybody canvass you?—A. No, sir.
- Q. It seems to be a very quiet district up there?—A. Yes, in my case.
- Q. In your case? Was it not quiet in some of the others?—A. I do not know. I do not know anything about that.
- Q. Was the election pretty quiet the day of the poll when you were there?—A. Yes, when I was there.
- Q. Everything seemed orderly?—A. Yes.
- Q. Did you see anything out of the way at all?—A. None whatever.
- Q. You were in a great hurry when you went in?—A. Yes.
- Q. You were anxious to get away?—A. Yes.
- Q. And went behind the screen and marked the ballot very quickly?—A. Yes.
- Q. You did not lose a moment's time?—A. Yes.
- Q. You cannot recollect very plainly what kind of ballot you had?—A. No, I can not.
- Q. You are not to blame for that. You cannot tell whether it was black or white where you marked?—A. No, I cannot.
- Q. And wherever you marked it you gave the same paper back to the deputy returning officer?—A. Yes, I remember that.
- Q. Well, did you see him do anything with it?—A. No, I did not.
- Q. He did not take any counterfoil off?—A. No, I did not see him do anything with it at all. I just gave it to him and went out.
- Q. The main thing was to get away?—A. Yes.
- Q. It did not seem necessary to see if it went into the box or not?—A. Well, I voted.
- Q. And you wanted to see the ballot put into the box—A. No I did not.
- Q. I think you must have waited to see?—A. No I did not.
- Q. The scrutineers were there of course?—A. I didn't notice them.
- Q. Didn't you see any scrutineers there at all?—A. No I did not.
- Q. You didn't take any notice?—A. No I did not.
- Q. Did you see Donald Cummings there?—A. Yes, I did.
- Q. You are sure there was an election and Donald Cummings was there?—A. Yes.
- Q. And you voted and gave the ballot to him?—A. Yes.
- Q. Were anybody else there that you could see?—A. There was people there, but I did not notice.
- Q. You know McManus?—A. Certainly I do, but I did not notice. He might have been there, but I did not notice him.
- Q. You know Shaw?—I know him.
- Q. Did you notice him there?—A. No, I cannot say I did notice him.
- Q. You cannot say you noticed Shaw and McManus, and Lawson did you notice him?—A. Well, I cannot say, he might have been there.
- Q. But really you cannot recollect, on your oath?—A. No I cannot.
- Q. Nor McEvoy?—A. No, I did not see him.
- Q. So as a matter of fact you do not remember seeing anybody there but Donald Cummings?—A. That is the man I could swear to.
- Q. He was standing by the ballot box?—A. Yes.
- Q. You saw the ballot box?—A. Yes.

## Privileges and Elections Committee.

- Q. And you handed the ballot to him?—A. Yes, and then I passed right through.
- Q. Without seeing where he put it?—A. Yes.
- Q. And you are positive you cannot tell whether he tore the counterfoil off?—A. Can't tell what he did with it.
- Q. Did you stop down near the stove?—A. No.
- Q. How many men were about there?—A. I could not tell you; I passed right through, jumped into my buggy and went home.
- Q. Do you drive buggies in winter, there?—A. I had a buggy that day.
- Q. What men were there?—A. Where?
- Q. Were there men there?—A. Yes, there was a crowd of men outside.
- Q. No, but inside, standing round the stove?—A. I don't know.
- Q. The fact is you have no recollection?—A. No, I voted and passed on.
- Q. And your recollection of voting is the way you generally voted?—A. No.
- Q. And you passed right through?—A. Yes.
- Q. You don't recollect where you went to mark your ballot or the table or chair you marked it on?—A. Behind the screen.
- Q. But that you always do?—A. Yes.
- Q. You have a general recollection of always doing that?—A. Yes.
- Q. Do you have no recollection of doing that this time?—A. No.
- Q. You don't know whether you did so this time?—A. No.
- Q. You got one of these declarations?—A. Yes.
- Q. Who came to you?—A. Mr. McLean and Mr. O. Johnson.
- Q. Did they have it all ready?—A. Yes. I was working when they came to me.
- Q. Where did they come from?—A. They came from Goderich; they came in off the road.
- Q. You signed it?—A. Yes.
- Q. It was all prepared?—A. Yes.
- Q. Before they came you did not tell them how you voted?—A. No.
- Q. You say so now, do you?—A. They came to me.
- Q. Do you say so, that you didn't tell them before they came?—A. No, they came to me and asked me to sign this.
- Q. Before they came had you told them?—A. No.
- Q. You didn't tell them how you voted?—A. No.
- Q. Nor tell anybody else?—A. No.
- Q. So these people came to you with this document prepared and read it to you?—A. Yes, and I signed it.
- Q. There was no book or oath?—A. No, I signed it.
- Q. There was no other statement about it?—A. No.
- Q. Are you perfectly sure of that?—A. Yes.
- Q. Nothing was said, but this document was read over and you signed it?—A. They read it to me and I signed it.
- Q. And no other word was said?—A. No.
- Q. No explanation, or description in explanation or otherwise?—A. No.
- Q. And you know nothing more about it?—A. No.
- Q. Did you go to the poll alone?—A. Yes.
- Q. You didn't go to bring anybody there?—A. No.
- Q. And didn't take anybody there?—A. No.
- Q. How far do you live from the poll?—A. About two miles.
- Q. Are you a neighbour of Mr. Cummings?—A. Yes.
- Q. Intimate with him?—A. I have known him ever since I was so high.
- Q. How far do you live from him?—A. Since my marriage I live away, but when I was at home in the homestead it was just across the road.
- Q. What kind of character has he?—A. Good, as far as I know.
- Q. A good honest man?—A. Yes, in any dealings I had.
- Q. And what is the reputation he has among you; a good honest man?—A. Well, as far as I know.

Q. I don't ask you to swear beyond your knowledge, but as far as you are able to swear and as far as your knowledge goes you say he is an honest man?—A. Yes.

*By Mr. Borden (Halifax):*

Q. You are known to be a Conservative, I think, Mr. Williams?—A. Yes.

Q. You have been voting that way always?—A. Yes.

Q. That is generally understood in the district?—A. Yes.

Q. When Mr. McLean and Mr. Johnson came to you with a declaration did they know how you voted, did they then?—A. Well, I signed this that I had voted for him.

Q. They read it over to you?—A. Yes, they read it over to me.

Q. And you understood you were declaring you had voted for Mr. McLean?—A. Yes.

Q. Now in reference to your going behind the screen and voting; you recollect there was a screen behind the deputy returning officer?—A. Yes.

Q. Do you recollect whether or not there was a platform on which the table at which you marked your ballot was placed?—A. Yes.

Q. Was there a platform at the back of the hall?—A. Yes.

Q. At all events there was a screen?—A. Yes.

Q. And you went behind to mark your ballot?—A. Yes, sir.

Q. Now, as far as the people there were concerned, you remember there were people there?—A. Yes, there were people there.

Q. But you did not take notice of any but Mr. Cummings, the deputy returning officer?—A. Yes.

Q. You went right through after marking the ballot?—A. Yes.

*By Sir Louis Davies:*

Q. You remember Cummings; did you remember the poll clerk?—A. No, I don't remember him.

Q. You don't remember the poll clerk—who was the other official—Tobin his name was?—A. No, I don't remember seeing him.

Q. So that, in sum and substance, as I understand your statement, you only saw to recollect one man in this room, and that was Cummings?—A. Yes.

Witness discharged.

ROBERT B. H. WILLIAMS, No. 22 on the poll book, sworn.

*By Mr. Borden (Halifax):*

Q. You reside in Colborne, Mr. Williams?—A. Yes, sir.

Q. You voted at the last Dominion election for the west riding of Huron, which was held on the 21st of February, 1899?—A. Yes, sir.

Q. Do you remember who the candidates were?—A. Robert McLean and Holmes.

Q. Who was the deputy returning officer?—A. Donald Cummings.

Q. At the poll at which you voted?—A. Yes, sir.

Q. You voted for whom?—A. Robert McLean.

Q. Did you receive a ballot from the deputy returning officer?—A. Yes, sir.

Q. What mark did you put on it?—A. I put an X.

Q. A cross?—A. Yes.

Q. And opposite whose name did you put it?—A. Robert McLean.

Q. Do you remember whether you put in on a white or black space?—A. Opposite his name.

Q. On a white or black space?—A. I don't remember.

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Q. Would you look at this ballot and see where you put your mark?—A. I put it there.

Q. You put it in the circular white space opposite his name?—Yes.

Q. After marking it what did you do?—A. Folded it and took it back to Cummings.

Q. Did you give it to him?—A. Yes.

Q. Was the ballot you gave him the same ballot you had received from him?—A. Yes, sir.

Q. Did you remain there to observe what he did with it or did you go out at once?—A. I turned around and sat down after giving him my ballot.

Q. Did you observe whether or not he tore off the counterfoil. That is the little strip that is fastened to the ballot?—A. Well when I looked up the ballot was in his hand.

Q. After sitting down you looked up and the ballot was in his hand?—A. When I turned, I don't know whether I sat down immediately, or whether I stood up for a second?

Q. Did you see him tearing anything off it?—A. No. It was partly unfolded.

Q. Had you folded it twice?—A. I folded it up narrow so that it would go into the box and left his initials so that he could see them.

Q. You folded it up narrow so that it would go into the box and left his initials so that he could see them?—A. Yes.

Q. And you saw it partly unfolded in his hand?—A. Yes.

Q. Did you see him tear anything off it?—A. I didn't observe anything further.

Q. Did you watch him closely to see what he did with it?—A. No I did not.

Q. Did you remain there any length of time?—A. Not long.

Q. Were you there when the ballots were counted?—A. No, sir.

*By Mr. Mills :*

Q. You remember seeing his initials, do you?—A. Yes.

Q. Were they in ink or in pencil?—A. I cannot say that.

*By Sir Louis Davies :*

Q. Have you been accustomed to vote at elections?—A. Yes, sir.

Q. What is done with the ballot paper?—A. After you vote you take it to the returning officer.

Q. Yes, and what does he do with it?—A. He is supposed to put it in the box.

Q. There is a box to put it in?—A. Yes.

Q. And that is what that box is for?—A. Yes.

Q. On this occasion you have not a very clear recollection of the facts. I suppose if you were put upon your oath you could not distinguish the facts of your marking that ballot from the facts connected with the marking of your ballot at other elections than that?—A. I remember being there of course.

Q. You remember being there of course?—A. Yes.

Q. But supposing that you were under circumstances where you were put on oath and the judge asked you could you remember taking the paper in your hand and could you distinguish what you did then from other times that you voted or did you do anything out of the ordinary way?—A. I have a perfect recollection of going into the room and voting for Robert McLean.

Q. You have a perfect recollection of going into the room and voting for Robert McLean, you think?

Mr. Borden objected to the manner of asking the question.

*By Sir Louis Davies :*

Q. For instance, you swear on your oath as you know that you could n't tell whether the space you marked it on was black or white. You swore to that, did you? Did you swear a few minutes ago you could not tell whether the space you marked on was white or black?—A. I cannot remember whether it was white or black, but I voted for McLean.

Q. As a matter of fact you can't remember whether the space you marked it on was black or white. Can you remember who was present beside the returning officer?—A. I remember seeing Edward Shaw there.

Q. Anybody else?—A. Michael Tobin.

Q. That is the poll clerk, anybody else?—A. John Lawson.

Q. John Lawson, anybody else?—A. I think there was two others in the room, but I did not know their names.

Q. This gentleman asked you whether you could remember whether the initials were marked in pencil or in ink by the deputy returning officer?—A. I can't remember, but I saw his initials distinctly.

Q. You saw his initials distinctly and you marked the ballot yourself distinctly? With a cross?—A. Yes.

Q. You believe you did?—A. Yes, sir.

Q. You have no doubt in your own mind about that?—A. No, sir.

Q. When you brought it back you had folded it up. How many times did you fold it into a small space?—A. I folded it up narrow.

Q. Were you aware that the counterfoil had to be torn off?—A. No, I was not.

Q. So you folded it up narrow thinking that it would be put in the box just as you gave it?—A. Yes, sir.

Q. What is your impression that you saw the deputy returning officer open the folds?—A. I saw it partly open in his hand.

Q. As a matter of fact he had to open it to take the counterfoil off? You did not know that?—A. No.

Q. Did you see him tear any part of it off?—A. No.

Q. Did you sit down alongside the table?—A. I sat down opposite.

Q. On the bench?—A. Yes.

Q. Along with McManus and others?—A. I do not know whether there was any others sitting there on the bench at the time.

Q. It was right in full view of the deputy returning officer?—A. Yes.

Q. And when you saw the paper in his hand you kept observation on it?—A. Yes, I remember seeing it.

Q. What did he do with the balance of it? Did you see whether he tore off the counterfoil or not?—A. I don't know.

Q. Did you see him put it into the box?—A. No, I didn't take any notice of it.

Q. These other men Shaw and the others were there?—A. They were in the room.

Q. Near the deputy returning officer?—A. They were in the room, there.

Q. How far off were they. See if your memory will carry you?—A. Shaw was about there.

Q. As far as your hand will reach? As far as that gentleman with his hat on, you mean?—A. About that far.

Q. That is as far as you can reach with your hand?—A. Yes.

Q. Two or three feet?—A. Yes.

Q. When you put out your hand he was as far from you as you could reach with your arm to touch it?—A. Yes.

Q. And were the others about the same radius?—A. Lawson was further off.

Q. He was further off?—A. Down more towards the polling booth.

Q. Down towards the screen?—A. Yes.

Q. And McManus where was he?—A. He was standing in the room.

Q. Would he be further from you than I am from you now?—A. About the same distance.

Q. So that you were all in perfect view of Cummings and of whatever he was doing?—A. Yes, sir.

Q. And you yourself did not take such special observation as would enable you to swear what he did with the ballot?—A. No.

Q. Did you remain any time?—A. No I did not stay long. I voted and went out.

Q. At the time you sat down were there others than officials in the room, neighbours, friends, and voters?—A. I think William Tobin was in the room.

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Q. Was he employed in any way?—A. No, he came up to vote.

Q. But somebody told me that they were around the stove, five, six or seven, sometimes as many as ten?—A. There were not that many when I was there.

Q. How many about?—A. I did not notice. I just saw those that were employed like the three I mentioned.

Q. I don't mean the immediate men standing around the ballot box at the table. Were there not men standing around the stove further down the room?—A. Yes, I think there were men in the room.

Q. How many would you say about?—A. Two or three.

Q. Two or three and these were looking on?—A. Yes, sir.

Q. Now you are an old voter, you said you had voted many times and you know the ballot box was for the purpose of receiving the ballots; you gave a ballot to Cummings to put in the box and still your memory is so defective you cannot say whether he put it in the box or not?—(Question objected to by Mr. Borden.)

Q. Do you state whether he put it in the box or not on your oath?—A. No, sir.

Q. On your oath you cannot swear?—A. No, sir.

Q. So I was perfectly accurately you said you could not remember whether he put it in the box so that is absolutely true?—A. I didn't see him put it in the box.

Q. You cannot remember whether he put it in the box or not?—A. I did not see him put it in the box or not.

Q. Can you remember whether you saw him put it in the box or did not?—A. I did not see him put it in the box.

Q. What was distracting your attention from the returning officer that you did not see?—A. In the first place I came down from the screen and handed the ballot to the deputy returning officer.

Q. I understand all that. You came down from the screen and handed to the deputy returning officer the ballot folded? If you did all that you say you recollect so particularly about the ballot and handed it to him and cannot remember whether the counterfoil was torn off, do you mean the Committee to understand you don't know what he did with it?—A. No, I do not.

Q. You did not take enough interest to watch?—A. I remember seeing it in his hands.

Q. But you did not take enough interest in it to see if he put it out of his hand or not?—A. No.

Q. You did not bother your head about it?—A. No.

Q. You were perfectly indifferent about it?—A. Yes.

Q. I think that is very curious. Well, it might be your memory is not a good memory? Is that it? Am I to understand you cannot recollect well about it. Do you recollect other facts; was your name taken down, do you recollect that?—A. Yes, sir.

Q. Who wrote it down?—A. I think it was Michael Tobin.

Q. Are you sure?—A. My name was called.

Q. I asked if you are sure your name was written down?—A. It was called.

Q. That is not what I asked you. Was it written down, of your knowledge do you say it was written down?—A. I did not see it written down.

Q. Who called your name, did you give it yourself?—A. I did not.

Q. You were asked your name. Did you state it in reply? Did you state what your name was. Cannot you recollect that?—A. I was asked if I wanted to vote.

Q. And you cannot recollect whether you stated what your name was or not?—A. No.

Q. What you say you can recollect is that you were asked if you wanted to vote. Are you sure of that?—A. I was asked if I wanted to vote.

Q. What is that you said?—A. I was asked if I wanted to vote.

Q. You were asked if you wanted to vote by Cummings, I suppose?—A. By one of the party.

Q. You do not remember who?—A. It might have been Cummings or Michael Tobin.

Q. It might have been Cummings or Michael Tobin, you do not recollect?—A. No.

Q. And who was it gave you the ballot?—A. Cummings.

Q. Cummings gave you the ballot?—A. Yes.

Q. Now on that ballot wasn't there a counterfoil. You know what a counterfoil is? You are very intelligent man and can read and write and everything?—A. Yes, sir.

Q. You know what a counterfoil is, or perhaps you do not know it by that name. Do you know when I say a counterfoil what that word means?—A. It is the part to be parted from the ballot.

Q. The part that is to be parted from the ballot?—A. Yes.

Q. So you knew there was a part to be parted from the ballot? Were you to part that from the ballot yourself?—A. I did not think anything about it. I just folded it right up and handed it to the returning officer.

Q. You did not know anything about it?—A. No, I just folded the ballot up and handed it to him.

Q. Your memory seems to be very blank about the subject. Is your memory a blank on that subject whether you tore the counterfoil off or not?—A. I just folded it up.

Q. Folded what up? The counterfoil?—A. The ballot.

Q. Will you swear you folded the counterfoil up with the ballot?—A. I folded up what I got from the returning officer.

Q. You folded up what you got from the returning officer. You are sure about that?—A. Yes.

Q. And handed it back to him?—A. Yes, sir.

Q. But what you cannot swear is whether he took the counterfoil off?—A. No.

Q. Nor what became of the ballot?—A. No.

Q. What was there taking up your attention that you could not see what became of your ballot?—A. I was not interested, I did not follow it up.

Q. Mr. McManus or someone was near alongside of you, and Lawson was not far from you, and Tobin was near the table by the presiding officer, and I suppose there was some others, Mr. Dancy or McEvoy would be there?—A. I do not know McEvoy.

Q. What were they doing after you gave your ballot to the presiding officer, and after you saw it in his hands as he folded it. He partly unfolded it you say?—A. He had it partly folded in his hand.

Q. Was the counterfoil on it when he had it partly unfolded or did you notice that?—A. No, sir.

Q. This piece of white I mean, you know. When you saw it in his hands I want to know was it in that shape folded up as to the black part and with the white left?—A. It had more folds in it than that.

Q. Would it be like that?—A. Something like that.

Q. With this part attached to it or not? Suppose that is torn off, was it folded like that when it was in his hand or not?—A. I did not notice any black on that.

Q. Do you notice any black on that?—A. When you pry it open I do.

Q. Do you notice any black on that?—A. No.

Q. Was it like that or not when you saw it in his hands?—A. It was white.

Q. What do you say?—A. It was white.

Q. It is white now?—A. Yes.

Q. Had it this piece attached to it or not when he had it in his hand?—A. I did not see that much of it in his hands. He had it in the palm of his hands.

Q. Was it about like that then when you saw it in his hands?—A. He had it here in his hand.

Q. Which hand, the left hand?—A. One of them.

Q. Well, I ask you now whether it presented the appearance of that ballot paper (showing the witness one) when you saw it in his hand or whether it did not?—A. There was another fold on it.

Q. It would not be like that?—A. About like that I saw it.

Q. That was after you had sat down and when your attention was turned to him again; in proceeding to sit down you turned your back to the deputy returning officer?—A. Yes, I passed by and turned round.

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Q. And when you next looked at him he had the ballot in his hand and it was in that shape?—A. Yes.

Q. Now McManus and Lawson and Tobin—Chisholm wasn't there then, was he?—A. No, I don't think so.

Q. Well then, these persons I have mentioned were witnessing what was going on?—A. Shaw and Lawson and—

Q. Shaw and Lawson and Tobin were witnessing what was going on?—A. Yes.

Q. But you didn't pay any attention?—A. No.

Q. You really didn't pay any attention?—A. No.

Q. From that time out you didn't pay any attention?—A. No.

Q. Now I ask you why you thought it worth while to sit around and pay no attention?—A. Well, I was waiting for another party.

Q. And yet you didn't pay any attention?—A. There was nothing going on.

Q. There was nothing else but voting going on to attract attention?—A. No.

Q. But this nevertheless did not attract your attention?—A. No.

Q. I suppose you had no fear that your ballot would not go straight into the box?—A. No, sir, I thought nothing about it.

Q. You had no reason to fear your ballot would not go safe into the box?—A. No.

Q. How long have you known Mr. Cummings?—A. Since I have been about 10 years old.

Q. And from what you knew of Cummings since you were ten years old did you have any fear your ballot would not go safely into the box?—A. No.

Q. And you didn't pay any attention?—A. No.

Q. And as a personal recollection you have no recollection whether he tore off the counterfoil?—A. No.

Q. Now shortly after that you were presented with a paper to sign?—A. Yes.

Q. By whom?—A. Robert McLean and M. Johnson.

Q. How soon after the election?—A. I could not say, it was not a great while.

Q. Did they call at your house or did you meet them by appointment?—

A. They called to my house.

Q. And who had the paper?—A. They both had the paper.

Q. You were called in?—A. Yes.

Q. And one of them produced a paper?—A. Yes.

Q. Which one?—A. Johnson, I think.

Q. And of course they read it to you?—A. Yes.

Q. And you signed it?—A. Yes.

Q. It was all prepared when they came there; was pen and ink brought?—A. I had to sign it.

Q. There was pen and ink brought for you to sign it; was anything else done with it?—A. No, I don't remember.

Q. Of course you remember its being over to you?—A. Yes.

Q. Yes, I don't want to catch you. It was read over to you, it was complete when read over, your name was read in it as part of it?—A. I signed it.

*By Mr. Britton :*

Q. Was it read over to you?—A. I read it myself.

*By Mr. Russell :*

Q. You read it yourself?—A. Yes.

Q. Well your name was in it then, was it or was it not?

Mr. BORDEN (Halifax). I object to that question on the ground that you cannot prove the contents of a written document in this committee by any means except the production of the document itself.

Mr. RUSSELL. I do not attach any importance to it; it was the signing I want to get at.

The CHAIRMAN. The question is legal.

*By Mr. Russell :*

Q. Now you read this document over yourself and you signed it—A. Yes, sir.

Q. There was no book produced, no Bible produced?—A. I don't think so.

Q. You did not swear to it?—A. I don't think so.

Q. You were not asked to swear to it, the only thing that was done was : the document was produced, it was read over to you, you put your signature to it, Johnson folded it up and they went away?—A. Yes.

Q. That is all that took place in reference to that document?—A. Yes, sir.

Q. Had you had any conversation about your vote after the election, Mr. Williams?—A. No, sir.

Q. Had you been canvassed before the election?—A. No, sir.

Q. Not by Mr. McLean nor by any of Mr. McLean's friends?—A. No, sir.

Q. Did you give any sign to anybody or any indication to anybody by which anybody would know how you were going to vote?—A. Well, I am a Conservative and the party would be interested, I suppose.

Q. You are known as a Conservative and you always voted as a Conservative?—A. Yes, sir.

Q. At the previous election, how did you vote?—A. Conservative.

Q. At the previous election in 1896 how did you vote?

Mr. BORDEN (Halifax).—My learned friend has been raising a very strong contention in this committee about the secrecy of the ballot.....

Mr. RUSSELL.—And this question illustrates the validity of my position.

Mr. BORDEN (Halifax).—This question is about an election about which there is no contest and it is absolutely irrelevant.

After argument.

Q. Did you vote Liberal or Conservative at the previous election?—A. At the Beck and Garrow Election?

Q. That will do for that, but I was thinking of the election of 1896, really?—A. Who were the members.

Q. I do not know, I thought you would know being an intelligent Conservative in your riding, who the candidates were in 1896?—A. I don't remember.

Q. Surely you remember if you are a Conservative; you must know who the candidates were, at all events who your candidate was in 1896?—A. I voted for the Conservative candidate in 1896.

Q. Then, who was it you voted for?—A. I was sick in one election.

Q. What election?—A. I think it was Beck and Garrow's first election.

Q. I am talking about the Dominion in 1896. I am speaking of that?—A. I voted for Robert McLean.

Q. You voted for McLean at the election in 1896?—A. Yes.

Q. How many candidates was there at this election?—A. I think there was three.

Q. Did you put your cross on the top or the middle or the bottom of the paper at that election?—A. I did not remember whether it was the top or bottom, but I remember it was opposite McLean's name.

Q. Supposing you had not seen the ballot paper, would you be by any means certain whether you put your name at the top or bottom at this last election?—A. I voted for McLean at the last election.

Q. You have that impression of course?—A. At the last election I voted for McLean.

Q. But if you had not seen the ballot paper a moment ago would you have been any more certain that you put your cross at the top or at the bottom? Than you could say where you put it in 1896?—A. No.

*By Mr. Britton :*

Q. When you folded your ballot paper why did you fold it so fine, why did you fold it so close?—A. So that the returning officer could put it in the box.

Q. That was your object in folding it that way?—A. Yes.

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Q. You knew enough about it that you took pains to see his initials were in sight?—A. Yes.

Q. And if he had to tear off any portion for any purpose he would have to unfold it wouldn't he?—A. Yes.

Q. How long was it after you voted that you were asked to sign the declaration?—A. A short time afterwards.

Q. How long?—A. I can't say.

Q. Can you come within a month of it?—A. It might possibly have been March.

Q. That is as near as you can say?—A. Yes.

Q. It might possibly have been in March?—A. Yes.

*By Mr. Borden :*

Q. Sir Louis Davies has asked you as to your belief that you marked your ballot for McLean on this occasion. Is it merely your belief or are you positive about it?—A. I am positive.

Q. That you put your cross opposite McLean's name?—A. Yes, sir.

Q. You have already stated that your politics are known, that it is known in that district that you are a Conservative.—A. Yes.

Q. And have always been a Conservative?—A. Yes, sir.

Q. Has Mr. Cummings been a worker at all in elections in that district, do you know?—A. He was looked upon as a formidable Grit.

Q. I should think he was. You mean he is a very strong party man?—A. Yes, sir.

*By Mr. McInerney :*

Q. You saw Mr. Dancy in the poll while you were there?—A. No, sir.

Witness was discharged.

GEORGE C. SIMPSON called and sworn.

*By Mr. Borden :*

This witness is No. 38 on the poll book.

Q. You reside in Colborne?—A. Yes, sir.

Q. You voted at the Dominion election which was held on the 21st of February last for the west riding of Huron?—A. Yes.

Q. Who was the deputy returning officer at the poll at which you voted?—A. It was Mr. Cummings.

Q. Donald Cummings?—A. Yes.

Q. Do you remember who the candidates were at the election?—A. I do, sir.

Q. Who were they?—A. Robert McLean and Mr. Robert Holmes.

Q. For whom did you vote?—A. I voted for Mr. McLean, I promised to vote for him and I did so.

Q. Did you receive a ballot from Cummings?—A. I did, sir.

Q. Did you go behind the screen to mark it?—A. I went in behind the screen and signed the ballot in the usual way and came out and returned it to Cummings and he put it into the box.

Q. How did you sign it?—A. In the usual way.

Q. What is that?—A. I made a cross in the centre of that circle.

Q. Opposite whose name?—A. Mr. McLean, Mr. Robert McLean.

Q. This is one of the ballots?—A. Yes, sir.

Q. You put your cross where?—A. Right there.

Q. In the circular white disc?—A. Yes, sir. I suppose that is there for that occasion.

Q. After you had marked your ballot and folded it, what did you do with it?—  
A. He put it into the ballot box as far as I saw.

Q. To whom did you give it?—A. To Mr. Cummings.

Q. Did you give back to him the same ballot which he had given to you?—A.  
Yes, sir. I am quite positive of that for there was no one there that could change it.

Q. Did you observe what he did with the ballot?—A. Yes, sir. He laid it on the table, tore off the counterfoil, put the ballot into the box and walked off, that is all I know about it. I didn't stay there any longer.

Q. Did you observe what he did with the counterfoil?—A. He put it into his right hand pocket.

Q. Do you remember whether he put it in his pocket before putting the ballot into the box or did he not?—A. I do not remember, I paid no attention to that.

Q. As far as you observe he put it in the box?—A. Weil, I came from the room and I handed my ballot to him and he was sitting like there. I walked on, past, turned around, and saw him put the ballot into the box and walked on, that's all the observation I made on the matter.

*By Sir Louis Davies :*

Q. I think you made a perfect observation. You are perfectly plain that you brought back the ballot?—A. Yes, sir.

Q. You handed it to Cummings?—A. Yes, sir.

Q. And saw him put it in the box, that is the identical ballot you gave him?—  
A. Yes, sir, that is all I can say about it, I didn't stay any longer.

Q. Did you have a call from Mr. McLean afterwards about how you voted?—  
A. No, sir.

Q. You did not?—A. No, sir.

Q. Did you sign a paper about it?—A. Yes, I signed a paper to certify that I had voted for him.

Q. You signed a paper to certify you voted for him?—A. He was on the road and I met him and he was going to my place and I happened to meet him on the road and he showed it to me and read it.

Q. He had it all ready?—A. Yes, sir, all written out and I signed it on his cutter seat.

Q. He read it to you and you signed it there?—A. Yes.

Q. He didn't swear you?—A. No, sir.

Q. Did he say anything about your signing?—A. I asked what this list was for and he said it was to certify they voted for him, and he said "you voted for me" and I said "yes sir" and he said, "you would be willing to sign this," and I said I was ready, and after he read it all through and I signed it then.

Q. You said something which the reporter did not get. What did Mr. McLean tell you it was?—A. He told me as I told you that it was a little list he had got up.

Q. A little list he had got up?—A. That he had got those who voted for him to sign and he said I voted for him and he asked if I had any objection to signing it and I said no.

Q. A little list he had got up of those who voted for him and asked if you had any objection to saying you voted for him and he understood you had voted for him and asked if you had any objection?—A. He asked me if I didn't vote for him and I said yes, and he said would I have any objection to certify this, and I said no.

Q. Is that an honest statement of what took place?—A. Yes.

Q. Nothing more or less?—A. Nothing more or less.

Q. And you signed it and walked away?—A. Yes.

*By Mr. Russell :*

Q. Was he on foot or in a rig?—A. He was in a cutter. It was about the 1st of April.

Q. Who was driving?—A. He was driving himself. There was no person with him.

Q. Did you sign any other paper?—A. No, sir.

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Q. No other paper except the one you have just mentioned about the election? And no one was with him except you?—A. No one was with him.

*By Mr. Borden :*

Q. Wasn't there a man with him, a Mr. Johnston?—A. Sir.

Q. Wasn't there a man with him, a Mr. Johnston?—A. No, sir, not the time I was with him. Not the time I signed this. Johnston went down to the store; he had been with him, but he went down to the store, and I was coming up the road and saw Mr. McLean and Johnston was away at the time I seen him.

Q. Did you see Johnston that day?—A. I saw him that day. I saw him get out of the cutter and go to the store, and I left the store and went on towards my farm and McLean was standing there, the cutter was standing there.

Q. You have always been a Conservative?—A. Always.

Q. And that is pretty well known?—A. Yes. I never had much excitement in politics.

*By Mr. Russell :*

Q. There was nobody present but you and McLean when you signed the document?—A. No one present.

Q. No one within sight?—A. No one in sight.

Q. Johnston was not in sight?—A. No, he had went into the store and shut the door behind him.

*By Mr. Borden :*

Q. And it was after that you saw Johnston?—A. No, it was before that I saw Johnston. He left the cutter and passed me by and he went into the store and shut the door and I walked up and McLean's cutter was standing there and as I passed McLean he introduced the paper to me.

*By Sir Louis Davies :*

Q. So Johnston was not present at the conversation at all?—A. No.

*By Mr. Borden :*

Q. But you saw him?—A. Yes, I saw him.

Q. Did you see him to speak to afterwards?—A. No, sir.

Witness discharged.

JAMES McMANUS recalled :—

*By Mr. Borden :*

Q. Mr. McManus did you vote at the Dominion election that was held on the 21st of February last for the west riding of Huron?—A. Yes.

Q. Did you receive a ballot?—A. Yes.

Q. From whom?—A. From Donald Cummings, from the deputy returning officer.

Q. Donald Cummings the deputy returning officer?—A. Yes.

Q. Did you go in behind the screen to mark it?—A. Yes, where the desk was.

Q. For whom did you vote?—A. For Robert McLean.

Q. How did you vote for Robert McLean?—A. I marked an "X" opposite his name on the white disc that was there.

- Q. That white disc opposite his name?—A. Yes.
- Q. And after marking the ballot and folding it what did you do with it?—A. I folded the ballot and brought it down to Cummings and handed it to him.
- Q. Did you hand back to him the same ballot which he had given to you and which you had marked?—A. Yes the same ballot.
- Q. Did you observe what he did with it?—A. I turned round this way to sit down on the bench where I was sitting at the south side and then when my attention was drawn to him again he was putting my ballot like into the box or the one I supposed to be mine. I seen nothing wrong about it.
- Q. Your occupation is that of a farmer, I think?—A. Farmer.
- Q. What is Shaw's occupation?—A. A farmer.
- Q. A farmer also. Now I think you have already described to us to some extent the position of the table. The voters, as I understand, passed between you and the deputy returning officer when they went behind the screen?—A. Yes they passed—the bench was up here and here was the returning officer and they passed between us.
- Q. And when they came back to give their ballots to the deputy returning officer they passed between you?—A. Yes, they passed between and turned to go out or sit down, whichever they wanted to.
- Q. Where were the scrutineers for Mr. Holmes sitting?—A. Well, part of the time they were sitting out to the north, the poll clerk was just on that side of him. One scrutineer was there and the other here.
- Q. That was to the left of the deputy returning officer?—A. Yes, sometimes they changed their positions.
- Q. There were two chairs there?—A. Yes.
- Q. On the left of the deputy returning officer?—A. Well, one, but the other was more around to the corner.
- Q. Perhaps you could make a plan of the table?—A. Well, I don't think I could draw it better than tell you by this table and use this door for where the voters came in.
- Q. I don't ask you now but you could do it after you go off the stand?—A. I will do anything, I can do it as well by the table as anything.
- Q. Illustrate it then by the position of the table; suppose the gentleman sitting opposite me is the deputy returning officer?—A. As it appears to me this is the door (the door between committee rooms 49 and 50) where they came in and the screen would be back there, and the table would be to the right hand of a man going in and the left going out.
- Q. Where would be the deputy returning officer?—A. Where the reporter is sitting.
- Q. And the poll clerk where Mr. Russell is?—A. Yes. And the ballot box right here (indicating the south-west corner of the table.)
- Q. And where were you sitting?—A. Here at the angle, but I might change sometimes.
- Q. But that was your regular seat?—A. Yes.
- Q. How far away were you from the ballot box?—A. About 8 feet from where this man was sitting. There was a bench along the side right out on this side. This is the bench and that is where the table is.

*By Mr. Russell:*

- Q. Who was on the bench?—A. Well, sometimes there was a good few, but Shaw and me was on it.
- Q. Generally?—A. That was our position all day.

*By Mr. Borden (Halifax):*

- Q. The two chairs you speak of would be over about where I am sitting?—A. Not so far back, about where that Bible is. The poll clerk had one chair near the end of the table and the other was at a little angle towards the stove at the corner.
- Q. That is where Holmes' scrutineers sat?—A. Yes, that is, most of the time.

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Q. Sometimes they sat on the bench with you?—A. Yes.

Q. Who was there with you?—A. Lawson was there once or twice, and McEvoy.

Q. Conversing with you, were they?—A. Well, McEvoy was part of the time.

Q. You recollect distinctly what took place with regard to Dancy at the close of the poll; Mr. Cummings has told us that the objection that you made was not at the close of the poll, but two or three hours before; what have you to say to it?—A. I am positive it was at the close of the poll; he took the box and went up before us to count the ballots, and I objected then.

Q. And Dancy went up?—A. Yes.

Q. And your objection was that Dancy had no papers and had not been sworn?—A. That was my objection.

Q. Did you speak to the deputy returning officer?—A. Yes. I told him Dancy had no right to be there.

Q. You said he had no right?—A. I told Dancy first, and then I told the deputy returning officer that.

Q. What did the deputy returning officer answer?—A. I don't know just, but he said he was to be in it.

Q. That he was to be in?—A. He claimed he had his papers.

Q. But you never saw his papers?—A. I did not; if I did I would have no objection to him.

Q. Now then, the condition of the floor; I don't know whether I asked you about that before; what was the condition of the floor that day?—A. Well, I don't know; the hall had been used for election purposes lately. I think six or seven years ago the temperance people used it, but I don't think it was used for that since.

Q. It was used for election purposes?—A. Yes, and for public purposes.

Q. Was the floor very clean?—A. Well, not very clean.

Q. There was smoking there that day?—A. Yes.

Q. There was snow on the ground?—A. Yes, but there was wheeling. There was snow banks along the road.

Q. And there was a stove there and fire in it?—A. Yes.

Q. How far was the stove away from the table?—A. Not very far. You could not sit like at the right hand here without being too warm; it was close enough for that.

Q. Well, was the stove further away from the table than the bench on which you sat?—A. It was closer, I think. I would not say to an inch. I think it would be four feet in that way to the corner of the hall.

*By Mr. Britton :*

Q. Where did Lawson sit?—A. He sat part of the time next to the poll clerk, and the other one was round more to the corner.

Q. I thought you said to Mr. Russell that place was occupied by the poll clerk?—A. Yes, well then Lawson—the table was there—would be at the corner.

Q. And McEvoy?—A. Would be here at this corner part of the time; part of the time he was over talking to us on the bench.

Q. So you and your fellow scrutineer were near the table?—A. Just as near.

Q. And the ballot box was nearer to you?—A. Just as near as to any one. The table was about six or seven feet long.

*By Mr. Sifton :*

Q. What time of day was it when you objected to Dancy being there?—A. At the close of the poll.

Q. That is to say, when you objected to his not having his papers?—A. Yes.

Q. That is at the time the poll closed?—A. Yes.

Q. Did you object to his being there during the day before?—A. I did not.

Q. Then your objection was based on the fact, which seemed to you to exist, that he hadn't presented his papers to be sworn in?—A. That is what I thought, that he had no right to go in there.

Q. And if he had presented his papers to be sworn in you would not have objected?—A. I would not have objected.

Q. Now, I want to ask you a question or two about your connection with Mr. McLean's committee, you were acting as his scrutineer?—A. Yes.

Q. You were acting on his committee?—A. How do you mean?

Q. I suppose Mr. McLean had some of his friends working for him?—A. Well, I didn't work for him except to act as his scrutineer.

Q. You acted as scrutineer?—A. Yes.

Q. You are a pretty active Conservative?—A. They know I am a Conservative all right.

Q. You know pretty well what goes on?—A. Yes.

Q. Had McLean a committee working for him in the elections?—A. He had none, if you mean canvassing for him I don't know of any canvassing for him.

Q. What is that, I want to know whether he had a committee?—A. Not for to leave home and go out and canvass for him.

Q. Don't mistake me, I don't mean men to go out and canvass.—A. I don't mean it either, but men who took the trouble to go from home and canvass for him.

Q. Did you and your friends who were supporting McLean leave home and go out and canvass for him?—A. I didn't, no, and there were no others as far as I know.

Q. Then there was really no canvas in that township for McLean?—A. No.

Q. That is as far as you know?—A. As far as I know. Unless it was McLean himself, and I am not saying about that.

Q. So upon your list you or Shaw marked the voters for McLean or Holmes?—A. When do you mean?

Q. When they came in?—A. My list was the one that was marked at that meeting, when we went over the list and marked who would vote for him.

Q. Shaw told us you had a meeting?—A. Shaw's was marked on the day of the voting.

Q. At your committee meeting Shaw told us you had a committee meeting. I don't know whether he said you were there or not, but you were there as a matter of fact?—A. Yes, I was there.

Q. You went over the voters' list?—A. Yes.

Q. And you marked these men for McLean and Holmes according to the way you thought they were going to vote?—A. Yes.

Q. But no canvass was made?—A. No.

Q. And your list was marked at the committee meeting?—A. Yes.

Q. And when you came to act at the poll Shaw wanted a list, too?—A. He had a list.

Q. When was his list marked?—A. He did the marking as they came in.

Q. As they came in Shaw marked the voters?—A. Yes.

Q. According as he thought they were going to vote?—A. Yes.

Q. The marking was done by Shaw, or did you mark any of them?—A. Me or him?

Q. Did you mark any for him?—A. I marked for him whilst he was away at noon. I maybe did not mark them for him at all, but told him who had voted while he was absent.

Q. It was his business to mark how they voted?—A. Yes.

Q. And Shaw marked the list so that he would know that they had voted?—A. Yes. I marked the men as I would know that they had voted, and he was checking them off as they went.

Q. You marked the men how they voted as they went in or Shaw did?—A. As I thought they voted.

Q. In accordance with your general knowledge as to the party they belonged to and how they were likely to vote?—A. Yes.

Q. But not as the result of the canvass?—A. Not as the result of a canvass.

## Privileges and Elections Committee.

Q. People in that township are thought to be pretty strong party men?—A. It was supposed to be no use to go to them, I suppose if they did that there was no use canvassing them.

Q. Because of the fact that the people there are very strong party men, it was not considered to be of any use to canvass, because they would vote with their party anyway?—A. Yes. Well I guess that is the reason.

Q. And canvassing would not make any difference?—A. I guess that was the reason.

Q. And you marked the voters as they went in, in accordance with what you believed to be their intention of voting for the party?—A. Yes.

*By Sir Louis Davies :*

Q. Did you sign the certificate?—A. Did which?

Q. Did you sign the certificate?—A. When the certificate at the election?

Q. No, afterward did Mr. McLean asked you how you had voted?—A. No I told him.

Q. You are not one of those that signed the declaration?—A. Oh, yes, I signed this oath that was taken around us, that they said they voted for McLean.

Q. Under what circumstances did you come to sign?—A. I was in Goderich and they asked me to sign it and I went around to Mr. Hayes office and signed.

Q. You were in Goderich and Mr. McLean asked you to sign it, what did he say to you?—A. I don't remember what name he called it.

Q. What did he say to you?—A. That they were giving out a paper which was just the same as an oath for the men to sign to see how many men would swear that they voted for him.

Q. Did he use these words to you?—A. I can't say exactly the words but that was the meaning I took out of them.

Q. You can't remember the words?—A. No I can't.

Q. You have heard so much talk about it since that you think he said it was same as an oath?—A. I heard more about it before than I do now.

Q. You can not recollect what he said to you?—A. No, I cannot, the exact words.

Q. But you went down with him to Shaws office?—A. No, to Hayes office.

Q. To Hayes office?—A. Yes.

Q. Was there any oath administered to you?—A. Not to take a Bible.

Q. Tell us exactly what did take place?—A. They read this paper through. I would not say what was in the paper and I signed my name to it. Mr. Hayes explained that it was just the same as an oath to me.

Q. They read the paper though you can't say what was in it, you signed it, and was told it was equal to an oath by Mr. Hayes?—A. And by Mr. McLean before I went around.

Q. You are sure about that?—A. Yes.

Q. You were doubly told?—A. Yes.

Q. So that you should know because in the first place McLean told you it was equal to an oath and Hayes told you?—A. They wanted me around there for that purpose.

Q. You are quite sure of that?—A. Yes.

Q. Both of them told me for fear you wouldn't know it?—A. I would not say it was for fear, but both of them told me.

Q. Did McLean say anything to you when you got down to the office?—A. At the office.

Q. About the character of the paper?—A. I don't think it.

Q. You didn't read the paper yourself?—A. I did not.

Q. Who read it, McLean or the other man?—A. Mr. Hayes read it.

Q. You can't tell me the words McLean used? Can you tell me what Hayes said?—A. I can't tell the exact words, I don't want to swear to anything I am not certain of.

Q. My dear fellow I am not complaining about it if you can't recollect. But the impression left upon your mind was that it was equal to an oath?—A. Yes.

Q. When you went in with Dancy and made this objection will you describe to the committee how that ballot box stood in the room or little place behind the screen?—A. How it stood.

Q. Yes we had it described by one witness?—A. Well I don't agree with him where it stood, not exactly. He was not sure about it and I am positively sure it was set on the table, where the worthy chief used to sit in the temperance lodge where I used to attend. It is not exactly a table there but it has a top the same as a table.

Q. We had called it a table all through?—A. Well, all right.

Q. Is it what would popularly be called a table?—A. Yes, only it is solid under.

Q. A kind of desk?—A. A desk and a door open for to put—

Q. At any rate this piece of furniture called by one a table and which you call a desk?—A. Well it didn't make any difference.

Q. On top of that the ballot box was placed?—A. Yes.

Q. Who unlocked it or did anybody?—A. Donald Cummings.

Q. Donald Cummings. Then there was present yourself and Shaw representing Mr. McLean and the other two gentlemen representing Mr. Holmes?—A. Lawson and Dancy.

Q. Was McEvoy there?—A. McEvoy, no.

Q. So Dancy had taken McEvoy's place, is it that way?—A. Yes, I suppose that is the way it was.

Q. When he opened the ballot box what did he do? Did you keep tally?—A. No.

Q. What did you do?—A. Well, I sat right close to the desk here.

Q. How many feet were you then from the ballot box?—A. How many feet? Oh, I would not be more than three feet.

Q. Three feet. Within three feet of the ballot box?—A. I think I was.

Q. It was a very small place you were in, you were all in wasn't it?—A. Not very small it was a long place and the curtain goes clear across it.

Q. But it was in a small place you stood?—A. Yes.

Q. Where did your colleague stand, Shaw?—A. Shaw, he was more behind me like. More to my back because he was keeping count and I was looking at the ballots.

Q. He was keeping count and you were looking at the ballots?—A. Yes.

Q. What did Cummings do when he opened the box?—A. He took the ballots out?

Q. How one by one?—A. Yes.

Q. As he took them out what did he do?—A. Unfolded them, called out who for and handed them to the poll clerk.

Q. That was the course with respect to each individual ballot. He put his hand in the box, took out the ballot unfolded it, read who it was for and passed it to poll clerk?—A. That is as far as I know.

Q. And when it was passed to the poll clerk what was done?—A. The poll clerk put them in two separate piles with a weight on each.

Q. Right before you?—A. Yes.

Q. So that in taking out the ballots you were satisfied?—A. I was satisfied.

Q. Everything was right?—A. Yes.

Q. It could not be otherwise. You had your eyes right on them?—A. I do not see how it could be otherwise.

Q. And you saw each ballot taken out and read and put down in two piles?—A. I have no doubt about that, so far as them ballots was concerned, not a bit.

Q. In the morning when you started the proceedings did you look at the box?—A. I was not there in time.

Q. I remember now you came in a little late?—A. About five minutes to the best of my knowledge.

*By Mr. Borden :*

Q. The politics of the voters in that division of Colborne were pretty well known? beyond any question?—A. Pretty well known.

## Privileges and Elections Committee.

Q. And there was not much use in canvassing?—A. That was the impression anyway.

Q. So well known that you thought yourselves able to mark them down at the committee meeting?—A. At the meeting.

Q. There was an election the preceding December for the local legislature?—A. Yes.

Q. And in March, 1898, for the local legislature?—A. Yes, I think there was.

Q. Some time in 1898. Now the list you marked at the committee meeting. You took that with you to the poll?—A. Yes, my list.

Q. Your list and was Shaw's list marked from yours?—A. Marked from mine, no.

Q. Who was it marked for?—A. He marked it himself, as they came in.

Q. And yours was marked at the committee meeting?—A. Mine was marked at the committee meeting.

Q. Do you mean he marked as they came in how he thought a voter voted?—A. He put down a straight mark for one and a cross for the other.

Q. You didn't do that as your's was marked before?—A. Mine was marked before all I had to do was to put a mark on the side to show he voted.

Q. When you marked the book to show the Conservatives vote how many marks did you make?

Question objected to by Sir Louis Davies.

After argument.

*By Mr. Borden:*

Q. Have you got the book?—A. No, when I was leaving home I had these two ballot books the other for the other election and this one and I took up what I thought was the right book and when I got here it was for the other election.

The CHAIRMAN.—It seems to me the best evidence should be adduced whenever it is possible to adduce it. If that book is in existence, and if it can be easily got, it should be produced.

*By Mr. Borden (Halifax):*

Q. Now did you see McEvoy after the election; that is, McEvoy who was acting as agent?—A. After the election?

Q. Yes?—A. Yes.

Q. Did you have any conversation with him about the election?—A. Well, I didn't have much conversation with him; he spoke to me on the street and started laughing at me and said they intended to do me, but not as much as they had.

Q. Intended to do you but not as much as they had?—A. Yes, me and him was joking.

Q. Where was this?—A. Goderich.

Q. The same McEvoy who had acted as scrutineer for Mr. Holmes?—A. Yes, the same one.

Q. Was Chisholm present at the counting of the ballots?—A. He wasn't there.

Q. He was not there?—A. No.

Q. Well, where was he?—A. He was in the outer place when we came down.

Q. I mean the Chisholm who was sworn in?—A. I know.

Q. He was in the building but did not assist at the counting of the ballots?—A. Well, I would not say he was there when we started, but he was there when we quit.

Q. This document which you signed at Mr. Hayes' office; do you remember what they call it?—A. I cannot think of it.

Q. Was it a declaration?—A. Yes, that is it.

Q. And you don't remember the exact words in it?—A. No, I don't.

Q. Did you understand what the meaning of it was?—A. Yes, I understood what the meaning of it was.

Q. What was that?—A. That it was just as serious as if I took the oath.

Q. And what was the statement you made?—A. I stated that I voted for Mr. McLean; that is what I thought this paper was for.

*By Sir Louis Davies:*

Q. What was this conversation you and McEvoy had; was it serious or joking?—A. Joking.

Q. Laughing at one another; he was having the laugh on you?—A. Having the laugh on me; that is just how it came about.

Witness discharged.

RICHARD GLIDDON, No. 90 on the poll book, sworn:—

*By Mr. Borden (Halifax):*

Q. You reside in Colborne, Mr. Gliddon?—A. Yes, sir.

Q. You voted at the Dominion election for the west riding of Huron on the 21st February, 1899?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Donald Cummings, sir.

Q. Donald Cummings?—A. Yes, sir.

Q. Did you receive a ballot from him?—A. I did, sir.

Q. Did you mark it?—A. Yes, sir.

Q. For which of the candidates did you mark it?—A. Mr. Robert McLean, sir.

Q. Robert McLean?—A. Yes, sir.

Q. Did you make any kind of a mark on it?—A. Certainly I did, sir.

Q. What kind of a mark did you make?—A. A cross.

Q. Where did you make the cross?—A. Opposite McLean's name.

Q. Was there a place opposite the name?—A. Yes, sir.

Q. What kind of a place was there?—A. Well, sir, there was a white with a circle.

Q. You made a cross in the circular space opposite Mr. McLean's name?—A. Yes, sir, I did.

Q. Well, after marking your ballot you folded it, I suppose?—A. Yes, sir, I did.

Q. And what did you do with it after?—A. I took it back and returned it to the returning officer.

Q. Returned it to Cummings?—A. Yes.

Q. Did you return the same paper you had got from the deputy returning officer?—A. Yes, I did that, I certainly did that.

Q. Did you watch him to see what he did?—A. I did not.

Q. What did you do?—A. I handed him the ballot and walked away.

*By Mr. Russell:*

Q. Well, you made a declaration afterwards, Mr. Gliddon, you signed a paper afterwards?—A. After voting?

Q. Some days after.—A. No, sir, it was before the election, we signed the declaration they called it.

Q. Well, what was the nature of that?—A. Well, sir, I don't know, it was equal to an oath.

Q. Who brought it to you?—A. It was McLean and M. O. Johnson, he was a stranger to me.

Q. It was before the election?—A. Yes.

Q. What was the nature of it?—A. I don't remember.

Q. Was it read over?—A. I don't remember a word.

Q. You must remember what you signed?—A. I knew at the time it was equal to an oath.

## Privileges and Elections Committee.

Q. What were you swearing to?—A. That I voted for him.

Q. And this was done before the election?—A. Yes, sir—no, sir, it was after the elections; certainly, it was after the election.

Q. I knew if you drove on fast enough you would come up against a wall.—A. I know that.

Q. Don't you see how easy it is to be mistaken?—A. Certainly, I know it is.

Q. Might not you have been mistaken about anything else?—A. No, sir, I can't be mistaken when I know nothing to make a mistake over; certainly that is over the election.

Q. And it was to the effect you had voted for McLean?—A. Certainly.

Q. Who brought the paper to you?—A. Robert McLean. Him and Johnson, although he was a perfect stranger to me at the time.

Q. The paper was read over to you?—A. It was.

Q. You could read?—A. Of course, I could read printing, and some men's writing I can't read.

Q. Do you mean to say you can't read writing at all?—A. Not to take a letter in some writing and read it out to you.

Q. Some writing you can read, some you can't?—A. Yes.

Q. You did not see what writing this was, and you didn't stop to see?—A. No, I did not.

Q. As a matter of fact, this was not in writing?—A. I can't swear to it.

Q. You saw the paper?—A. I did.

Q. You saw enough to see whether it was written or printed?—A. I can't just remember, it is gone out of my head now. I took that little thought of it, I can't say whether it was written or printed; I never thought of anything else coming out of it.

Q. Who was it read it out to you?—A. If I am not mistaken, it was him and Johnson.

Q. Him and Johnson?—A. Yes, sir.

Q. What did he say to you before or after he read it over to you?—A. I can't tell you the words in it, but it was to certify that I voted for McLean, and I wasn't afraid to do that.

Q. Why shouldn't you do it, a good honest fellow couldn't object to it. You signed your name to the paper?—A. Yes.

Q. What else was done?—A. Nothing else.

Q. You signed your name to that document that you had voted for McLean?—A. Yes, sir.

Q. And Johnson folded it and put it in his pocket?—A. I suppose so, they went off with it.

Q. That was all they wanted. They got it and went away?—A. Yes.

Q. Of course, there was no Bible produced, no oath, or holding up your hands? No nothing at all, they read the paper over to you? You signed it, he put it in his pocket and they went away, that is all that took place, I suppose?—A. That is all that took place.

Q. When you went in to get your ballot paper?—A. Yes, sir.

Q. In the polling booth Cummings gave you a paper?—A. Yes, sir.

Q. You took that out?—Yes, sir.

Q. Went behind the screen?—A. Yes.

Q. Put your mark upon it?—A. Yes.

Q. On which part of the paper?—A. On the bottom.

Q. You brought it back?—A. Yes, sir.

Q. Folded it up?—A. Yes, sir.

Q. How many times did you fold it up?—A. I can't remember whether it was once or twice, but it was properly folded and I took it back.

Q. Did you fold it so as to leave a little part of white paper sticking out?—A. I can't tell you that.

Q. You handed it to the presiding officer, Cummings. What did he do with it?—A. I can't tell you. I wasn't taking notice what he did with it.

Q. Went right away?—A. Went right off. I didn't stop to be there.

Q. You didn't feel you had any business to be there any longer than necessary?  
—A. No, sir, I did not.

Q. Were you not a bold man to stay around there?—A. Never at elections, to sit around in polling places; never took that much interest.

Q. You did not stay long enough to see that your ballot got into the box. You were in the room long enough, but not to watch him?—A. You understand—

Q. What were you watching all that time?—A. I was talking to some of my neighbours.

Q. How long have you known Mr. Cummings?—A. Five or six years; since I went up there.

Q. You are not positive whether he put the ballot in the box or not?—A. I can't say whether he did or not.

Q. Did you see other men sitting around there and watching him?—A. No, I did not.

Q. You didn't see anybody there at all?—A. I saw some people there certainly, but not watching Cummings. I didn't see they were watching him.

Q. Did you see the poll clerk there?—A. I did not know who the poll clerk was.

Q. A man sitting alongside of Mr. Cummings?—A. Certainly. I suppose I saw him at the time, but can't say who the poll clerk was.

Q. I know that, but I am asking you if you saw a man sitting alongside Mr. Cummings?—A. Certainly.

Q. You saw that?—A. Yes.

Q. Man right alongside him?—A. Yes.

Q. Did you know Michael Tobin?—A. Yes.

Q. Did you see him there?—A. I can't say really that I did.

Q. I suppose you didn't know much about what was going on?—A. I was voting.

Q. But you didn't know whether you were getting your vote in the ballot box or not?—A. What's that?

Q. But you did not know whether you were getting your vote in the box or not?—A. I gave him my ballot.

Q. You took that for granted?—A. Yes.

Q. Did you promise McLean your vote?—A. That is what I can't tell you, I don't think I was asked, I always voted that way and don't think anybody asked me.

Q. How did you vote at the previous election?—A. Mr. Beck was our candidate wasn't he, at the election before.

Q. There was an election before that?—A. I can't remember, sir.

Q. When Beck was the candidate that was the local election? I am speaking of the election in 1896 the great big election the one where you got such a bad trouncing in the country? Who did you vote for at that time? Mr. Borden objected to the question?—A. I can't tell you who it was, I never read up politics, to know that.

Q. Did you vote?—A. Certainly I did.

Q. That is all I am asking, who did you vote for?—A. That is what I am not answering tell me the men's names?

Q. McLean was running, of course you voted for McLean?—A. McLean and Cameron and another man, certainly I voted for McLean.

Q. There were three names on the ballot that time?—A. I don't remember that whether it was three or four.

Q. You don't remember where you put your cross that time, or do you?—A. I remember McLean's name. I can read McLean's name.

Q. You put your mark opposite McLean's name, you would say that of course?—A. Certainly.

Q. But did you put your name at the top, bottom or middle of the ballot?—A. I can't say where it was.

Q. You don't remember?—A. No, I don't remember distinctly.

Q. Would you remember this time whether it was at the top or bottom?—A. Yes, sir, I do. It was where his name was at the bottom of the ballot?

Q. How long since you have seen that ballot?—A. Not since I voted.

Q. To look at?—A. I don't know that I ever did.

## Privileges and Elections Committee.

Q. Was there one shown you this morning?—A. There was one shown me this morning, certainly.

Q. This morning just now?—A. Yes.

Q. You had not seen it before that?—A. No.

Q. You cannot tell me whether you saw McLean before the election or not?—  
A. I saw him before but I don't know whether he asked me for a vote or not, I can't say.

Q. He would not need to because you are one of his influential supporters in the district? Where you on his committee?—A. No.

Q. Where you at the meeting where they marked the list?—A. No I wasn't.

*By Mr. Borden :*

Q. You have been a Conservative always?—A. Yes.

Q. When you signed this declaration they asked you how you voted?—A. That is the purpose for which they came to ask me.

Q. You told them you had voted for McLean?—A. Yes. I told him I had and was going to back it up.

*By Sir Louis Davies :*

Q. You have voted at a number of elections?—A. Yes, sir.

Q. You have voted at a number of elections before?—A. Yes, certainly I have.

Q. You knew it was necessary in the first place to mark your ballot?—A. Yes.

Q. And then to put it in the ballot box?—A. Put it in the ballot box, no, hand it to the deputy returning officer, I knew I should not put it in the box.

Q. You knew it was to go into the box?—A. Certainly. I understood that all right.

Q. Without it went into the box it is no good?—A. Certainly. I understood it was to go in and that the man looking after the box was capable of putting it there. Well certainly I understood it was. Certain the man that was looking after the box is able to put it there.

Q. You thought that? Did you wait to see that?—A. No, I did not wait.

Q. You talk of taking this behind the screen and marking it as you thought?—  
A. I certainly marked it and brought it to him.

Q. And did you watch him? What did he do with it when you gave it to him?  
—A. I did not watch.

Q. You dashed away?—A. I went away as quick as possible.

Q. Were you afraid you might see?—A. No.

Q. Why did you go away?—A. I did not run away.

Q. Without waiting for a second to see what became of it?—A. I did not watch what became of it. The man certainly was capable of putting the ballots in the box and I never expected but what it would go there.

Q. You had no doubt?—A. I had no doubt about it.

Q. But you don't know?—A. I do not know certainly.

Q. He might have put it in his pocket?—A. I do not know, he might have done so.

Q. You don't know and don't care?—A. I didn't watch him to see.

Q. Or take any pains to see?—A. All I noticed was when he took it out of my hand he just grabbed it.

Q. I suppose you handed it to him?—A. Yes.

Q. What do you mean by grabbing?—A. He took it from me.

Q. And you handed it to him and he took it from you and did you immediately turn your back?—A. Yes.

Q. Did you turn your head so you couldn't see?—A. Certainly I was talking to some of the men sitting on the bench.

Q. The moment you gave it into his hand you turned your head so you could not see what he did with it. I see your statement is not correct.

Mr. BORDEN objected to this style of question.

Sir LOUIS DAVIES.—I have a right to read what he said. (Last four questions and answers read to witness).

Q. Is that correct? What you stated, the moment you gave him the ballot paper you turned your back?—A. What I said was I handed him the ballot and went off.

Q. Did you say just now or did you not say that when you handed him the paper you turned your head and walked away?—A. I said I turned and walked away.

Q. Did you keep your eyes on the ballot paper or turn your eyes away?—A. I did not keep my eyes on the paper.

Q. Did you turn your head away so you couldn't see?—A. I was not thinking of the thing.

Q. Did you turn so you could not see?—A. It was not because I could not see.

Q. So that you could not see, not for the purpose of not seeing but so that you could not see?—A. I could not see, not because I didn't want to see.

Q. And you didn't keep your eyes on the ballot paper two seconds?—A. With regard to the returning officer I did not.

Q. One second?—A. I cannot say I did.

Q. So I was correct in saying you turned immediately you gave the ballot paper?—A. I turned immediately certainly, I had given the paper and walked off.

Q. And still you knew that ballot paper had to be put in the box?—A. Certainly I did. I understood that.

Q. And didn't wait to see?—A. Didn't wait to see.

Q. Did you stop chatting with the men?—A. With one or two I suppose.

Q. And you went away?—A. I did not go out of the room for a minute or two.

Q. How long did you stop in the room?—A. Maybe ten or fifteen minutes.

Q. You were not in a hurry but did not wait to see what became of the paper?—A. It never cost me a thought.

Q. You were not particular about it?—A. I put it into the hands of the man that was supposed to be looking after it and to put it in its place.

Q. That is all you cared?—A. That is all I was supposed to care.

Q. You did not see if the other men were watching?—A. No, I did not see.

Q. You cannot tell who the other men were?—A. I cannot remember who were there. There was a scrutineer that was Edward Shaw, I spoke a moment or two to him.

Q. Can you remember him distinctly?—A. I can remember he was there. I distinctly remember talking to him.

Q. You remember that fact? You know he was there?—A. Yes, I know he was there.

Q. And that is all you can remember is that so?—A. Well, there was other parties outside not voters, not on the voters' list.

Q. I was speaking of those right around the ballot box?—A. I do not know them at all that was round the ballot box?

Q. Eh?—A. Around the ballot box.

Q. You don't know what?—A. We was talking about the people that was in the poll at the time, wasn't we? That is what we was talking about.

Q. Yes?—A. I said outside the voters, don't you see, and you said around the ballot box. Isn't that what you said?

Q. I was asking you if you were able at all to give all the parties who were with Cummings around the ballot box?—A. I told you how I couldn't.

Q. You cannot recollect any one of them?—A. No, I cannot recollect who was there.

Q. Did you watch Cummings receive ballots from other people when you were there for the fifteen minutes?—A. No, sir, I did not.

Q. Did any one else vote?—A. Yes, others voted after I did. I was there about four o'clock.

Q. But you did not watch them?—A. No, sir, I did not.

Q. You did not see Cummings take the ballot from them or hand it to them?—A. No, I was not watching.

## Privileges and Elections Committee.

Q. Will you swear?—A. Certainly.

Q. If you do not recollect, say so?—A. I do not recollect.

Q. Although you stood in the hall a matter of fifteen minutes?—A. Yes, I was talking.

Q. When you went up to vote what was the first thing said to you? Do you remember that?—A. No, sir.

Q. You do not remember what was said to you?—A. I do not remember that there was anything said when I went to vote. The ballot was handed to me.

Q. Without anything being said?—A. As far as I know.

Q. As far as you remember the ballot was put in without anything being said or asked you?—A. Yes, sir.

Q. And without saying a word you went behind the screen?—A. Yes, sir.

Q. So from the time you went to the poll not a word was said?—A. That is correct.

Q. Not a question asked you?—A. No.

Q. And when you came back not a question was asked you?—A. No, sir.

Q. So not a word was said to you from the time you went up to the time you had voted?—A. No, sir.

Q. Not in relation to your vote?—A. I don't know that, sir.

Q. Not by anybody?—A. No, sir, there was not by anybody.

Q. Was your name taken down do you know, do you remember?—A. I expect it was.

Q. Do you remember?—A. Of course they all know my name, I could not say they took it down.

Q. I ask do you remember?—A. I could not swear.

Q. Were you canvassed by anybody before the election?—A. Not that I am aware of.

Q. Not that you are aware of; do you know what canvassing is?—A. Asking for a vote.

Q. Where do you live, on whose place; have you a farm?—A. I live on my farm.

Q. You have a farm of your own?—A. Yes, sir.

Q. You are a married man?—A. Yes, sir.

Q. I was asking you whether you had ever been canvassed?—A. Well, I believe there was one, there was a party asked me if I would vote for Mr. Holmes.

Q. You knew that when I asked you just now?—A. Well, but I——.

Q. Why didn't you tell me when I asked you?—A. You asked me if I knew what canvassing was and I was telling you when it was stopped.

Q. I asked you if you were canvassed?—A. For the minute I could not think.

Q. I must have misunderstood you then and the report will show. Then you were canvassed?—A. Certainly. Mr. Chisholm asked me—it was on Sunday—if I would vote for Holmes; how it was I don't know, but it was in that way, he asked me to vote for Holmes.

Q. Chisholm went to you where?—A. I don't know he came to me.

Q. Can't you recollect where you met Chisholm when you were canvassed?—A. No, I can't, it was on the road; it wasn't at home nor at his place.

Q. It wasn't at home nor at his place?—A. No, sir, it was on the road somewhere, but not at his place.

Q. Can you say where?—A. No.

Q. How long before the election?—A. Oh, it was before the election.

Q. It was before?—A. Yes.

Q. Who was with him?—A. No one, we were talking together on the road.

Q. It was on the road?—A. Yes, between our houses.

Q. And you were alone at the time?—A. Yes.

Q. Can you tell what you said to him?—A. No.

Q. Did you tell him what you were going to do?—A. No.

Q. But you gave him satisfaction?—A. As far as I could I told him.

Q. What do you mean?—A. As far as my memory goes I could not say.

Q. Oh, as far as your memory goes; is that your answer?—A. Yes, but the words I could not quote.

Q. Does your memory enable you to quote them?—A. I does not, sir.

Q. Then your memory does not enable you to say what you said?—A. No, sir, I cannot say.

Q. Then do I understand your evidence; you met this man Chisholm on the roadside, he asked you and you don't know what answer you gave?—A. It was accidentally I met the man.

Q. I know it was accidental apparently; were you talked to by any one else?—A. Not that I am aware of.

Q. You don't appear to be one of the stalwarts?—A. No, I am not.

Q. You are one of those they thought might be canvassed?—A. Well —

Q. You don't recollect whether any one spoke to you?—A. Any one—

Q. About voting?—A. No, sir.

Q. Not that you are aware of?—A. No.

Q. You would not swear they didn't?—A. No, I cannot remember whether there was anything said to me or whether there was not.

Q. And you cannot remember who you promised to vote for or whether you promised to vote for any one?—A. Well there was no promise unless there was anybody met me.

Q. Your memory is a pretty big blank about it, is that so, your don't remember?—A. Certainly that is as far as I was concerned.

Q. How many times have you voted in that township?—A. I guess it is the sixth.

Q. You have been voting for a number of years?—A. Yes.

Q. That is six times for local and Dominion elections?—A. No, I have been there that number of years.

Q. How often have you voted?—A. I don't know.

Q. Did you tell Mr. Russell who you voted for in 1896?—A. I don't know the names.

Q. The big election, who did you vote for then?—A. It was McLean I voted for, of course; the dates of elections I can't remember.

Q. I can understand; this was the Cameron-McLean election?—A. McLean.

Q. You voted for McLean?—A. Yes.

Q. You are quite sure of that?—A. I am sure I voted for McLean.

*By Mr. Borden (Halifax):*

Q. You didn't watch what the returning officer did with the ballots on this occasion?—A. No, sir, I wasn't watching.

Q. Well I suppose you will watch more carefully next time?—A. I think I will much more, take more attention to it.

Q. What I understand, Mr. Gliddon, is that you brought your ballot out, gave it to the returning officer and passed along?—A. Yes, sir.

Q. You didn't turn your head for the purpose of not seeing?—A. No.

Q. Just gave the ballot and passed along?—A. Yes.

Q. You understood it was his business to put it in the ballot box?—A. Yes.

Q. You understood it was his business and not yours?—A. That is it, sir.

Q. His business and not yours?—A. Not mine.

Witness withdrew.

## Privileges and Elections Committee.

THOMAS STURDY, called and sworn:—

*By Mr. Borden:*

Q. This witness is No. 82 on the poll book. You reside in Colborne?—A. Yes, sir.

Q. You voted at the last Dominion election for the west riding of Huron on the 21st of February, 1899?—A. Yes, sir.

Q. Who is deputy returning officer at the poll at which you voted?—A. Donald Cummings.

Q. Do you remember who the candidates were?—A. Yes, sir.

Q. Who were they?—A. Holmes and McLean.

Q. Whom did you vote for?—A. Robert McLean.

Q. What mark did you put on the ballot?—A. I put what I call at X.

Q. That is a cross?—A. Yes.

Q. Opposite whose name did you put it?—A. McLean's.

Q. Do you remember whether there was any place opposite his name for the purpose?—A. Yes, sir.

Q. What kind of a place?—A. A disc, round.

Q. What colour?—A. White.

Q. And you put your cross where?—A. In that disc.

Q. Will you look at one of these ballots, show me where you put your mark?—

A. Right there.

Q. In that disc opposite McLean's name?—A. Yes.

Q. After you had marked that ballot you folded it, I suppose?—A. Yes, sir.

Q. What did you do with it then?—A. I took it at once and gave it to the deputy returning officer.

Q. Did you give to him the same ballot which he had given to you and which you had marked?—A. Yes, sir.

Q. Did you watch to see what he did with it?—A. Yes, sir.

Q. What did you observe him do?—A. I observed him put one in the ballot box.

Q. He put one in the ballot box?—A. He put one in the ballot box.

Q. He put a ballot in the box?—A. Yes.

Q. Did you observe whether he tore anything off the ballot which you handed to him?—A. I did not notice.

Q. You did not notice?—A. Not that I remember.

Q. Did you stand there while he was doing this or pass on?—A. I just stood while he was putting it in the box like that.

Q. You just stood there while he was putting it in the box?—A. Yes.

Q. And as far as you observed he put in the ballot that you gave him?—A. Well, I can't tell.

Q. Did you watch him closely?—A. Yes, sir.

Q. Did you have any suspicion about what he was going to do with it?—A. No.

*By Sir Louis Davies:*

Q. You watched him closely, you saw the paper all the time Mr. Sturdy I suppose?—A. No, sir, I saw the paper go into the box though.

Q. How many feet were you from him?—A. I was about three or four feet or so.

Q. About the width of the table?—A. Yes somewhere about like that.

Q. Just within reach, you handed it to him and he took the ballot?—A. Yes.

Q. What did he do with it?—A. He got it up in his hands like this, like, and covered it with his hands.

Q. Did he put it on the table?—A. Yes, sir.

Q. And then he tore off the counterfoil?—A. Well I didn't take notice to him tearing it off.

Q. Didn't notice him tearing part of it off?—A. No.

- Q. Did you see him put one of his hands into his pocket?—A. No.
- Q. Did he put it on the table for some purpose?—A. Yes.
- Q. But whether he tore the counterfoil off when he put it on the table you don't recollect for the moment?—A. No, sir.
- Q. And he put your ballot into the box?—A. Yes, sir.
- Q. Nothing you saw would lead you to believe, it wasn't your ballot, or, perhaps you are going to swear it?—A. I, no.
- Q. Did he put your ballot in the box?—A. Did he put my ballot?
- Q. Did he put the paper you gave him in the box?—A. Well, I won't swear.
- Q. But why won't you, you saw him all the time?—A. Because I can't swear whether it was the same I gave him or not.
- Q. Why?—A. I can't tell.
- Q. Why? What put it in your head that anything else could take place?—A. Yes, but I can't tell that it was the same paper I gave him.
- Q. Let me see now, you were standing within three feet of him, is that correct?—A. Three or four feet.
- Q. You told Mr. Borden you watched him closely all the time you saw him put his hand down on the table, but can't tell whether he tore off the counterfoil or not? You know there is a counterfoil on?—A. Yes.
- Q. Did you know that it is to be torn off before going into the box?—A. No.
- Q. And you saw him putting the paper in the box?—A. Yes, sir.
- Q. Before you turned away?—A. Yes.
- Q. Did you mean to swear that you have doubts whether he put that paper in the box or not?—A. I won't swear he didn't put the one I gave him in the box.
- Q. You won't swear?—A. No.
- Q. Have you any reason to doubt that he did put in the box the paper you gave him; if you have, state your reason?—A. No.
- Q. Have you no reason?—A. No, sir.
- Q. You have no reason to doubt it? That he put in the box the paper you gave him. It was all done within a few seconds, wasn't it, your handing him the ballot, and he putting it in the box?—A. Yes.
- Q. Who was standing by besides you, was the poll clerk there sitting at the table?—A. Yes.
- Q. Do you know him yourself, his name is Tobin isn't it?—A. Yes.
- Q. He was there looking on?—A. Yes.
- Q. Who was there beside you looking on?—A. There was Lawson.
- Q. Lawson and —?—A. And McManus.
- Q. Yes, and Shaw?—Yes, sir.
- Q. McEvoy?—A. I don't know about McEvoy.
- Q. You don't know about McEvoy?—A. I don't know him.
- Q. McManus and Shaw, and Lawson were all there looking on to your knowledge at the time?—A. Yes.
- Q. Saw the whole transaction take place?—A. Yes, sir.
- Q. Other people were in the room, were they not?—A. I think so.
- Q. Other people were in the room, other electors?—A. Yes, sir.
- Q. Were you canvassed before the election?—A. No, sir.
- Q. You were one of the stalwarts, a well-known Conservative are you, or are you now, I don't know?—A. I am.
- Q. You are well recognized, well known as a strong party man?—A. Yes.
- Q. Or were you a moderate man?—A. I go that way generally.
- Q. Were you canvassed before the election?—A. No, sir.
- Q. You were not? Did you tell anybody how you were going to vote?—A. I don't remember.
- Q. You don't remember anybody ask you, did they?—A. No, sir.
- Q. Nobody asked you, you didn't tell, you didn't volunteer the statement to anybody?—A. No, sir.
- Q. Were you asked by McLean afterwards to certify how you voted?—A. No, sir.
- Q. Who asked you?—A. Marshall Johnson.

## Privileges and Elections Committee.

Q. Where?—A. In his office.

Q. How long after the election?—A. I don't remember exactly, sometime about three or four weeks.

Q. I don't want to press you if you don't remember the exact time?—A. Oh, about three or four weeks.

Q. What did he say to you?—A. He told me—

Q. I mean, he saw you and produced a paper for you to sign?—A. Yes, he produced this paper.

Q. He produced a paper?—A. Yes, sir.

Q. What did he do? Read it?—A. Yes, sir.

Q. You signed it?—A. Yes, sir.

Q. What was said at this time, did he produce a Bible or anything of that kind, swear you or anything of that kind?—A. I don't remember.

Q. You don't remember that? You can't recollect whether you were sworn or not?—A. No, sir.

Q. Anybody else beside you and Johnston?—A. No, sir.

*By Mr. Britton :*

Q. Who asked you to go to Johnston's office?—A. No one, I had business there.

Q. Your own business?—A. Yes.

Q. Then it was an accidental meeting so far as this election was concerned, you being in this office at this time?—A. Yes.

Q. Did you know beforehand that these declarations were being asked for?—A. Yes.

Q. And being there he asked you to make this declaration?—A. Yes.

*By Mr. Borden :*

Q. You understood this declaration was that you were voting for McLean?—A. Yes, sir.

Q. Did he read it over to you?—A. He read it.

Q. And you signed it?—A. Yes, sir.

Q. And that is all there is about it?—A. Yes, sir.

Witness discharged.

JERE DALTON (No. 36 on the poll book ), sworn.

*By Mr. Borden :*

Q. You voted at the last Dominion election for the West Riding of the County of Huron?—A. Yes, sir.

Q. On the 21st of February, 1899?—A. Yes, sir.

Q. Who was the deputy returning officer?—A. Donald Cummings.

Q. The candidates were?—A. Mr. Holmes and Robert McLean.

Q. Mr. Holmes and Robert McLean.—A. Yes, sir.

Q. And for whom did you vote?—A. Robert McLean.

Q. What mark did you put on the ballot paper?—A. An "x."

Q. Or a cross?—A. Yes.

Q. Opposite whose name?—A. Robert McLean's.

Q. Any space there for the purpose?—A. There was a round black mark and then inside a white space, and I put it inside this white space.

Q. A white space opposite his name and you put your cross inside this space?—A. Yes.

Q. Show me on this ballot?—A. In that round white space.

Q. After marking the ballot I suppose you folded it?—A. I folded it.

Q. And what then?—A. I gave it back to Mr. Cummings.

Q. Did you give the same ballot which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. Well, it was folded up and he unfolded it and tore off this counterfoil with his right hand and put it in his pocket and held the other with his other hand, and I cannot swear that he put it into the box, and I turned and went away then.

Q. Did you see him put anything into the box?—A. I did not see him put anything into the box.

Q. You saw him tear off the counterfoil and put the counterfoil in his pocket with his right hand, and then pass along and did not observe what he did with the ballot?—A. I did not observe, no.

*By Mr. Russell :*

Q. He had it in his hand when you were passing away?—A. Yes.

Q. Where was his hand?—A. In that position.

Q. In the act of putting it into the ballot box?—A. He just held it there and put it in his pocket and I went away.

*By Sir Louis Davies :*

Q. Who was with you at the time?—A. I do not remember, I came in a hurry,

Q. You came in a hurry and voted in a hurry and went away?—A. I didn't delay, I did not speak to anybody.

Q. And do not recollect who was there looking on?—A. I do not remember anybody.

Q. So you were really one of those who were in a hurry and didn't stop at all?—A. I didn't stop at all.

Q. When you went up to vote did they ask any questions?—A. Any questions.

Q. They took your name I suppose?—A. They asked me my name and passed a ballot.

Q. And you went behind the screen and marked it and returned it to Cummings and didn't wait to see what he did with it?—A. I saw him tear off the counterfoil.

Q. Were you canvassed before the election?—A. Nobody knew how I was going to vote.

Q. Nobody knew how you were going to vote?—A. Nobody knew how I was going to vote.

Q. After you had voted you left before anybody asked you or did anybody?—A. As soon as I voted I got on my horse, for I rode to the polls, and went home, as I intended to work.

Q. Did you give a certificate of how you voted?—A. I was asked in Goderich.

Q. By whom?—A. By—now you have got me.

Q. You do not recollect, you do not recollect who he was?—A. I do not remember who it was.

Q. Did you sign a paper for the parties whoever it was?—A. Yes.

Q. You do not remember?—A. Yes.

Q. Were there more than one present when you signed it?—A. No, I signed it in Hays' office.

Q. You do not remember who the person was? It was not Hays, because you know him?—A. Yes I know him.

Q. Are you sure of that?—A. Yes certain.

Q. Sure it was not Hays?—A. Yes, somebody else outside told me of it and I went in to Hays' of my own option and signed it.

Q. Was it McLean outside who told you of it?—A. Some one else told me that these were going round. Somebody told me, I do not remember who, about the dispute of the election.

Q. Yes?—A. And that all Tories were asked to make declaration to that effect. That is that we voted for McLean. Therefore, I went in of my option.

## Privileges and Elections Committee.

Q. Being a Tory?—A. Well, I suppose, being a Tory.

*By Mr. Tisdale :*

Q. Do not be ashamed of it?—A. I am not ashamed of being a Tory.—So he read me the declaration and I signed it. He read it before I signed it, and I signed it, and went home.

Q. Who was in Hays' office?—A. I do not remember anybody but this person.

Q. What is this person's name?—A. Now you have got me.

Q. Did I misunderstand you before. I understood you to say he was not in the office. I understood you to say that whoever else was there it was not Mr. Hays'?—A. I understood you to ask me—

Q. Well, now, we will see what the facts are, Mr. Dalton. You were asked up in Goderich to go over to Mr. Hays' office and sign a paper, because the Tories were being asked to sign a paper who they were voting for; is that correct?—A. Yes.

Q. You didn't know the person who asked you?—A. No.

Q. You went into the office?—A. Yes.

Q. Who was in the office?—A. I don't know.

Q. It was Mr. Hays' partner?—A. Yes.

Q. What is his name?—A. Now, you have me.

Q. Did that man read the paper?—A. Mr. Hays read it.

Q. Mr. Hays was there?—A. Yes, he read me the paper, before I signed it, and I signed it and turned and went home.

Q. Mr. Hays was there and the man you understood to be his partner?—A. Yes.

Q. There were two there when you signed the paper?—A. Yes, sir.

Q. And you understood the paper to be what?—A. He read it first.

Q. Did you take any oath, did he ask you to swear?—A. I do not know what it would be.

Q. Did he ask you to hold up your hands or anything like that?—A. After he read it, he asked me to sign it, and I signed it.

Q. Was anything else said?—A. I don't remember of anything else?

Q. You don't remember of anything else, you merely signed the paper; that was two or three weeks after the election?—A. Well, I don't remember how long after.

Q. You know Mr. Cummings yourself, well?—A. Yes.

Q. Are you a near neighbour?—A. About two miles.

Q. How many years have you known him?—A. Twenty years.

Q. Have you any reason to suspect his conduct?—A. No.

Q. What is his reputation and character?—A. Well, I never heard anybody say anything wrong of Cummings, in my life, since I have known him.

Q. You never heard anybody say anything wrong of Cummings, in your life, since you have known him?—A. No.

*By Mr. Monet :*

Q. Do I understand you were under oath when you signed that paper?—A. I don't know whether it was an oath or not.

*By Mr. Britton :*

Q. I want to ask you—because when you answered you illustrated with the other hand—which hand was it he tore off the counterfoil with?—A. His right hand, and held the ballot with his left.

Q. What did he do with his right hand?—A. Put it in his pocket. (The witness illustrated by putting his left hand in the left hand pocket.)

Q. You are using your left hand?—A. Oh! excuse me.

Q. You are saying what he did; then you don't mean anything by that?—A. No, sir.

*By Mr. Borden (Halifax) :*

Q. As I understand, Mr. Dalton, you were asked by some one whose name you don't remember to go to Mr. Hays' office?—A. Yes, sir.

Q. You went to Mr. Hay's office and he read this declaration to you?—A. Yes, sir.

Q. And the purport of it was you had voted for Mr. McLean at the last election?  
A. Yes.

Q. And you told me that was all read, that he read it over?—A. Yes, sir.

Q. And you signed it?—A. Yes, sir.

Q. Now do you know whether or not Mr. Cummings is a strong party man?—  
A. Well, as for myself, I don't go to many meetings, and take my own views of it from the papers.

Q. But you don't know enough about politics to say?—A. No, sir.

Witness discharged.

The committee adjourned until Wednesday, at 10.30, a.m.

## Privileges and Elections Committee.

COMMITTEE ROOM,  
HOUSE OF COMMONS,  
OTTAWA, Wednesday, 26th July, 1899.

The Committee met, Mr. FORTIN in the Chair.

Inquiry *re* last Dominion election in the West Riding of the County of Huron resumed.

MICHAEL TOBIN, sworn.

*By the Chairman:*

Q. What is your name?—A. Michael Tobin.

*By Mr. Russell:*

Q. Mr. Tobin, what part did you take in the West Huron election?—A. I was poll clerk.

Q. Where?—A. At Division No. 4.

Q. In No. 4 of what place?—A. Colborne.

Q. No. 4 of Colborne. Were you present at the opening of the poll?—A. Yes, sir.

Q. Who was present beside yourself?—A. There was John Lawson, Donald Cummings.

Q. Now, then, you have told us who else was present as near as you can remember them all. Were you sworn?—A. Yes, I signed the poll book.

Q. Give the names again of those who were present?—A. Mr. Lawson, Mr. Shaw, Mr. Cummings.

Q. Mr. McManus?—A. No, sir, I do not think Mr. McManus was there.

Q. Mr. Shaw, Mr. Lawson and Mr. Cummings?—A. Mr. Shaw, Mr. Lawson and Mr. Cummings.

Q. And yourself?—A. Yes.

Q. You cannot be sure whether anybody else was there or not?—A. No, sir, I cannot.

Q. What was the first proceeding taken at the opening of the poll, do you remember?—A. Well, we looked in the ballot box.

Q. Who opened the ballot box?—A. Mr. Cummings.

Q. Mr. Cummings opened the ballot box?—A. Yes, sir.

Q. And you looked into the ballot box?—A. Yes, sir.

Q. What did you discover by looking into the ballot box?—A. Nothing, it was empty.

Q. And what happened then?—A. They closed the ballot box.

Q. Did he lock it?—A. Yes.

Q. What did he do with the key?—A. I do not know, sir.

Q. Did the ballot box remain locked?—A. Yes, sir.

Q. Did you remain there all morning or did you go out?—A. I went out about one o'clock.

Q. How long altogether were you outside the room?—A. I should think a little over an hour.

Q. At what time did you go?—A. It was after one.

Q. After one when you went?—A. Yes, sir.

Q. You were there until one o'clock, and then again after dinner you stayed until the close of the poll?—A. Yes, sir.

Q. When you went to dinner at one o'clock, who did you leave?—A. John Lawson.

- Q. John Lawson?—A. Yes, sir.
- Q. You said you were a poll clerk?—A. Yes, sir.
- Q. Who did you leave in charge of the poll book?—A. John Lawson.
- Q. You left John Lawson in charge of the poll book?—A. Yes.
- Q. When you came back you found whom in charge?—A. John Lawson.
- Q. And you resumed control?—A. Yes, sir.
- Q. With the exception of the time when you went out to dinner you were in charge from the morning till the close of the poll?—A. Yes, sir.
- Q. What time did McManus come in as far as you remember?—A. I should think it would be about five minutes after we started.
- Q. Well was it before or after you had closed up the ballot box?—A. Just after.
- Q. And I suppose all those of you that were there had been sworn?—A. Yes, sir.
- Q. When did McEvoy—you didn't mention anything about him, was he there?—A. Not at the start.
- Q. When did he come as well as you remember? You need not bother about it if you don't distinctly remember?—A. I don't remember the exact time, it was some time in the forenoon.
- Q. After he came did he remain to the end?—A. Till some time in the afternoon.
- Q. And then went away? Was he there when you went for dinner?—A. I think so.
- Q. McManus was there?—A. McManus was.
- Q. Did Shaw go to dinner?—A. Yes, I went with him.
- Q. You did not go together?—A. Yes, sir.
- Q. You went together?—A. Yes, sir.
- Q. And McManus remained?—A. Yes, sir.
- Q. Mr. Dancy what time did he come?—A. Some time in the forenoon.
- Q. Some time in the forenoon?—A. Yes.
- Q. And how long did he remain?—A. Till it was over.
- Q. Till it was over? Some time in the forenoon he came?—A. Yes, sir.
- Q. Before you went to dinner you think?—A. Yes, sir.
- Q. Was anything said to Dancy at any time after he came by McManus?—A. I did not hear it.
- Q. At any time?—A. Not till the evening.
- Q. Well what was said to him, what was said?—A. As near as I can remember McManus I think asked him what business he had there.
- Q. Yes, and what did he say?—A. I cannot exactly tell you the words. He said something "you can find out" or something like that. He did not give him any satisfaction.
- Q. He did not give him any satisfaction. Was anything said at any time about papers, about Dancy's paper, by anybody?—A. No, sir, I do not think so.
- Q. You do not think anything was said about his papers?—A. I did not hear anything.
- Q. You didn't hear anything about Mr. Dancy's papers. Did you see any papers for Dancy?—A. Yes, sir.
- Q. How did you come to see this?—A. He gave it to me.
- Q. When did he give it to you?—A. I think it was just after I came from dinner.
- Q. Just after you came from dinner you think he gave you his papers?—A. About that time anyway.
- Q. What did you do with this paper?—A. I looked at it and put it in the poll book.
- Q. Did you make up the papers or assist in making up the papers for the returning officer, that is the ones to be sent up at the close of the poll?—A. Yes, sir.
- Q. Did you or did you not send Dancy's papers along with the rest?—A. I did not; I didn't think anything of them; I left the paper in the poll book.
- Q. You left Dancy's papers in the poll book?—A. Yes, sir.
- Q. Did you tell me you put it there or not?—A. Yes, sir.

## Privileges and Elections Committee.

Q. You left it there as soon as you received it?—A. Yes, sir.

Q. You left it there as soon as you received it; and that you told me was shortly after dinner?—A. Yes, sir.

Q. Well, now I suppose you saw the voters who came in that day?—A. Yes, sir.

Q. Just describe what proceedings took place when each voter came in to vote; who was the presiding officer; you told us Cummings was the presiding officer; what would happen first when a voter came in?—A. They would get a ballot.

Q. From whom?—A. Cummings.

Q. What would he do?—A. Cummings?

Q. What would the voter do first?—A. He would go in and mark the ballot.

Q. You didn't see him of course because he was behind the screen; he came back any way?—A. Yes.

Q. And what did he do then?—A. Gave it to Mr. Cummings.

Q. And what did Cummings do?—A. He would generally tear the counterfoil.

Q. Describe what he would do?—A. Every time I saw him he generally put it down like that, tore the counterfoil off, put it in his pocket, folded the ballot and put it in the box.

Q. Did you observe this every time?—A. No, I don't think I observed it every time.

Q. How many times did you observe it?—A. I could not say the number of times, but I think I observed it the most.

Q. You think you observed it the most of the time?—A. Yes, sir.

Q. What was your duty at the poll?—A. I had to take down all the names of the voters.

Q. You had to take down all the names of the voters; as they voted you did that?—A. Yes, sir.

Q. I want to know, when a voter came in, would you have finished writing his name before he returned with his ballot?—A. Yes.

Q. You would have finished writing his name before he returned with his ballot?—A. Yes.

Q. Well, after finishing the writing of his name would there be anything to distract your attention from the rest of the proceedings?—A. Sometimes some of the people talking.

Q. Some times some of the people would be talking.—A. Yes.

Q. Well, would that distract your attention?—A. No, I was generally looking on.

Q. Well you have described what took place in each case regarding the ballots and the voters as they came in?—A. Yes.

Q. Did you hear any objection made at any time, irrespective of the one to Dancy, by anyone to the proceedings at the poll?—A. No, sir.

Q. At the close of the poll the ballot box was still—I think you told us it remained locked until the hour for polling was up?—A. Yes, sir.

Q. What o'clock did that close?—A. Five o'clock.

Q. It remained closed till 5 o'clock; what were the proceedings at the close?—A. Well, Mr. Cummings took the key, unlocked the box, and we carried it in behind the curtain, opened the box and counted the ballots.

Q. Set it on a table?—A. Yes.

Q. Who took the ballots out?—A. Mr. Cummings.

Q. Mr. Cummings took them out?—A. Yes.

Q. How did he take them out?—A. One by one.

Q. One by one?—A. Yes.

Q. Who read the names?—A. Mr. Cummings.

Q. Mr. Cummings read the names as they came out?—A. Yes.

Q. Did you keep tally?—A. Lawson and James McMannus, Dancy, and I think Mr. Shaw.

Q. There was a tally on both sides?—A. Yes.

*By Mr. Borden :*

Q. Who was that, Lawson, McManus, Dancy and Shaw?—A. Yes.

*By Mr. Russell :*

- Q. You did not keep an official tally?—A. No.  
 Q. What part did you take?—A. Handled the ballots, as they came out.  
 Q. Did any one but you and the returning officer handle the ballots as they came out, before they were counted and the result taken?—A. No, sir.  
 Q. What did you do?—A. Set McLean's ballots there and Holmes there.

*By Mr. Bergeron :*

- Q. Where was Dancy sitting at the time?—A. At the side of the table.

*By Mr. Russell :*

- Q. Where did you get them?—A. From Cummings.  
 Q. And you put them in groups according to the names?—A. Yes, put them in piles.  
 Q. Were you going to tell me anything more about putting them in piles?—A. Simply laid them there with a weight on each.

*By Mr. Tisdale :*

- Q. Two separate piles?—A. Yes.

*By Mr. Russell :*

- Q. One of Holmes and one of McLean's?—A. Yes.  
 Q. And each party kept tallies?—A. Yes.  
 Q. And after did each side compare their tallies?—A. Yes.  
 Q. They agreed?—A. Yes.  
 Q. There was no spoiled ballots?—A. No, not one.  
 Q. Where there any rejected ballots?—A. No, sir.  
 Q. While you were out I think you said Lawson kept the poll book?—A. Yes, sir.  
 Q. You know Lawson's handwriting?—A. Yes, sir, at least I know it from my own.  
 Q. You might tell us from what number to what number Lawson's handwriting runs?—A. There was 18 voters.  
 Q. Eighteen voted while Lawson was there?—A. Yes.

*By Mr. Borden (Halifax) :*

- Q. Give the numbers?—A. There was from 56 to 73.  
 Q. Inclusive?—A. Yes, sir.  
 Q. Both inclusive?—A. Yes, sir.

*By Mr. Bergeron :*

- Q. Is that the poll book?—A. Yes, sir.  
 Q. Are the papers of Dancy in that book.  
 Mr. RUSSELL.—They were.

*By Mr. Russell :*

- Q. You might tell us a little more definitely about this objection to Dancy that was made by McManus?—A. Yes.  
 Q. Who went first behind the screen, did you have to go through a door?—A. No, it was behind the screen.  
 Q. Who went first?—A. Mr. Cummings.  
 Q. Who went next?—A. I could not tell you, there was the rest of us, but I think Dancy and McManus were behind.

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*By Sir Louis Davies :*

Q. The order you cannot say ?—A. No, sir.

*By Mr. Russell :*

Q. You don't know how far Dancy was behind the returning officer ?—A. No, sir.

Q. Dancy and McManus were together ?—A. Yes, sir, McManus was just behind Dancy, I think.

Q. Was McManus close to him when speaking ?—A. Yes, sir, he was close.

Q. And McManus made some remark—I don't know whether you profess to give it exactly—about Dancy not having any right to be there ?—A. I think, as near as I remember, he would like to know what business he had there.

Q. And he made some remark ?—A. And I think Dancy said it was for him to know and to find out.

Q. Did you hear anything further ?—A. No.

Q. Nothing more than that conversation ?—A. Nothing more than I heard.

Q. What tone of voice was it ?—A. Not very loud.

Q. Did they have more trouble making people hear than you and I have ?—A. I don't know, sir.

Q. There was nothing further said in regard to that episode than McManus, remark and Dancy's reply ?—A. No that I heard.

Q. The objection was not renewed inside the screen :—A. I didn't hear it

Q. Of course the day of the polling you sat beside Mr. Cummings during the whole day except when you went to dinner ?—A. He was at the end of the table and I was at the side.

Q. At the right or left ?—A. At the left.

Q. How far were you away ?—A. Well it was a very small table.

*By Sir Louis Davies :*

Q. When he handed a man his ballot the man would be facing Cummings and you were at one side ?—A. It just depends. Some times they would come out and hand it to him and some times the voters in coming out would walk right around and hand him the vote and go out. Some times he would walk round and give him his vote.

Q. When he would walk round and give him his vote, would that be the time when he would be facing him ?—A. He would be facing him then.

Q. And when he passed on he would not be facing him ?—A. Yes.

Q. Where you in a position to see each voter as he handed Mr. Cummings his ballot ?—A. Yes, sir, I was in a position to see him.

Q. You could see Cummings and see what he did with the ballot ?—A. Yes.

Q. If you were watching ?—A. If I was watching.

Q. In most cases I understood you to say, that you were ?—A. Yes, sir.

Q. You were in a position to see whether Cummings put the ballot in the box or did something else with it ?—A. Yes.

*By Mr. Britton :*

Q. What is your business ?—A. Farmer.

Q. Have you ever acted as poll clerk at an election before ?—A. No, sir.

Q. How old a man are you ?—A. 'Ttwenty-seven.

Q. And this was your first experience as poll clerk ?—A. Yes, sir.

Q. You live in the neighbourhood, do you ?—A. Yes, sir.

Q. When Mr. Cummings took the ballot box from where it had stood all day into the room was it in sight all the time? Was it in sight, as he took it from the place where it had been standing and carried it into the room behind the screen ?—A. I can't say that.

Q. Didn't you see it ?—A. I did not pay any attention to it.

Q. Was he away from the others in any way ?—A. He walked in ahead of them.

- Q. And in sight of everybody there?—A. Yes, sir.
- Q. When it was opened he took the ballots out one by one from the ballot box?—A. Well he might have taken two some times when he put in his hand.
- Q. What did he do then?—A. He opened the ballots, called the name of the man they were for, and handed them to me.
- Q. They were then tallied?—A. Yes, sir.
- Q. And that same ballot that he called the name from was handed to you?—A. Yes, sir.
- Q. And you placed it in plain sight on the table?—A. Yes, sir.
- Q. In two piles, one for Holmes and one for McLean?—A. Yes, sir.
- Q. So that these ballots, from the time they came from the box, was in plain sight of everybody in the room?—A. Yes.
- Q. And anybody in sight, I suppose, saw the ballots?—A. Yes, sir.
- Q. Did Cummings show the ballots, did he show them to all?—A. He just handed the ballots out and called the name, and then it was handed to me.
- Q. And you put them in two piles?—A. Yes.
- Q. On which side did you put them?—A. The Holmes ballots I think were on the left side, and the McLean ballots on the right, as near as I can remember.

*By Mr. Russell :*

- Q. Were Lawson and McManus looking on while this was being done?—A. And Shaw.
- Q. I don't suppose you will remember which one kept tally, and which one looked at them to see that they were all right? I was asking you whether you were able to tell us which of those two looked on, and which kept the tally?—A. I can't say. I think they all kept tally.
- Q. As far as you observed, was there a person on both sides looking at the ballot as the presiding officer produced them to see that no injustice was done?—A. I can't say that.

*By Mr. Borden :*

- Q. Mr. Dancy produced his paper about what hour?—A. It was somewhere between two and three.
- Q. Between two and three?—A. As near as I can remember.
- Q. What time did he arrive?—A. I can't say the time exactly.
- Q. How long before he produced the papers?—A. It was in the forenoon.
- Q. And he produced his papers between two and three?—A. Yes, sir.
- Q. What was the cause of his producing papers?—A. He gave the papers to me.
- Q. What was the cause of his giving it to you?—A. I don't know.
- Q. What did he say?—A. He gave me the paper, and told me to put it in the poll book.
- Q. He handed you the paper?—A. Yes, sir.
- Q. And told you to put it in the poll book?—A. Yes, sir.
- Q. Did you show it to the deputy returning officer?—A. No, sir.
- Q. Why didn't you?—A. I did not think it was necessary.
- Q. Did you have him sworn?—A. No, sir.
- Q. Why didn't you do that?—A. It was the first time I had anything to do with anything like that, and didn't exactly know.
- Q. You didn't exactly know?—A. No.
- Q. Did you know whether the scrutineers had been sworn?—A. Well, they all signed this poll book.
- Q. Did you or didn't you know whether the scrutineers had been sworn?—A. I wasn't sure whether they were sworn or what it was.
- Q. They had signed something in the poll book?—A. Yes.
- Q. Did the deputy returning officer produce a Bible to them?—A. No, sir.
- Q. He didn't swear them?—A. No, sir.
- Q. Just entered their oath in the poll book without anything further?—A. No, sir.

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- Q. Were you sworn yourself?—A. I only signed my name in the book.
- Q. You were not asked to take any oath?—A. No, sir.
- Q. Here is a certificate signed by Cummings that on the 21st February, 1899, you M. Tobin, poll clerk for the polling district No. 4, of the electoral district of West Huron, Colborne, province of Ontario, took and subscribed before me the oath or affirmation of office required to be taken by the poll clerk in such case required by Section 23 of the Election Act, was any such thing ever done?—A. I never took any oath on the Bible.
- Q. Was any such thing ever done?—A. I just signed that book, nothing more.
- Q. Are you positive about that?—A. Yes, sir.
- Q. Did you hold up your hand and say you swore to it or anything of that kind?—No, sir.
- Q. Nothing at all?—A. No, sir.
- Q. Just signed your name in the book?—A. That is all.
- Q. And that is the case with regard to all the scrutineers except Dancy?—A. Yes, sir, I think so.
- Q. Will you look at this poll book and tell me whether or not you see the form of oath signed by James Chisholm?—A. Yes, sir.
- Q. You do?—A. Yes, sir.
- Q. And the form of oath signed by John Lawson?—A. Yes, sir.
- Q. And the form of oath signed by E. Shaw?—A. Yes, sir.
- Q. And the form of oath signed by James McManus?—A. Yes, sir.
- Q. And the form of oath signed by John McEvoy?—A. Yes, sir.
- Q. And you see the certificate at the end of each one of these that each of these men were sworn?—A. Yes, sir.
- Q. And you say you did not see them sworn?—A. Or affirm.
- Q. Did you say you didn't see other one of them sworn or affirm. Did you say they had nothing more than you had yourself?—A. No, sir.
- Q. Were you there all the time?—A. Yes, sir. All but the noon hour.
- Q. Do you see in this book any oath at all signed even by Mr. Dancy?—A. No sir.
- Q. No such oath was entered in the book or signed by him?—A. No, sir.
- Q. For what purpose did you understand he was delivering that paper to you?—A. I thought it was his authority to be there.
- Q. You thought it was his authority to be there as scrutineer?—A. Yes.
- Q. The same as the other three?—A. Yes, sir.
- Q. Did you understand any reason why the others should subscribe an oath in the book and he should not?—A. No, sir; I thought that it should be there just the same?—A. Yes.
- Q. You thought that paper just the same as if he swore?—A. Yes.
- Q. Swore on the book?—A. Yes, sir.
- Q. What did you understand was the meaning of the other men signing names in the book?—A. I did not understand it at all.
- Q. To whom did the other scrutineers deliver their papers?—A. To the returning officer.
- Q. Why didn't Dancy. Do you understand?—A. I do not.
- Q. You knew when Dancy went in at the close of the poll to act as scrutineer that he had not even signed the oath in the book, didn't you?—A. Yes, sir.
- Q. Did you tell McManus when he made the protest that Dancy had produced papers?—A. I do not remember it, sir.
- Q. Didn't you understand that the objections of McManus was because Dancy had not produced papers?—A. I never heard anything mentioned about papers.
- Q. Why did McManus object to him?—A. He wished to know what authority he had there.
- Q. Din't they call for the papers?—A. I suppose so.
- Q. Did Dancy tell him he had delivered the paper to you?—A. I do not know;
- Q. Do you know what Dancy said?—A. I do not, except that for him to find out for something like that.
- Q. That was the satisfaction which McManus got?—A. Yes, sir.

- Q. Dancy is a lawyer?—A. Yes, sir.  
 Q. Do you know where he is at present?—A. No, sir.  
 Q. Where does he live?—A. In Goderich.  
 Q. Do you know whether he is at home at present?—A. No, sir.  
 Q. Do you know that he did not come down with you?—A. No, sir.  
 Q. Did you make any statement about this matter before you came down?—A.  
 About which?  
 Q. Did you make any statement about what took place on polling day before  
 you came down?—A. No, sir, I do not think so.  
 Q. Did any one come to see you on the subject?—A. Yes, there was.  
 Q. Who was it?—A. A man by the name of Mr. Grant.  
 Q. Mr. Grant, where does he live?—A. In Toronto, I think.  
 Q. Do you know his name?—A. No, sir.  
 Q. You don't. When did he go?—A. On Saturday.  
 Q. He came to see you?—A. Yes. He said we were wanted  
 Q. Said who was wanted?—A. I was and Mr. Lawson.  
 Q. And Mr. Chisholm?—A. No, sir; he never said anything about Mr.  
 Chisholm.  
 Q. Did Chisholm come?—A. No, sir, I do not think so.  
 Q. Mr. Grant came to see you on Saturday, you told us?—A. Yes, sir.  
 Q. Do you know what his occupation is?—A. No, sir.  
 Q. You don't know. Does he look like a lawyer?—A. I cannot tell you that.  
 Q. Was any one with him or did he come alone?—A. John McEvoy.  
 Q. John McEvoy was there with him?—A. Yes, sir.  
 Q. That is the man that has been described as a sort of lawyer. McEvoy  
 brought him to you?—A. Yes, sir.  
 Q. And McEvoy had come down with you, I believe?—A. Yes, sir.  
 Q. McEvoy, Lawson and yourself?—A. Yes, sir.  
 Q. And what did Mr. Grant; what did he have to say about it?—A. He asked  
 me did I know anything wrong about it or anything like that.  
 Q. Did he take down any statement of what you said?—A. No, sir.  
 Q. Just interrogated you?—A. Yes.  
 Q. And told you to come down?—A. Yes.  
 Q. Had you ever seen this Mr. Grant before?—A. Not to my knowledge.  
 Q. You live about how far from Goderich?—A. Very near four miles.  
 Q. You came into Goderich on Monday?—A. Yes, sir.  
 Q. And whom did you meet there?—A. Mr. McEvoy.  
 Q. What time did you meet him?—A. I should think it would be on towards  
 two o'clock.  
 Q. Well, did you give any further statements to McEvoy after you got to  
 Goderich?—A. No, sir.  
 Q. You took the train and came down with him?—A. Yes, sir.  
 Q. McEvoy lives in Goderich?—A. Yes, sir.  
 Q. Did you leave Goderich that day; when did you leave Goderich for Ottawa?  
 —A. On Monday, at half-past two.  
 Q. And got here Tuesday morning?—A. Tuesday morning, yes, sir.

*By Mr. Bergeron :*

- Q. Yesterday morning?—A. Yes, sir.

*By Mr. Borden :*

Q. When McManus made this objection to Dancy going in with the other scrutineers at the time the ballots were counted did Cummings say anything?—A. I did not hear him say anything.

Q. Was Mr. Cummings aware at that time that this paper signed by Mr. Holmes appointing Dancy his agent had been handed to you?—A. I do not think I ever showed it to Mr. Cummings at all.

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Q. Were you surprised that Mr. Cummings allowed him to go in not knowing that he had any paper from Mr. Holmes?—A. I did not notice whether Mr. Cummings heard him say so or not.

Q. That is not what I asked you. Were you surprised that Cummings not knowing that Dancy had any paper appointing him as scrutineer should have allowed Dancy to go in and act as scrutineer?—A. I did not think there was anything wrong about it.

Q. You thought any one had a right to go in?—A. I thought four had a right to go in.

Q. You knew Chisholm had been acting for Holmes, didn't you?—A. Yes, sir.

Q. And McEvoy?—A. Yes, sir.

Q. And Lawson?—A. Yes, sir.

Q. That was three, and you thought that anyone else could go in?—A. I thought two could go in from each side.

Q. Whether they had authority or not.—A. Yes, sir, if there was not enough scrutineers.

Q. If there were not enough scrutineers. There were enough scrutineers in this case?—A. Only two on this side?

Q. There were four altogether acting for Holmes that day? Weren't there?—A. Yes, sir.

Q. First Chisholm and Lawson?—A. Yes, sir.

Q. Then McEvoy arrived to relieve them and then lastly Mr. Dancy.

Q. Now you say that when the ballots were counted McManus and Shaw were both keeping tally—A. Yes, sir.

Q. There is no doubt about that?—A. No, sir, at least they marked down the number anyway.

Q. Who was standing next the deputy returning officer?—A. I was.

Q. On one side?—A. Yes.

Q. That is the left?—A. Yes.

Q. Who was next him on the right?—A. Dancy was.

Q. He was the next man on the right?—A. Yes.

Q. Who was the next man?—A. I don't know.

Q. The deputy returning officer was standing up when he took the ballots out?—A. Yes.

Q. And the ballot box was on the table?—A. Yes.

Q. And were you standing up?—A. Yes.

Q. You were standing up on his left?—A. Yes.

Q. Now Dancy you say was sitting?—A. Yes.

Q. Sitting on his right?—A. Yes.

Q. How close to him?—A. As close about to me.

*By Mr. Fraser (Guysboro) :*

Q. About four feet?—A. Yes.

*By Mr. Borden (Halifax) :*

Q. Did Dancy look at the ballots as the deputy returning officer took them out?—A. I could not say that.

Q. Did McManus?—A. Not unless he looked from where he was.

Q. Well he was further away than Dancy?—A. Yes, sir.

Q. There was no one between Dancy and the deputy returning officer?—A. No, sir.

Q. McManus and Shaw must have been further away than Dancy, both of them?—A. They were around the table.

Q. Were they or were they not as near to the deputy returning officer as Dancy?—A. They were hardly as near.

Q. Was there any vacant space, any space where anybody could have come between Dancy and the deputy returning officer?—A. There was room for a man.

- Q. Room for a man to stand between Dancy and the deputy returning officer ?  
 —A. Yes.  
 Q. Was there any chair there ?—A. I don't think so.  
 Q. Now, had you any suspicion with respect to the manipulation of ballots that day ?—A. No, sir.  
 Q. You had none ?—A. No, sir.  
 Q. You were not watching for that ?—A. No, sir.  
 Q. Do you know how many of the 98 ballots you saw go in ?—A. No, sir.  
 Q. You have no idea ?—A. No, sir, only I saw the most of them.  
 Q. You saw the most of them ?—A. Yes, sir.  
 Q. Did the deputy returning officer count the ballots in the morning before the voters began to vote ?—A. I didn't see him unless he did it before I come.  
 Q. Did you see the ballots he had before the voters began to vote ?—A. Yes, sir.  
 Q. Where were they produced from ?—A. From the ballot box.  
 Q. They were in a pad like that (handing witness exhibit No. 6) ?—A. Yes, sir.  
 Q. Was there one pad or more than one ? A. One.  
 Q. Just one pad ?—A. Yes, sir.  
 Q. And the ballots were taken off that pad ?—A. Yes, sir.  
 Q. You have no doubt about that ?—A. No, sir.  
 Q. You saw no other pad of ballots there that day ?—A. No, sir.  
 Q. But you don't remember their being counted ?—A. No sir, not before the poll.  
 Q. Not before the poll was opened ; do you know whose writing that is on the back is lead pencil " 125 " ?—A. I don't know, that was on them.  
 Q. That was on them in the morning ?—A. Yes.  
 Q. When you started ?—A. Yes.  
 Q. That is the only pad of ballots used that day ?—A. Yes, sir.  
 Q. You are quite positive about that ?—A. Yes, sir.

*By Sir Louis Davies :*

- Q. I understand you to be very clear on the point that there was only one pad of ballots ?—A. Yes.  
 Q. That is the pad of 125 ?—Yes, sir.  
 Q. That pad of ballots was taken out of the ballot box ?—A. Yes, sir.  
 Q. Where was it put ?—A. On the table.  
 Q. You sat beside the ballot box ?—A. No, I was not there in the morning.  
 Q. But as poll clerk you sat beside him at the table ?—A. Yes.  
 Q. Did you see him deliver the ballots ?—A. I saw most of them.  
 Q. Where did he take them from ?—A. From the pad.  
 Q. Are you absolutely sure of that ?—A. Yes.  
 Q. You cannot be mistaken ?—A. I don't think so.  
 Q. With the exception of 17 while out at dinner you saw all ?—A. Yes, sir.  
 Q. And you saw all the ballots taken from the one pad ?—A. All I saw.  
 Q. Mr. Tisdale suggests you were not always watching ; you were not watching in the sense that you expected anything wrong ?—A. No, sir.  
 Q. Were you in a position to see the spot from where the returning officer took the ballots ?—A. Yes, sir.  
 Q. You say Dancy went into the place where you were counting the ballots ?—A. Yes, sir.  
 Q. Was he on the same side of the table as the returning officer, just think for a moment ?—A. The returning officer sat just like here.  
 Q. At the corner or end, standing at the table ?—A. At the end.  
 Q. Like where that gentleman is writing ?—A. Yes.  
 Q. He would stand at the end ; where would Dancy be, at the same end ?—A. At the side.  
 Q. And your opinion was that two were entitled to each side to go in ?—A. Yes.  
 Q. That was all that went in, Shaw and McManus and Lawson and Dancy ?—A. Yes, sir.  
 Q. That is all were present ?—A. Yes.

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Q. Now did Dancy hand or touch a single one of the ballots that were taken out of that ballot box by the returning officer until they were counted?—A. I think there was one time with his pencil he turned down the corner of a ballot that was turned up.

Q. You think that one time he turned down the corners of a ballot that was turned up with his pencil?—A. Yes, sir.

Q. That was one of the ballots with a weight on it?—A. Yes.

Q. With the exception of that one ballot with the weight on it, the corners of which he turned down, did he touch one ballot brought out of that box?—A. No, sir.

Q. You saw every ballot taken out of the box?—A. Yes, sir.

Q. You saw the box empty in the morning?—A. Yes, sir.

Q. And you saw all the ballots taken from the voters?—A. Yes.

Q. And saw all except while you were at dinner?—A. Yes.

Q. Did the number compare with the number of voters?—A. Yes.

Q. There were no spoiled ballots?—A. No.

Q. They were all marked either "McLean" or "Holmes"?—A. Yes.

Q. And all the ballots were there?—A. Yes.

*By Mr. Borden (Halifax):*

Q. You say you were not there in the morning?—A. No.

Q. Were you late?—A. A minute or so.

Q. When you arrived the ballot box was open?—A. All the papers were not out.

*By Sir Louis Davies:*

Q. Not all out?—A. No, Mr. Cummings was taking them out.

*By Mr. Borden (Halifax):*

Q. You say you saw the ballots delivered in most instances?—A. Yes.

Q. Can you give us any idea of the number?—A. No, sir, I cannot say anything of the number.

Q. How long did Chisholm act as scrutineer in the morning?—A. Till McEvoy came.

Q. How long was it?—A. About one hour or two hours.

Q. Till that Chisholm acted as scrutineer?—A. Yes.

Q. You say he didn't come with the others?—A. No, sir.

Q. You say he didn't go with the others?—A. No, sir.

*By Mr. Borden:*

Q. Was the ballot box unlocked in the afternoon at the close of the poll before or after it was taken in behind the screen?—A. Before.

Q. What was done after unlocking it, before it was taken behind the screen?—A. It was just picked up and carried in.

Q. It was unlocked first?—A. Yes, sir.

Q. And then taken behind the screen?—A. Yes.

Q. Who carried it in?—A. Mr. Cummings.

Q. How long was it unlocked before it was taken behind?—A. It could not have been many seconds.

Q. Had you decided to count them behind the screen before you unlocked it?—A. Yes, we always did.

Q. You always did that?—A. Always did that there.

Q. That is the practice and it was unlocked on the table where the ballots had been delivered.—A. Yes, sir.

*By Mr. Fraser:*

Q. Did anybody but Cummings touch the box until you were in there to count them?—A. No, sir.

*By Mr. McInerney :*

Q. How many agents had Mr. Holmes there that day?—A. There was four altogether.

Q. Didn't you know that according to law he was only entitled to two?

Sir Louis Davies objected to the question.

A. I did not know any law at all.

Q. Did you understand that to be the law?—A. No, sir.

Q. That one candidate would only have two agents at the same poll?—A. No, sir.

Q. Did you go behind the curtain with any man that day to mark his ballot?  
A. No, sir.

Q. Was there any voter who couldn't mark his ballot and had the deputy returning officer go with him?—A. One.

Q. Who was he?—A. George Foley.

Q. What time of day was that?—A. In the forenoon I think.

*By Mr. Borden :*

Q. Give us his number in the poll book?—A. It is down there somewhere, sir, but I don't know the number.

*By Mr. McInerney :*

Q. Who went in there to see him mark his ballot?—A. McEvoy and McManus.

Q. And the deputy returning officer?—A. I think he did but am not sure.

Q. Didn't you go?—A. No sir.

Q. Was this in the morning or in the afternoon?—A. I guess it was in the forenoon.

Q. Do you know how he voted that day?—A. I know the way he always used to vote before.

Q. Do you know the way he voted that day?—A. I do.

Q. You say you do know how he voted that day?—A. Yes, sir.

Question objected to by Mr. Fraser.

*By Mr. McInerney :*

Q. Did he tell you how he voted?—A. They asked him how he wished to vote.

Q. Who did?—A. The ones that went in with him and he spoke out loud, that is how I knew it, you could hear him all over the place.

Q. Mr. Dancy's appointment as agent you did not put along with the rest?—A. No, sir.

Q. Simply put it in the poll book?—A. Yes, sir.

Q. Did you leave it in the poll book until the return was made?—A. Yes, sir.

Q. You don't know that it came here in an envelope?—A. I don't know how it came.

*By Mr. Bergeron :*

Q. Who replaced you?—A. John Lawson.

Q. Well how did he happen to replace you, did you ask him in the morning to replace you?—A. No, he was one of the scrutineers.

Q. For whom?—A. For Holmes.

Q. And he replaced you about one at noon?—A. Yes, he had his dinner and came back and said I might as well go and have my dinuer instead of staying there until the evening.

Q. Did he go out and have his dinner or stay in the poll, or did he go out with you?—A. I can't remember whether he had his dinner with him but he went out.

Q. That is easily brought to your remembrance?—A. I think he went to a neighbour's and had his dinner, but I am not sure.

Q. He purely and simply volunteered to do your work while you were dining?  
—A. Yes, sir.

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Q. And you were out about an hour?—A. Yes, about that.

Q. You came down here yesterday morning?—A. Yes, sir.

Q. Who did you say, or did anybody talk to you about your testimony?—A. Not in the morning.

Q. Well since you were here yesterday, until you came in here, did you meet anybody that talked to you about it. Did you meet Mr. Holmes?—A. Yes, sir.

Q. Did he talk to you?—A. Yes, we had a talk.

Q. About the evidence you were going to give here?—A. I simply told him I knew nothing about it, that was all the talk we had.

Q. Or did he ask you?—A. I can't remember. I said it was nonsense bringing me here at all as I knew nothing about the election.

Q. Did he ask you if you knew anything wrong that had taken place in that poll there?—A. I don't swear to anything.

Q. Did you meet Mr. Russell who was just questioning you a moment ago?—A. Yes, sir, I was introduced to him.

Q. And did he ask you what you were going to say?

Mr. RUSSELL.—I took instructions from him what he would say here. I would be very sorry to examine the witness without knowing what he was going to say.

*By Mr. Bergeron :*

Q. All these gentlemen who were at the poll there, four of them representing Mr. Holmes, were not sworn?—A. Not except the signing of the poll book.

Q. Mr. Dancy was there in the morning. In the forenoon?—A. Sometime in the forenoon.

Q. And it was only after you came back from dinner he gave you his papers?—A. Yes, sir.

Q. And he was not sworn?—A. No, sir.

Q. And did he go in to the counting of the ballots?—A. Yes sir, he went in.

Q. And sat there while the counting of the ballots out of the box went on?—A. Yes, sir.

Q. During the day he was sitting on the right of the deputy returning officer Cummings?—A. During the day?

Q. Yes?—A. No, sir.

Q. Where was he?—A. He mostly sat beside me.

Q. Where were you?—A. To the left, and Mr. Cummings was there, and I sat about here.

Q. And where was Dancy?—A. Somewhere there.

Q. You were between Dancy and the deputy returning officer?—A. Most of the time, a good part of the time anyway.

Q. And I understood you a few moments ago saying the contrary; I want you to be perfectly sure what you are saying now and I understood you to say that the returning officer was on the left hand of the table and Dancy on his right?—A. That was at the counting of the poll.

Q. That was at the counting of the polls?—A. Yes.

Q. And during the day you were between Cummings and Dancy most of the time?—A. Whenever he stood around there.

Q. Did he move about, did he promenade in the hall?—A. He might have walked around once or twice, I am not sure.

Q. As a matter of fact, could anything have been done to the ballot without you would have seen it during the day?—A. No, sir, I do not think so.

Q. Had you your eyes on the ballot box all the time?—A. Most of the time anyway.

Q. How many votes were taken during the time you were away, do you remember?—A. Eighteen.

Q. Do you remember how the returning officer initialed the ballots in the morning?—A. He started to initial them with ink.

Q. Do you remember how many he initialled with ink?—A. No, sir.

Q. You don't know?—A. No, sir.

Q. Do you know if he continued initialling them with ink until he took the pencil or if he did it now and then?—A. No, sir, I am not sure.

Q. You do not know?—A. No, sir.

Q. You are not sure?—A. No, sir.

Q. And you said if I remember well that when the ballot box was opened in the morning the scrutineers of McLean were not there?—A. One was there.

Q. Which one?—A. Shaw.

Q. Shaw was there?—A. Yes.

Q. And McManus was not there?—A. No, sir.

Q. You are a voter there?—A. Yes, sir.

Q. You are a good Liberal, I suppose?—A. Yes, sir.

Q. You had been to meetings of committees?—A. I had not. I think I had been at one meeting. We had a committee meeting and went over the list.

Q. Were you surprised at the opening of the box at the result of the poll?—A. Yes, sir.

Q. You were?—A. Yes, sir.

Q. What did you expect would be the result according to your calculations?—A. I should think about eight or ten?

Q. Eight or ten majority for Holmes?—A. Yes.

Q. And what was his majority?—A. Thirty-eight.

Q. So you were surprised?—A. Yes, sir.

*By Mr. Britton:*

Q. You were asked if you saw Mr. Holmes? When you did see him did he say to you, "I know you are an honest man and I want you to tell the truth just as it was." Did he say that in substance to you? I am asking you, if Mr. Holmes when he saw you said that he knew you were an honest man and wanted you to tell the truth just as it was?—A. I cannot say.

Q. Can you say what he did say?—A. No, sir.

*By Mr. Bergeron:*

Q. Did you see Mr. Smith the Liberal organizer, Mr. Smith a gentleman here? You know Mr. Smith the Liberal organizer for Ontario?—A. I have seen him once or twice.

Q. Have you seen him here since you have arrived in Ottawa yesterday or today?—A. I think I passed him in the street. I did not speak to him.

Q. Are you sure you didn't speak to him?—A. I may have spoken to him when I was passing him in the street.

Q. You did not speak to him?—A. Not here.

Q. Where did you meet him?—A. I met him in Toronto when we were coming down.

Q. So that Monday night he came down with you?—A. On the same train.

Q. And did he talk to you coming down?—A. No, I never saw him on the train. I do not think he came on the same train, I think he came on the Grand Trunk?

Q. Did you meet him on the train coming down?—A. No, sir.

Q. You did not?—A. No, sir.

Q. Did you have any conversation with him anywhere since this matter has commenced here concerning the testimony which you might give?—A. No, sir.

Q. You swear to that?—A. Yes, sir.

*By Mr. Britton:*

Q. What train did you come by?—A. By the Canadian Pacific Railway.

*By Sir Louis Davies:*

Q. You said to Mr. Borden the ballot box was unlocked in the voting room before you went behind the screen. I asked you was the lid opened or anything taken out?—A. No, sir.

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Q. Was the lid opened at all?—A. No, sir.

Q. When did you see Dancy last?—A. I haven't spoken to him since the election.

Q. When did you see him last?—A. I have seen him once or twice, but I have not spoken to him.

Q. When was the last time you saw him?—A. I cannot tell the date.

Q. Can you tell us?—A. I cannot.

Q. Have you seen him in the last week?—A. No, sir. I haven't been in the town very often this year.

Q. Have you seen him in the last week, I asked you?—A. No, sir.

Q. The last fortnight?—A. No, sir.

Q. Positive of that?—A. Yes, sir.

Q. You say that there were a few ballots marked initialled in ink in the morning. How many can you say?—A. I cannot say.

Q. More than three?—A. I cannot say.

Q. Will you swear there were more than three?—A. No, sir, I cannot swear anything.

Q. Did you see any initialled in ink at any other time by the returning officer?—A. No, I am not sure.

Q. Will you swear you saw him initial any others in ink during the day?—A. No, sir.

Q. So these three or four in the morning were the only ones you saw him initial in ink?—A. The only ones I can swear to.

Q. You had ink there for the purpose of writing in the poll book?—A. Yes.

Q. Did you use the same bottle as the returning officer, or had he another bottle?—A. I cannot say.

Q. Do you remember any more than one bottle?—A. No, sir. I can only remember one bottle; that's all I can be sure of.

Q. Were you present at a conversation between Lawson and Dancy on the election day at which the probable vote was discussed?—A. No, sir.

Q. You were not present?—No answer.

Q. Our friend across here just asked you about the marking of the ballots with ink. I didn't hear your reply. Can you state how many the returning officer marked with ink?—A. No, sir.

Q. Do you want to state about how many?—A. No, sir.

Q. Well, did he begin marking with ink in the morning?—A. Yes, sir.

Q. And what made him stop?—A. The pen used to stick in the paper.

Q. The pen used to stick in the paper?—A. Yes.

Q. He continued to use the ink for some time, but you do not know how many ballots he marked?—A. No, sir.

Q. During the day was there any question about pencils, about getting pencils?—A. Once or twice, I heard fellows asking for pencils.

Q. You heard the fellows asking for pencils?—A. Yes.

Q. You had pencils there for everybody?—A. There was not too many.

Q. Can you state or not whether Mr. Returning officer marked still later on in the day with a pen?—A. I cannot be sure.

Q. Can you state one way or the other?—A. No, sir.

Q. You cannot? So you are unable to assist us in this matter about the number of ballots marked with a pen?—A. No, sir.

*By Mr. Borden:*

Q. Are there any persons besides Mr. Grant and Mr. McEvoy that came to speak to you about your testimony or about what took place on election day?—A. No, sir. Oh, yes, sir.

Q. There was some one else, who was that?—A. Mr. Seager, police magistrate of Goderich.

Q. Mr. Seager, police magistrate of Goderich. Mr. Seager, when did he go out to see you about it?—A. I do not exactly know the day, it was one day during the week.

- Q. Some day last week ?—A. Yes, sir.  
 Q. Was he at you house ?—A. He drove back in the field where I was working.  
 Q. Came to your house and drove back in the field ?—A. Yes.  
 Q. Did you have a conversation there or go back to your house ?—A. Oh, we spoke about five minutes.  
 Q. Did he have any other business ?—A. No, sir.  
 Q. Did he ask you about what took place on polling day ?—A. No, he said he had heard a report that one of the voters that it had been reported to him that one of the voters had made a mistake and voted for Holmes and he came up to see me.  
 Q. That one of the men who had made a declaration had voted for Holmes ?—  
 A. That he thought he had.  
 Q. And he came up to see you ?—A. Yes.  
 Q. What interest was that to him ?—A. I don't know.  
 Q. Was there any proceeding in the police court about it ?—A. I don't know.  
 Q. You don't know whether there was any proceeding ?—A. No.  
 Q. Where does he live ?—A. In Goderich.  
 Q. How far away from you ?—A. About 4 miles.  
 Q. And this was the only matter he discussed with you ?—A. Yes.

*By Mr. Russell :*

- Q. When you came to take out the ballots was there any dispute as to whether the ballots should be counted ?—A. No, sir.  
 Q. Every thing went on harmoniously ?—A. Yes, sir.  
 Witness withdrew.

JOHN LAWSON, sworn :

*By the Chairman :*

- Q. What is your residence ?—A. Dunlop, Ontario.

*By Sir Louis Davies :*

- Q. Mr. Lawson you live in the Township of Colborne ?—A. I do.  
 Q. What is your occupation ?—A. I am a farmer.  
 Q. You remember the election between Homes and McLean ?—A. I do.  
 Q. Were you there and in what capacity ?—A. I was there as scrutineer for Mr. Holmes.  
 Q. You were there as scrutineer for Mr. Holmes ?—A. I was.  
 Q. What time did you arrive in the morning ?—A. Before the poll opened, some time before nine o'clock.  
 Q. Some time before the poll opened, at nine o'clock who was there then ?—  
 A. There was Mr. Cummings, Mr. Tobin, Mr. Shaw came after, I did a few minutes, before the poll opened, and Mr. Chisholm was there, and that is all I am sure of.  
 Q. So you four, Cummings, Chisholm, Shaw and yourself were present at the very opening of the poll ?—A. Myself and Tobin.  
 Q. Tobin was there, was he ?—A. Yes and Shaw and Chisholm.  
 Q. Well what did the returning officer do ?—A. He took the papers from the ballot box and he was looking over them and doing something, filling in something I believe.  
 Q. He took the papers, what ?—A. He was taking the papers out of the ballot box and getting ready for opening the poll and starting the voting.  
 Q. On the morning of the election day you went to the voting booth ?—A. I did.  
 Q. A little before nine ?—A. Yee.  
 Q. And you, Donald Cummings, and Shaw, and Chisholm, and yourself, and Tobin were there ?—A. They were there before the time for opening the poll.

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Q. And my next question was, what was being done by the deputy returning officer then?—A. I don't remember when I went in.

Q. Well afterwards?—A. Shortly after the ballot box was opened and his papers were taken out and the poll book was taken out and the papers and things necessary for carrying on the voting were got into place.

Q. Did you and Chisholm and Shaw sign anything in the book?—A. I signed my signature as —

Q. Just look at that book, that is the book, I believe?—A. Yes.

Q. Your signature is there?—A. Yes.

Q. You signed that?—A. Yes, that is my signature.

Q. At the foot of it?—A. Both signatures are mine.

Q. Was any oath administered to you?—A. In what—well I was—I was ignorant to some extent of what constituted the oath, all that I did was to read over that, that I signed there, and sign it.

Q. Yes.—A. It wasn't—in my case I took it as equivalent to a note.

Q. Did the returning officer say anything to you?—A. I don't think he did.

Q. He signed it?—A. I don't remember him signing it.

Q. Well then the voting began, did it—was the ballot box examined to see whether it was —?—A. It was.

Q. What condition was it in?—A. It was empty when I looked in it.

Q. Was the lid put down on it and locked; when it was empty; are you able to state that; you looked in it?—A. The returning officer told the scrutineers that they had better look in it to see that it was empty, and I looked in, and it was empty of all papers when I look in, and it was locked shortly after that because it was near the time for opening the poll.

Q. Did the others look in?—A. I am under the impression that Shaw did.

Q. Well, then the voting began?—A. Yes.

Q. And you remained all the day?—A. Except when I was at dinner.

Q. With the exception of dinner hour you were there all day?—A. I was.

Q. Now, was there more than one pad of ballot paper?—A. I only saw one.

Q. You only saw one?—A. Yes.

Q. This was produced from the box in the morning?—A. Yes.

Q. Did you take it in your hand at all that day?—A. I don't remember touching it.

Q. There are no marks to enable you to identify it?—A. No.

Q. At all events there was only one pad and it was there on the table?—A. Yes.

Q. When a voter came in what did the returning officer do?—A. He took off a ballot as well as I remember and turned its face over.

Q. From what?—A. That pad.

Q. And then?—A. Turned the face down and initialed it.

Q. And what would he do with it afterwards?—A. I suppose he handed it to the voters but I didn't see the first one.

Q. I was not asking about the first one but during the day?—A. He handed it to the voters.

Q. I was not asking the original first one but he handed it to the voter?—A. Yes, sir.

Q. Before that how did he mark his initials?—A. In what way?

Q. You say he marked his initials, how did he do it?—A. He began with a pen but didn't continue; I remember he complained about the quality of the paper being thin and he continued with pencil.

Q. He began with pen, complained of the quality of the paper, and continued with pencil; could you give how many were marked with pen, before he used pencil?—A. I could not give the number.

Q. How far on in the day was it before he took to the pencil?—A. It was not far on; I could not say; he didn't use it a great while.

Q. Did he use a pen subsequently during the day. Are you able to swear he did or not?—A. I am not positive. In one case, when I was acting as poll clerk, I took his pencil. I was keeping a record of the names of every man who voted in my book. I had an old list of the voters, an old voters' list which had been used

before, and there was a memorandum place in the book, and I just took a note down of the names of the voters, as I knew every one, as he came in. I had lent my pencil to somebody else, or lost it, and I took his pencil; I remember him asking me for it, and he may have initialled a vote at that time with a pen, because a pen was in front of him, but I can't state positively whether he did or not.

Q. Are you able to state at all the number of ballots he marked with a pencil and the number he marked with a pen?—A. I have no idea, except the impression that I have, it was not a large number, but as to the number, I cannot tell.

Q. Coming back to the actual process of voting, you say that Donald Cummings would take up a paper from the pad, and what would he do with it?—A. He handed it to the voter.

Q. He would hand it to the voter?—A. The voter took it and went behind the curtain, and came back with it again after some time, and hand it back to Mr. Cummings.

Q. Just describe what Mr. Cummings would do with it after he got it back?—A. Well, the case I remember now, it is not the particular case, that I am positive of, but he would take it, he would place the ballot on the edge of the table and let the counterfoil project over, the ballots were folded with the discs over the names; if the discs were together, I remember Mr. Cummings saying at the opening of the poll, that if we folded the discs together, the pencil might mark on both discs, and I believe he said something to the effect that he did not want to have any trouble on account of any doubtful ballots, and he folded it the other way, and I believe, as a rule, he creased the ballot, and let the edge of it come over to the edge of the counterfoil, leaving just the counterfoil projecting past the edge. One part was folded over until it came to the edge of the counterfoil. The ballot was sometimes brought back in that shape, and sometimes it wasn't, sometimes it was folded more or less, and he put it down on the table in that position, with the edge projecting over the edge of the table, and tore it off with his right hand, and put the counterfoil in his pocket, and took the right hand again and folded the ballot over twice or, well, till it would go into the box, and then, he picked it up with his right hand and put it in the box. That is as near as I can remember.

Q. That was the *modus operandi*?—A. That was the mode.

Q. About putting the counterfoils in his pocket, was there any conversation between the scrutineers and Mr. Cummings about that?—A. I suggested at the start of the poll, I think, it was probably the first ballot, that he seemed to hesitate about it somewhat, and he tore the counterfoil off, and I said to him you had better throw it on the floor. I was standing just opposite the poll clerk, or over near the wall, and he was at my left, or at my right rather, and I said you had better throw them on the floor there. He said something to the effect that it would make a litter or a muss on the floor, and would just put them in his pocket, and I said no more.

Q. And he continued during the day to put them in his pocket, is that right now?—A. Yes.

Q. And rolled the ballot up and put it in the box.—A. Yes.

Q. You are the gentleman that acted for Michael Tobin when he went to his dinner?—A. I did.

Q. As poll clerk?—A. I did.

Q. Where they there all the time, the Conservative scrutineers?—A. The two of them were not, because Tobin the poll clerk and Shaw went off together.

Q. Leaving you as poll clerk and McManus as Conservative scrutineer and McEvoy as Liberal scrutineer?—A. Yes.

Q. Was there a time when a Conservative scrutineer was not present?—A. Not while I was in the room.

Q. Did you see anything calculated to arouse your suspicion as to the way in which that poll was being taken?—A. I saw nothing.

Q. You saw nothing?—A. Nothing.

Q. You are positive of that?—A. I say that most positively.

Q. You are able to take your oath of that?—A. I can most positively.

Q. Then you took the ballot box behind the curtain, tell us all about the finishing up of the poll about what went on?—A. At the closing of the poll the ballot box—there was a raised platform at one end of the room.

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Q. We know about behind the screen?—A. Well the ballot box was carried up there.

Q. Who carried it?—A. The deputy returning officer.

Q. Do you remember whether it was unlocked before being taken from the main room behind the screen or afterwards?—A. I can't say.

Q. Who went with it?—A. Mr. Cummings carried the box.

Q. How did the procession form?—A. I can't tell the order.

Q. Who went in?—A. There was myself, and McManus.

Q. Yes, and Dancy?—A. Dancy and Tobin.

Q. And Tobin?—A. And Tobin.

Q. And Shaw, that's right isn't it?—A. And Shaw.

Q. There was the two scrutineers, beside the deputy returning officer and the poll clerk and yourself. When you got in where was the ballot box placed?—A. On the table.

Q. What was done with it?—A. It was opened then.

Q. By whom?—A. The deputy returning officer.

Q. By the deputy returning officer?—A. He had it in his hand the whole time.

Q. What did he do after opening the box?—A. He put in his hand and took out one ballot, opened it in such a way that every scrutineer should see how it was marked, and called it out.

Q. Where did he put it after calling it out?—A. He put it on the table. McManus went to take charge of the Conservative ballots, I don't know whether it was the first one that came, or whether it was the first Conservative one; he wanted to take charge of the Conservative ballots, and Dancy objected and said "you have no right to touch it, the deputy returning officer and poll clerk are the only ones going to touch these ballots," and McManus didn't then touch it; they were handed to the poll clerk and he placed the Conservative ballots in one pile and the Reform ballots in another, and weighted each pile down; I lent him my jackknife for one weight and he put an ink bottle on top of the other.

Q. As a matter of fact did any one touch the ballots except the deputy returning officer and poll clerk, as they were taken out and counted?—A. No one, except in one instance, I think, it was in the Reform file. There was one ballot somewhat crumbled and the corner turned up, and Dancy who was standing near took out his pencil and smoothed it out; that was the only case, except where McManus went to touch the Conservative ballot that I have spoken about, that the ballots were touched.

Q. As a matter of fact neither of them touched it with their hands?—A. No.

Q. None of them were touched by anybody except the deputy returning officer and the poll clerk, Tobin, until they had all been counted?—A. No.

Q. I am asked to ask you this question. Was there any trouble about Dancy or fuss about that time?—A. There was an objection raised by McManus when we started out to count the ballots.

Q. When you started to go in or after you got in?—It started before we got in, but whether it was finished before we got inside the screen I can't say; it was finished, however, before we started to count.

Q. Tell in your own way what it was?—A. As I remember it, McManus first asked Dancy what business he had here, I think that was the question, at least that is the idea of it, and Dancy answered that it was none of his business, or, to find out, perhaps he may have said both, and McManus turned to Cummings and said to him "what right has Dancy to go in there?" and I did not hear Cummings give any answer at that time; in fact I asked myself the question, "I wonder if Cummings heard that question." McManus asked him again, "Is Dancy coming here." I think these are the words. "Is Dancy coming up here?" and Cummings seemed to give assent in some way. "Oh, yes," or "I suppose so." I can't give you his words. Dancy turned to McManus and said I have sent in my certificates.

Q. Dancy turned to McManus?—A. I can't say whether the deputy returning officer heard him say that or not, but I remember hearing him say that and McManus said no more.

Q. Then the number of ballots tallied with the number in the book. I think we have brought that out?—A. Perfectly.

Q. Was there any expression made use of as to the results of the poll at the time, by McManus? Did he say anything?—A. Yes, he seemed to be very much put out about it, and at the close of the poll and through the counting he seemed to be rather depressed, and I was of course duly elated. I said never mind Jim I guess your turn is coming. We had quite a large majority of the votes, at least they were coming about two to one in favour of our candidate. We had some more than we expected. I said, "never mind McManus, I guess your turn is coming all right." And then of course at the close of it McManus was very much put out, and he said "I guess Saunders speech must have been very effective up here."

Q. Saunders is a local politician is he?—A. He is president of the Goderich Reform Association. He was up there the night before the election for he said they had been buying votes out here at 25 cents a piece, I said "well, McManus you have got a cheap lot of men on your side," and he said no more and I said no more.

Q. That is the whole of it?—A. Yes, as far as I remember.

*By Mr. Borden :*

Q. When you acted as temporary poll clerk were you sworn in to perform the duties of poll clerk?—A. No, I was not sworn in any way.

Q. You acted as poll clerk for upwards of an hour without being sworn at all to perform the duties of official clerk?—A. No, I was not sworn in any way to do so.

Q. You didn't regard that as peculiar?—A. Well I didn't think of it.

Q. It didn't occur to you?—A. It never occurred to me. I was not sworn at the time as I said I was not. I read it and put my signature to it, and as I said before I regarded it as equivalent to an oath.

Q. Did you see Dancy sworn in?—A. No, I did not see him.

Q. You did not? When did you see his paper: his certificate of appointment as scrutineer?—A. I did not see it.

Q. What was the first incident as to his going in there without any paper authorizing him to act as scrutineer?—A. Well the reason I formed in my mind as to why he came to explain that it is necessary to go back to a previous election.

Q. You need not go back to a previous election. You say you are not aware he put in any paper?—A. No.

Q. And you understood he was going in when the ballots were counted to act as scrutineer?—A. Yes.

Q. Did you regard it as peculiar that he should go in without any appointment and without subscribing the oath in the book?—A. I cannot say I did, because I really did not know the law in the case.

Q. You knew you had subscribed an oath in the book didn't you?—A. I did.

Q. Did you see Dancy do anything of the kind?—A. No, nothing.

Q. Did any reason occur to you why Dancy should act as scrutineer without being sworn whereas the others had subscribed their names to the oath in the book?—A. No, it did not occur to me.

Q. It did not occur to you?—A. No, in fact I did not—

Q. What answer did Cummings make to McManus' objection that Dancy had no papers?—A. I do not remember that he made any answer.

Q. He made no answer?—A. No. At least, no I do not remember hearing him give an answer.

Q. Do you say he made no answer or do you say you cannot recollect.—A. I do not recollect, I do not think, he didn't give one.

Q. Is your memory good enough to say whether he gave an answer or not?—A. It is not.

Q. You have given us very fully accounts of very nearly everything. Is your memory less vivid with regard to this than it is with regard to other matters?—A. Well I do not just understand your question.

## Privileges and Elections Committee.

Q. You have spoken very fully indeed of everything that took place that day but I am asking you—here is an incident which I would think would impress itself on your recollection, a man going in there without papers or being sworn and objection being taken to that in the presence of the returning officer?—A. Yes.

Q. And I am asking you under these circumstances how it happens you cannot recollect whether the deputy returning officer made any answer to that objection?—A. Well if he made an answer—he might have made it—I was not as near to him as McManus.

Q. How far away were you?—A. I cannot say how far I was but I did not hear him make an answer.

Q. Didn't hear him make an answer?—A. No I didn't hear him. He may have made an answer but I did not notice.

Q. But you are positive about this that the deputy returning officer intimated that Dancy should go in?—A. The last question that McManus put to him he seemed to give an assent of some kind.

Q. Assent to what?—A. To Dancy going there. At any rate he did not object to it or prevent Dancy going.

Q. The fact of it was that he permitted Dancy to go in?—A. He did.

Q. And permitted him to go in after McMann had raised the objection that he had no papers?—A. Yes

Q. Yes?—A. Dancy had said that he had passed in his certificate.

Q. That he had passed them in?—A. Given his certificate in.

Q. Yes, did you believe that he had passed them in at the time?—A. I simply took him at his word, I did not question.

Q. Did you believe he had been sworn?—A. I did not know. I had only heard him say; it did not occur to me to ask that question.

Q. Did you ever act as scrutineer before?—A. I never did.

Q. Had you ever been at an election before?—A. Yes, I had acted as poll clerk at the previous election.

Q. Who was the deputy returning officer?—A. James O. Stewart.

Q. What did he do with the counterfoils?—A. He threw them on the floor.

Q. Have you ever seen a man put counterfoils in his pocket before?—A. I never have.

Q. You suggested on this occasion that they should be thrown on the floor?—A. Yes. Although it occurred to me at the time when Cummings said so that they certainly made an unsightly mess on the floor at the previous election, the counterfoils at the end of the table certainly looked untidy.

Q. Yes?—A. It just occurred to me that Cummings said they would make a litter.

Q. Was the room in a tidy condition?—A. The floor was swept.

Q. Were people smoking and spitting?—A. At one part, the lower end.

Q. Was any objection taken to them, were they ordered to desist?—A. They were not.

Q. Were they asked to?—A. They were not.

Q. Which do you say would make the floor more dirty, tobacco juice or these counterfoils?—A. The papers were more noticeable, the floor was the colour of tobacco juice.

Q. Do you think 98 of these would make the floor worse than tobacco juice?—A. No, I say they would be more noticeable because the floor is about the colour of tobacco juice.

Q. The floor is about the colour of tobacco juice?—A. About that.

Q. Was it a clean floor?—A. It had been merely swept; I suppose the tobacco juice from previous elections and election meetings was ground into it?

Q. And you thought it would be more tidy to have the counterfoils put into his pocket?—A. It occurred to me they would be untidy; they were untidy in the previous election; I didn't give it much thought; that thought flashed through my mind at the time.

Q. Mr. Stewart acted at the previous election?—A. He did.

Q. And he acted at the election before that, the local election?—A. It was the previous election on December 8.

- Q. I mean the election before that?—A. I think it was J. O. Stewart.
- Q. He acted at both?—A. I think so.
- Q. Did anybody come to you last week?—A. Mr. Grant came to me and asked if I was there all day.
- Q. Mr. Grant is a gentleman who resides in Toronto?—A. I have heard so since.
- Q. Anybody else?—A. McEvoy.
- Q. John McEvoy who was scrutineer?—A. Yes.
- Q. They came to your house?—A. I was down in the field cutting hay and they came down.
- Q. And you discussed what took place on election day?—A. They asked me if I was there all day and I—
- Q. Was Mr. Grant retained by you?—A. In what sense, a legal sense?
- Q. Was he acting for you as a lawyer?—A. No, he was not.
- Q. The matter was discussed?—A. Oh, certainly, we talked some.
- Q. Had any other man come to see you?—A. No.
- Q. And Mr. Grant asked you to come down here?—A. Yes.
- Q. Did you discuss during the election day with Dancy the probable result of the vote?—A. Yes, towards the close.
- Q. Did you tell him there would be a majority of eight for Holmes?—A. He said to me when nearly all had voted he said "go over your books and see how it stands." I said between 8 and 12 we would have, that is what I expected.
- Q. And what did he say?—A. "Well, we will soon know"—it was near the close of the poll—"we will see."
- Q. Didn't he say, "You will see when the ballots are counted it would be more than that"?—A. No.
- Q. Didn't you tell that to James McManus yesterday morning at breakfast?—A. Tell what?
- Q. That?—A. That he said it would be more than that?
- Q. Yes?—A. No, because such suggestion never has come to me till you gave it now.
- Q. I want to know whether you didn't tell this to James McManus yesterday morning at breakfast?—A. We were talking about it.
- Q. I ask you if this didn't take place; I want to know whether or not you told McManus this that Dancy asked you during election day how the vote would turn out, and when you said there would be a majority of 8 or 10 or 12 or something like that—8 I think it was—for Holmes, and that Dancy said that you would see when the ballots were counted that it would be different from that, or words to that effect?—A. No, he said nothing to me to that effect.
- Q. I ask if you said this to McManus?—A. No, he may have understood me to say so but I didn't.
- Q. You didn't tell McManus that Dancy told you that you would see when the ballots were counted that it would be different?—A. No, I didn't say it, because Dancy didn't say it to me, and I didn't say it to McManus.
- Q. Now, you told Sir Louis Davies that you saw the pad of ballots?—A. I did.
- Q. Did you see that before the voters began to vote?—A. I saw it being taken out of the box or as it was being taken out of the box.
- Q. Did you notice the number "125" on the pad?—A. I may have.
- Q. That is the only pad you saw?—A. Yes.
- Q. You are quite positive as to that?—A. Yes, I am.
- Q. Can you tell how many ballots you saw the deputy returning officer take off that pad?—A. I cannot, not the number.
- Q. You cannot, can you tell me to how many voters you saw him deliver ballot papers?—A. No.
- Q. Can you tell me how many ballot papers you saw put in the box?—A. No.
- Q. Your evidence with regard to that has been with respect to such ballots as you did see delivered and you don't say the number?—A. Yes, the number—
- Q. You can't give the number?—A. I can't give the number, in fact to explain it, my watching was mechanical.
- Q. You had no suspicion of anything wrong?—A. I had not.

## Privileges and Elections Committee.

Q. And there was no occasion for you to watch closely?—A. No, but I was sitting for almost two hours at the right hand of the deputy returning officer, about 5 or 6 feet away, and my eyes were on him then for two hours I should judge, at least I was watching him in a mechanical way, not picking out each individual ballot and seeing that it went into the box, but I have an impression of seeing him taking off a ballot, giving it to the voter, he going behind the screen, taking it back, tearing off the counterfoil and putting it in the box.

Q. That is your impression?—A. Yes, watching it made that impression on me, the particular ones didn't.

Q. Now you anticipated a majority of about 12?—A. That is what I anticipated from going over the list.

Q. The majority was 38?—A. The majority was 38.

*By Sir Louis Davies :*

Q. Where were you standing all this time you were standing watching the returning officer, with relation to the returning officer—just describe how you were sitting?—A. He was there, we suppose that he would be.

Q. Where the writer is?—A. The ballot box would be about there.

Q. Now just stand where you say you would be, supposing that gentleman the returning officer?—A. I would be sitting on the bench running about here in this position with Shaw, the Conservative scrutineer.

Q. Where would the voter come?—A. About where you are.

Q. This would be the position; the ballot box here, the deputy returning officer here and you there?—A. That would be about the position. Well, I was sitting in this seat, I wasn't sitting there all the time, but at the beginning of the poll I was there a good while.

Q. So that the hands of the deputy returning officer, and his right hand particularly, were visible to you if you had looked?—A. Yes.

*By Mr. McInerney :*

Q. The ballots that were initialled in ink by the deputy returning officer were initialled in the morning with one exception?—A. At least he started in the morning with a pen, and I know that he changed and except in the individual case I give you, I don't remember seeing him use a pen afterwards, he used a pencil the rest of the day to my knowledge.

Q. Would you swear that he initialled more than two or three ballots with the pen?—A. I don't swear how many.

*By Sir Louis Davies :*

Q. Or whether it was five or six or eight or nine or ten?—A. No.

*By Mr. Fraser :*

Q. Or twenty?—A. No.

*By Mr. McInerney :*

Q. Or any number?—A. No.

*By Mr. McClure :*

Q. You estimated a majority of twelve for Holmes?—A. I told Daney about twelve, I think.

Q. How did you arrive at that result?—A. I ran over my book, noted those who I thought were undoubtedly Reform, and the Conservative votes, and then I made an estimate as to a certain number of doubtful ones.

Q. Had you made any canvass of the district?—A. No. I can't say I canvassed. I used my influence to some extent with one or two persons, but as far as canvassing goes, I did nothing of it. It was only at a chance meeting I would say something for Holmes.

Q. Was it from any information you had from them you marked these doubtful ones?—A. No, it was not.

Q. Just guessing at it?—A. Yes, a pure guess.

Q. Did you know the counterfoils were numbered?—A. I suppose I knew it, at least in the Ontario elections they are numbered. I didn't know whether it was the rule in this case or not.

Q. In the Ontario elections the ballot is numbered, not the counterfoils?—A. Yes.

Q. But in Dominion elections the counterfoils are numbered?—A. I can't say I knew it for a positive fact.

Q. That was your impression?—A. Well, afterwards, now that I come to think of it, I would think so, but at the time it didn't strike me. I wasn't thinking about them.

Q. Didn't you think it was strange that Cummings didn't number the counterfoil?—A. I didn't know it was necessary in this case. I found it out afterwards, and perhaps that is what is influencing me now.

Q. You knew it was necessary in the Ontario elections?—A. Yes.

Q. And was it done?—A. Yes.

Q. You saw the ballot numbered in the only previous election you had acted at?—A. Yes, they were numbered as we took them off the book.

Q. And were you not surprised they were not numbered in this one?—A. No, as I said before it did not occur to me.

*By Mr. Bennett:*

Q. Was Garrow's majority seven at the previous election in that poll?—A. What is that.

Q. What was Garrow's majority?—A. I can't tell you, I don't know.

Q. As a matter of fact I can tell you it was seven?—A. I did not know it.

Q. You were poll clerk there?—A. I have forgotten what it was.

Q. But is your impression that it was a small majority?—A. My impression is that the usual Reform majority while it varied, but it was in the neighbourhood of between, my impression is, usually, between eight and twelve.

Q. It was seven I am telling you as a matter of fact?—A. I can't tell.

Q. Just another question? Was the voters' list used in the Beck-Garrow election the same voters' list used in the Holmes-McLean election?—A. I won't say whether the names were the same. They were almost the same certainly.

Q. The same voters' list?—A. I can't say whether it was or not.

Q. Don't you remember you referred to this fact that you had a voters' list, that I understand you to say you had used in the preceding election?—A. Yes, somebody gave it to me that day.

Q. Then it was the same?—A. I didn't use it, as it had all been marked up; there was a space at the back and I simply used that memorandum space and didn't use the voters' list.

Q. On the occasion of this election had you another voters' list other than this that you were marking?—A. That was the scrutineers' book, I had one and gave it to McEvoy when he came, it was simply a voters' book with the voters' names in it.

*By Mr. Mills:*

Q. How were party lines in that district drawn, were they straight or did they wobble?—A. They varied to some extent, but not to much extent.

Q. Not to as large extent as the result of this election would indicate?—A. They hadn't done so before to my knowledge, I can't say in fact as to the number of Conservatives and Reformers and the proportion between the numbers I don't pretend to know.

Witness withdrew.

The Committee rose at 1.30 o'clock.

## Privileges and Elections Committee.

COMMITTEE ROOM,  
HOUSE OF COMMONS,  
Wednesday, July 26th, 1899.

The Committee resumed at three o'clock p.m.

J. F. McEvoy sworn.

*By Mr. Russell:*

Q. You reside at?—A. Goderich.

Q. What is your profession?—A. I am a clerk.

Q. A law clerk?—A. I am a clerk in a law office.

Q. A clerk in a law office. Did you take any part in the last Dominion by-election in Huron?—A. Yes, sir.

Q. In what subdivision?—A. I acted as scrutineer for a portion of the day at No. 4 Colborne.

Q. What time did you go out there?—A. I should judge it would be nine forty-five when I got there, it may have been 10.

Q. How long did you remain, till about ——?—A. A quarter to three or three.

Q. Did you get out to dinner or lunch?—A. I had dinner at a farmer's across—

Q. How long were you absent?—A. I should say about half an hour.

Q. Do you remember at what time, at what hour?—A. It would be after twelve.

Q. It would be after twelve?—A. And I think I was back before one.

Q. And you think you were back before one? You were away about half an hour, did you say?—A. Yes, about half an hour.

Q. Whom did you leave in the booth when you went out?—A. Mr. Lawson, the deputy returning officer; I think Mr. Dancy was not there, but I am not certain whether Tobin was there or not.

Q. Shaw and McManus?—A. Oh yes.

Q. Do you remember who you left in charge of the poll book when you went out?—A. I had nothing to do with it.

Q. I know, but who was in charge of the poll book when you went out?—A. I think Tobin was.

Q. Well then you were there substantially from ten o'clock till about three in the afternoon with an intermission of about half an hour?—A. Yes, about half an hour.

Q. And were there as scrutineer?—A. Yes, sir.

Q. Now how did you occupy yourself during that time?—A. How did I occupy myself?

Q. Yes?—A. I just stood and watched the voters come in and crossed their names off the book.

Q. And did you act really as a scrutineer to see that things were going on all right or simply check off the names?—A. I acted to the very best of my ability.

Q. Now, tell us what proceedings did go on with reference to voters as they came in, and describe what took place?—A. The voters came in, got their ballots, went back into the anteroom at the back, voted, brought back the ballots, and gave them to the returning officer.

Q. What did the returning officer do?—A. He tore off the counterfoil.

Q. Would you describe how he tore off the counterfoil?—A. If I had a piece of paper—

Q. I think you had better describe rather than illustrate it, because the reporter will not be able to write down your illustrations?—A. I heard him mention, the returning officer mention, something about folding the ballots across like that, for the reason that these dies would not be marked if it was folded the other way, and so he folded it that way and then he gave it to them like that.

Q. Of course there would be a piece there?—A. The counterfoil on the outside of that.

Q. Like that?—A. Yes, when he got the ballot he put it on the side of the table and tore it off that way, and put it in his pocket, folded the ballot once, twice or three times, I cannot swear which, like that, and took it like that and dropped it in the box.

Q. Did you observe that this took place with respect to each voter that came in? While you were there, I mean?—A. Every voter while I was there.

Q. Well, you were in a position to see the movements of the presiding officer?—A. Yes, I was.

Q. Were you near to him?—A. I was about as far as that gentleman off him.

*By the Chairman:*

Q. Five or six feet?—A. Yes, I should judge about six feet.

*By Mr. Russell:*

Q. Did you observe whether he put into the ballot box the identical paper he received from the voter or not?—A. He put into the ballot box the ballots handed him by the voters. That is all I seen him put in the box, and I was in a position to see him.

Q. Were there others present besides the regular officials in charge of the booth, the polling?—A. Yes, sir, they came in probably two or three, sometimes four or five, probably six came in.

Q. The voters would be coming in while the others that you speak of would be present?—A. Yes. And some would stand at the door while others voted.

Q. These persons outside of the officials and the voters or the individual voter engaged in voting, did you observe whether they did or did not pay attention to the proceedings as well as yourself to see what was going on?—A. I cannot say whether they did or not.

Q. You have said, I think, that you were paying attention to the proceedings?—A. Yes, sir.

Q. Careful attention to the proceedings. You went away before the counting?—A. Yes, sir, I left about three o'clock.

*By Mr. Borden:*

Q. Who took your place?—A. I had the book when I left. I was marking the book, Lawson had the book when I went to the polling booth and I was marking it and when I left I gave it to him.

Q. Did Dancy arrive before you left?—A. Dancy arrived before dinner in the morning.

Q. He did?—A. Yes, sir.

Q. He arrived before dinner in the morning; what time?—A. I should judge about eleven o'clock. It may have been a little after eleven, but I do not think much.

Q. Did he arrive before or after Chisholm left?—A. I did not know until I seen the evidence that Chisholm was scrutineer at all.

Q. I didn't ask you that. I asked you whether Dancy arrived before or after Chisholm left?—A. Chisholm was there all day. He was not in the capacity of inside scrutineer. That is what I mean.

Q. He was not there in the capacity of inside scrutineer at all?—A. Not to my knowledge.

Q. What was he doing when you were there?—A. He was outside.

Q. Outside, he was not in when you were there?—A. He was in two or three times.

Q. What was he doing when he was in?—A. Nothing; he just came in and went out again.

Q. Just came in and went out again?—A. Yes.

## Privileges and Elections Committee.

- Q. Did he speak to no one?—A. Yes, he was speaking to McManus and to me.
- Q. What did he say to you?—A. Nothing, he just passed some remark.
- Q. About voting at all?—A. No, I don't think he did.
- Q. You don't think he did?—A. No, I am almost positive he did not. I remember him coming in and McManus and I were sitting alongside and he said we were a nice looking pair, some remark like that.
- Q. Will you say he didn't talk to you about the voting when he came in?—A. Not to my knowledge.
- Q. Is your memory good enough to swear?—A. Yes, it is, not so far as I remember.
- Q. What I want to get at is whether your memory is good enough to swear that he—A. I would not swear positive because I did not pay particular attention.
- Q. What was Dancy doing after he came?—A. Dancy was an agent; he saw that the vote got in.
- Q. Was he inside or outside?—A. Outside.
- Q. Inside at all?—A. Yes, he was in.
- Q. Did he go in and speak to you?—A. Yes, he did.
- Q. Did he speak to you about the election?—A. I think he came in and asked me to let him look at my book when I was marking it.
- Q. When did you commence?—A. I was marking before dinner and after.
- Q. What hour, eleven or ten?—A. I think about half-past ten.
- Q. You left at three?—A. Yes.
- Q. What did you do when you left?—A. I went over to Dungannon.
- Q. To another polling section?—A. No, I just went over to Dungannon.
- Q. Where is Dungannon, another district?—A. It is in West Huron, but about ten miles from this neighbourhood.
- Q. You went over in connection with the election?—A. To drive a fellow into town after the close of the poll.
- Q. After the close of the Dungannon poll?—A. Yes.
- Q. Were you sworn as scrutineer?—A. No, sir, I was not sworn.
- Q. You say that positively, do you?—A. Yes, sir, I was not sworn.
- Q. You signed your name on the book?—A. Yes, sir.
- Q. Have you ever acted as scrutineer before?—A. No.
- Q. You have not?—A. I have acted as an outside scrutineer, but not inside before.
- Q. Have you studied law?—A.—No, sir.
- Q. In whose office are you?—A. M. C. Cameron's.
- Q. Are you a law clerk?—A. No, I am a clerk.
- Q. An ordinary clerk?—A. Yes, sir.
- Q. You have never been articulated?—A. No, sir.
- Q. Do I understand you to say that you saw every ballot put in the box during the time you were there?—A. Well, I will not swear positively I seen every ballot, but I was in a position to see them all.
- Q. I ask you if you saw every ballot that went into the box when you were there?—A. Well, I would not like to swear positively that I did.
- Q. Were you talking any of the time to McManus?—A. Yes, sir.
- Q. You were?—A. Yes, sir.
- Q. Talking politics some of the time?—A. Yes, sir.
- Q. Sitting on the same seat with him?—A. Yes, sir.
- Q. Were you sitting on the same seat with him all the time?—A. No, sir.
- Q. Where were you sitting the rest of the time?—A. I sat opposite him.
- Q. On the left hand side of the deputy returning officer?—A. Yes, it would be the left.
- Q. When did you get your appointment to act as scrutineer?—A. I got it the afternoon or evening before the election.
- Q. From whom?—A. I got it at the committee. I think it was Mr. Proudfoot gave it to me.
- Q. Did you understand Lawson was a scrutineer?—A. I did not till I got there.

Q. You say you did not understand Chisholm was at any time?—A. No, I did not.

Q. Did you understand Dancy was?—A. No, I didn't understand Dancy was either.

Q. Did you understand he had papers and authority from Mr. Holmes?—A. I didn't understand that he was a scrutineer and I didn't see any papers.

Q. Did you understand that Dancy had papers authorizing him to act as scrutineer?—A. No, sir, not until after the election.

Q. Not until after the election; it was not produced while you were there?—A. No, sir, I didn't see it.

Q. He wasn't sworn while you were there?—A. No, sir.

Q. Now, sir, were you canvassing during the election?—A. Well, yes, I was.

Q. You were?—A. I was.

Q. Were you a paid canvasser?—A. No, sir.

Q. What districts were you canvassing?—A. Well, I didn't canvass any particular district; I just canvassed any one I met.

Q. Canvassed any district where you met any one that could be canvassed effectively?—A. Yes.

Q. In what districts were you?—A. Colborne, Ashfield, I don't think I was in Wawanosh.

Q. You don't think you were there?—A. No, sir.

Q. You were in Goderich town?—A. Yes.

Q. Were you in Goderich township?—A. Yes, sir, but not canvassing; I didn't go in any of these places canvassing.

Q. What did you go as?—A. I just went out in the evenings with the speakers.

Q. What speakers?—A. The night I went to Kintail it was with the Glee Club.

Q. Was the Glee Club going to speak?—A. Going to sing.

Q. It went to these meeting?—A. Yes, sir.

Q. You went out with the Glee Club, were you a member of the Glee Club?—A. No, sir.

Q. What speakers were there?—A. There was, I think, the Honourable Charles Fitzpatrick speaking there that night.

Q. You went out with him?—A. No, sir, I said I went out with the Glee Club.

Q. But I thought you went out with the speakers?—A. No, sir, I went to Kintail with the Glee Club, I went to other places with the speakers.

Q. That is what I am asking about?—A. I went to—I think to Smith's Hills—with Mr. Collins or Mr. Moscript.

Q. You went to hear Mr. Collins speak at where?—A. Smith's Hills.

Q. Does Mr. Collins reside in the constituency of West Huron?—A. No, sir.

Q. Where does he live?—A. He lives in Exeter, Exeter I think is his home.

Q. What county?—A. In the county of Huron.

Q. But not in the west riding?—A. No, sir.

Q. Any other speakers you went out with?—A. I think, Mr. Moscript.

Q. That was the same occasion?—A. Yes.

Q. Any one else?—A. I don't think so.

Q. Did you hear any one else from outside the county speak during that election?—A. Mr. Holmes, but of course he was not from outside.

Q. The Postmaster General spoke, didn't he?—A. Yes, sir, and I don't know whether it was that election the Honourable Mr. Paterson and the Honourable Mr. Tarte spoke in Goderich.

Q. Did you see any workers from outside the constituency during the election?—A. Yes, sir.

Q. Who did you see; did you see a gentleman known as Captain John Sullivan?—A. Yes, sir.

Q. Where did you see him?—A. I saw him at the British Hotel.

Q. Did you see him employed else?—A. I saw him on the street afterwards.

Q. How long was he in the constituency as far as you know?—A. I could not say to a specified time.

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Q. How often did you see him?—A. I might have seen him half a dozen times and I might have seen him——

Q. Don't you know he was there a couple of weeks?—A. I don't know that he was.

Q. You may have seen him half a dozen times?—A. Yes.

Q. Where did you see him?—A. I seen him at the British Hotel.

Q. Where is that?—A. At the town of Goderich.

Q. He was there during the previous local election?—A. Yes.

Q. Did you drive him?—A. No, sir.

Q. Did you drive with him?—A. No, sir.

Q. Did you see him anywhere else than in the town of Goderich?—A. No, sir.

Q. You didn't see him anywhere else?—A. No, sir.

Q. Do you know a gentleman by the name of Dan Ferguson of London?—A. I think I did meet a gentleman up there by that name.

Q. You think you did?—A. I think so; I would not be sure, but I think I did.

Q. You did meet him?—A. I think I did.

Q. Where did you meet him?—A. At the Liberal committee room.

Q. Did you meet Captain Sullivan there too?—A. No, I don't think I did.

Q. Did you know what Sullivan's business was?—A. No, I don't think I did.

Q. Had you any idea?—A. I suppose he was there for election purposes.

Q. Have you any doubt about it?—A. I don't know that he was.

Q. Have you any doubt that he was?—A. Well, I never seen anything.

Q. I am not asking if you seen anything. I ask you have you any doubt as a matter of observation that he was there in connection with election, I don't care what you answer?—A. Well I have no doubt that he was there in that connection, but at the time, I did not know.

Q. You had no doubt you say of seeing Ferguson in the Liberal committee room?—A. Yes, sir.

Q. Have you any doubt as to what he was there for.—A. No.

Q. You haven't? He was there in connection with the elections?—A. I judge so.

Q. What was he doing there in the Liberal committee rooms?—A. He was writing at the table when I saw him.

Q. Did you ever see Cummings in the Liberal committee room.—A. Not to my knowledge.

Q. Any other deputy returning officer?—A. No, sir.

Q. You didn't see any of them there?—A. No, sir.

Q. Not even those in the town of Goderich?—A. I don't know who they were.

Q. Do you know a gentleman named Thomas Lewis of London?—A. Yes.

Q. Did you see him there in the elections?—A. Yes I met him.

Q. Where did you meet him?—A. On the night I was at Kintail.

Q. Did you meet him at this meeting you went to?—A. I think so. It was at the meeting there, but wouldn't be sure whether it was there or not.

Q. You met him on more than one occasion?—A. Yes, I met him there and at a livery stable.

Q. On two occasions only?—A. That is all.

Q. Have you any doubt he was there for the election?—A. I was told he was an organizer.

Q. Do you know what his business is in London?—A. Somebody told me he was a bartender, and I was told he was an organizer.

Q. Bartender and organizer?—A. That's what I heard.

Q. Any one tell you whether he was a Liberal or a Conservative?—A. I understand he was a Liberal organizer.

Q. Did you see a gentleman named William Milloy of London?—A. Yes, sir.

Q. Where did you see him?—A. I saw him at the British Hotel.

Q. At Goderich?—A. Yes.

Q. Did you see him on more than one occasion?—A. I don't remember.

Q. Did you ever have any conversation with him?—A. No.

Q. What was he doing at the hotel?—A. He was walking up and down the hall.

- Q. Were you introduced to him?—A. I was introduced to him by Mr. Hall.
- Q. You understood he was a Liberal organizer also?—A. Yes, I understood he was.
- Q. He was another Liberal organizer?—A. Yes.
- Q. Did you see him at the committee rooms?—A. No, I did not.
- Q. Did you see a gentleman name John Gorman, of London?—A. Yes, I think I did.
- Q. Did you understand he was there in connection with the election?—A. Yes, I did.
- Q. Did you understand he was a Liberal organizer also?—A. I understood he was an organizer of some kind.
- Q. Was he a Liberal or Conservative?—A. Well, he was a Liberal.
- Q. Did you meet him at the committee room?—A. I don't think I saw him there?
- Q. Did you meet him more than once?—A. I think I met him twice or three times, once in the barber shop.
- Q. Were you introduced to him?—A. I was; somebody introduced him to me in the barber shop.
- Q. Did these gentlemen remain in Goderich all the time, or did they go out in the country?—A. The only time I seen any of these gentlemen, with the exception of Lewis, they were in town.
- Q. Did you understand they were organizing the town of Goderich or the whole riding?—A. I did not know whether they were or not, I heard they were organizing, and that is all I know about it.
- Q. Did you have any conversation with Captain John Sullivan?—A. No conversation—I did have a conversation with him.
- Q. With regard to the election?—A. No, sir.
- Q. Not with regard to the election?—A. No, he was going out to a meeting one night with a speaker or some one I think, and I rode around from the hotel to the office with him.
- Q. Did you know Mr. James Farr, who acted as deputy returning officer at No. 3, in the town of Goderich?—A. Yes, sir.
- Q. Do you know anything of his whereabouts at the present time?—A. No, sir.
- Q. Have you heard where he is?—A. Yes, I heard somebody say he was in Dakota, and somebody else said he was in Detroit, that is all I know.
- Q. You heard he was in the United States?—A. Yes, I heard three or four different places, but I don't know where he is.
- Q. He was working in Toronto after leaving Goderich, wasn't he?—A. I understood he was.
- Q. Do you know Mr. Dancy?—A. Yes, sir.
- Q. He is a lawyer practising in Goderich, isn't he?—A. Yes, sir.
- Q. Do you know whether he was in Goderich at the present time or was there when you left?—A. The last time I seen him he was in Goderich.
- Q. When was that?—A. Ten days ago.
- Q. Did you know whether he was going away anywhere?—A. I did not.
- Q. You did not understand that he was?—A. No.
- Q. Did you hear that he is absent from Goderich?—A. Yes I heard he was.
- Q. How long ago is it since you heard he was absent?—A. Oh, four or five days ago.
- Q. Do you know when he is expected to return?—A. I do not know anything at all about him.
- Q. Now do you know where the ballots were printed for this election?—A. No, sir, I do not.
- Q. You don't know?—A. No.
- Q. You have no idea?—A. No, sir.
- Q. You never heard?—A. I heard they were printed at the *Signal* but I don't know.
- Q. At the *Signal* office?—A. Yes, I heard so.
- Q. In the town of Goderich?—A. Yes, sir.

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Q. You didn't see any of these ballots before the election?—A. No, sir.

Q. No ballot at all?—A. No, sir.

Q. Not before the election?—A. No, sir.

Q. Where did you vote?—A. I voted at No. 4 Goderich town, I don't know whether that is the right number or not, but it was at Bates'.

Q. Who was the deputy returning officer where you voted?—A. I think Mr. Bates was.

Q. Was it Mr. Bates or Mr. Henning?—A. It may have been Mr. Henning, I think it was Mr. Bates, but couldn't be certain now which it was.

Q. You know it was No. 4?—A. Yes.

Q. You have told us about certain gentlemen who were organizing in the constituency; were there any others from the outside that you saw during the election?—A. Not that I know of.

Q. I have named all of them, have I?—A. Yes, sir.

Q. All that you remember?—A. Yes, sir.

Q. You don't know of any others?—A. No, sir.

Q. Do you remember outside men being at Dungannon?—A. Yes, sir.

Q. Who was he?—A. That is what I don't know what his last name was, they called him Nip.

Q. Perhaps his last name was Tuck?—A. Probably, I don't know.

Q. Did you ever have any conversation with Farr after the election, with Mr. James Farr I mean?—A. I think, yes, I spoke to him.

Q. Did you have any conversation with him about the voting at his poll?—A. No, sir.

Q. None whatever?—A. No, sir.

Q. Did you ever hear him make any statement about the voting at his poll?—A. No, sir, not in my presence.

Q. You didn't hear it?—A. No, sir.

Q. Are you quite positive about that?—A. Yes, sir.

Q. You heard about the ballot being picked up on the floor in his poll?—A. I read about it.

Q. You read about it but didn't hear about it?—A. Yes, sir.

Q. Were you at his poll at all during the day, No. 3 Goderich?—A. No, sir.

Q. You were not there?—A. No, sir.

Q. Did you hear any objection made to Dancy by McManus?—A. I cannot swear that I did. But it appears to me I did.

Q. You thought you did?—A. I think I heard McManus object to him in the morning. I won't swear positively I did, but that is my recollection of it.

Q. What time in the morning?—A. Before dinner some time.

Q. On what ground?—A. Mr. Dancy came in. Mr. McManus said "what are you doing here," and I think Dancy said none of his business or something to that effect and McManus asked him if he had his papers and Dancy said he had the documents.

Q. Did you see the documents?—A. No, sir.

Q. You didn't see them?—A. No, sir.

Q. That in your recollection?—A. Yes, sir.

Q. Are you positive about that?—A. I would not swear positively that he said that, but to the very best of my recollection I imagine that he did say that.

Q. You imagine that?—A. I imagine that he did say that.

Q. You mean you believe it?—A. Yes, sir, I believe it.

Q. I think you stated before you came on the stand here that you were going to swear that?—A. I do not think I did.

Q. No latter than yesterday?—A. I do not think I did.

Q. Are you sure about that?—A. I remember having a conversation but I do not think I did.

Q. You don't think you said that?—A. No, sir, I don't.

Q. At how many elections have you been present and had anything to do with them?—A. Oh, two or three.

- Q. Did the deputy returning officer on these occasions put the counterfoils in his pocket ?
- Q. Did he number them ?—A. I do not know.
- Q. You do not know ?—A. No, I do not.
- Q. You did not take enough interest to know whether he numbered the counterfoils ?—A. I do not know whether he numbered them or not.
- Q. Do you know whether he initialled the ballots ?—A. I seen him initial some.
- Q. You saw him initial some ?—A. Yes, sir.
- Q. Do you know how many ?—A. Well all to the best of my knowledge.
- Q. You did not see him number any counterfoils ?—A. No, I did not see any counterfoils, not after they were torn off.
- Q. Before they were torn off, did you notice whether or not he numbered them ?—A. No, sir, I did not.
- Q. How was it you noticed with regard to the initialing and not to the number on the same paper ?—A. I noticed the initialing; I seen him initialing them. If that was what he was doing.
- Q. You didn't notice him numbering the counterfoils ?—A. He may have numbered them.
- Q. You don't know which he was doing; you have no idea whether the counterfoils were being numbered or not ?—A. Yes.
- Q. Or were the ballots initialed ?—A. I do not know whether he was numbering them or initialing them.
- Q. What was he doing that with ?—A. He had a pen and a lead pencil.
- Q. Which did he use first ?—A. He was using the pen in the morning.
- Q. Do you know why he discontinued it ?—A. I heard the poll clerk make some remark to him about tearing the paper or something. I went to borrow the poll clerk's lead pencil and he cut it in half. I think he cut it from Cummings' lead pencil. I think it was Cummings' pencil. I got one half the pencil.
- Q. Did you say he was using the pen after you arrived there ?—A. After when I first arrived there, but before dinner.
- Q. Do you mean he was using the pen and then stopped and got a pencil ?—A. I think Tobin got the pencil and he had the pen in his hand.
- Q. Did you see him with the pen in his hand except that once ?—A. No, sir, I do not think I did.
- Q. You went with Mr. Grant to interview Mr. Lawson and Mr. Tobin ?—A. I went to the country with Mr. Grant, yes.
- Q. Yes, Mr. Grant called on you in Goderich ?—A. No, he didn't.
- Q. You called on him ?—A. Yes.
- Q. When was that ?—A. Saturday I think, yes Saturday.
- Q. He is a barrister, isn't he ?—A. I understand he is.
- Q. Residing in Toronto ?—A. I think so.
- Q. Secretary of the Liberal organization for Ontario I believe ?—A. I do not know.
- Q. Do you know about that ?—A. I do not know.
- Q. How did you come to call on him ?—A. Another Mr. Grant called at my place in the morning.
- Q. What is the name of this other Mr. Grant ?—A. R. A. Grant. No B. D. Grant.
- Q. He called on you on that morning ?—A. Saturday morning.
- Q. Yes ?—A. And he told me that Mr. Grant, that he had seen Mr. Grant, and he had been asking to see me. I do not know if he said asking to see me, but asking about me. So I asked where he was and he told me he was staying at the British.
- Q. Did he tell you what Mr. Grant's business was ?—A. No, sir. I believe he said he wanted me to go to the country.
- Q. And you called on him at his hotel ?—A. Yes.
- Q. The British hotel ?—A. Yes.
- Q. You had some conversation with him about the election ?—A. No, not there.
- Q. I beg pardon ?—A. Not there.
- Q. Before you went to the country ?—A. Yes, I had some conversation with him.

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Q. And eventually you went with him to call on Tobin the poll clerk and Lawson the scrutineer?—A. Yes.

Q. Did you call also on Chisholm?—A. No, sir.

Q. You didn't call on Chisholm. Did you call you see Mr. Dancy?—A. No, sir.

Q. Why didn't you call to see Mr. Dancy?—A. I don't know, I'm sure.

Q. He didn't want to?—A. He never said to call on him or anything. I believe Dancy's name was mentioned, I do not know just what it was. I remember him mentioning Mr. Dancy's name some way, but I do not remember what it was about.

Q. No, at all events you didn't go to see him?—A. No, sir.

Q. Did you tell him Dancy was away or did he know?—A. No. I didn't tell him such a thing. I don't know now as a fact that he is.

Q. You called with Mr. Grant to see no one else besides the two you have named?—A. We called to see Mr. Horton.

Q. Who is Mr. Horton?—A. Town clerk, no town treasurer.

Q. Town treasurer. They discussed municipal affairs or election affairs?—A. I do not think so; he wasn't there more than a minute.

Q. Any one else?—A. That is all.

Q. He did not call to see Mr. Seager?—A. No, sir, not while I was with him.

Q. Any one else?—A. No.

Q. Were you aware that the counterfoil should be destroyed?—A. I really didn't know. I was green as a scrutineer and didn't know whether they had to be destroyed or not.

Q. You had seen them put in the pockets before, I suppose?—A. No.

Q. You never had?—A. No, I had not.

Q. Didn't it strike you as unusual?—A. No, I did not know as a fact what we had to do with them.

Q. You had never seen this done before?—A. No, I had not.

*By Sir Louis Davies :*

Q. I would just like to ask you, Mr. McEvoy, how long before you went to your dinner was it before you saw the deputy returning officer using a pen marking ballots?—A. It would be probably half an hour.

Q. Half an hour? You got there about nine o'clock?—A. No, sir, about a quarter to ten.

Q. About a quarter to ten, and you went to your dinner about?—A. It was after twelve.

Q. After twelve. So that it would be between ten and the time after twelve when you went to your dinner that you saw him using the pen?—A. Yes, sir.

Q. What was there that the poll clerk said? I didn't quite catch that answer you said "I heard the poll clerk say to him—" and then I left a blank in my notes?—A. He said something to him about tearing the paper with a pen.

Q. About tearing the paper with a pen?—A. When he was marking them.

Q. The ballot paper you mean?—A. Yes.

Q. Tearing the ballot paper with a pen. Are you able to tell how many ballots he had marked with a pen?—A. No, sir, I cannot.

Q. But you have a distinct recollection of that?—A. Yes.

Q. Are you sure of it?—A. Yes, sir.

*By Mr. Borden :*

Q. You spoke about this marking ballots with a pen half an hour before you went to lunch. Did he mark more than one ballot?—A. I cannot say that.

Q. Was it on that occasion that he spoke about tearing the paper with a pen?—A. It was on the occasion when I borrowed a lead pencil.

Q. That was about half an hour before you went to lunch?—A. Yes, I think so.

Q. You saw him use the pen once?—A. Yes.

Q. You will not say more than once?—A. No, sir.

Q. And on that occasion he spoke of its tearing the paper?—No answer.

Mr. BRITTON.—He didn't say that.

*By Mr. Borden :*

Q. Didn't you tell me that ?— A. Yes, sir, it was the poll clerk. Did you understand I meant the deputy returning officer ?

Q. I was speaking of the deputy returning officer ?—A. It was the poll clerk that spoke to me about his tearing the paper with a pen.

Q. It was the poll clerk ?—A. Yes, it was the poll clerk that made the remark to me.

Q. But it was on the occasion of your borrowing the lead pencil that this remark occurred ?—A. Yes, sir.

Q. That was about half an hour before you went to lunch ?—A. Yes, sir.

Witness withdrew.

HENRY ZOELLNER recalled :

*By Sir Louis Davies :*

Q. I have forgotten your name again. It is a German name, what is it ?—A. Zoellner.

Q. I wanted to ask you before you finished your examination, you understand that you are on oath—if you don't happen to understand me thoroughly, just ask me again. I want to ask you whether since you voted at the election you told anybody you had voted for Holmes ?—A. No, sir.

Q. I want you to be careful before you answer, because I may have to call witnesses here in the matter, you understand that ?—A. Yes, sir, I know.

Q. Whether you told any person that you voted at the election for Holmes, now before you answer think over it and see you answer right. Are you able to swear you did not ?—A. Yes, sir.

Q. You didn't tell anybody or did you tell anybody ?—A. Not to the best of my knowledge.

Q. That is the best you can say about it ?—A. That is the best I can say about it.

Q. Who did you say was with you when you returned from the poll ?—A. Mr. Bogie.

Q. Was he in the same waggon or carriage with Chisholm and Anderson ?—A. No, sir.

Q. Well you returned from the poll with Chisholm and Anderson, didn't you ?  
A. I returned from the poll with Mr. Chisholm up to the church.

Q. And who was with you and Chisholm at that time ?—A. There was no body with us.

Q. I thought you mentioned the name of another person ?—A. That was after I voted and we were up to the church and Mr. Bogie came—that is my neighbour—and I asked him if he would return home straight when he voted and Mr. Chisholm turned and went down to the poll again.

Q. How far is the poll from the church ?—A. About forty rods.

Q. Well between the poll, returning to the church was anybody with you but Chisholm ?—A. That is all.

Q. What is the name of the other man that went up to the poll with you and Chisholm ?—A. Dan McLeod.

Q. That is it, I have called him Anderson. Did you see McLeod after the poll ?  
—A. No.

Q. It was Chisholm you drove back with ?—A. Yes.

Q. Did you tell Chisholm at any time you have voted for Holmes or polled your vote for Holmes ?—A. No, sir.

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Q. You did not?—A. No, sir.

Q. And as far as you recollect you didn't tell anybody?—A. No, sir, nor told Mr. McLean either.

Q. You didn't tell anybody?—A. It might be a long time after.

Q. You say a long time after?—A. I might say I voted for McLean.

Q. How long after?—A. I don't recollect how long after the voting. There were some men speaking to me, but I don't recollect who they were.

Q. After the vote was over some men spoke to you and asked you how you voted but you don't recollect who they were?—A. No, sir.

Q. Where was this?—A. In Goderich.

Q. You think in the town of Goderich?—A. Yes, sir.

Q. And do you mean to tell the Committee you cannot recollect who these parties were?—A. No, sir.

Q. You cannot recollect?—A. Not just now.

*By Mr. Fraser (Guysboro') :*

Q. Did you tell them then who you voted for when they spoke to you?—A. I told them then I voted for McLean.

Q. And you voted for him?—A. Yes.

Q. And you don't remember the men you told that to?—A. I almost think I told that to Mr. Glazier.

Q. Was that in Goderich?—A. No, that was down in Dunlop.

Q. But in Goderich?—A. Well——

Q. Now, didn't you keep it a secret for a long time after the election?—A. Well, I didn't keep it a secret.

Q. But you didn't tell anybody, you have kept your own counsel?—A. Yes.

Q. You didn't want your neighbours to know?—A. No.

Q. You did keep it to yourself?—A. Yes.

Q. And didn't tell anybody till you signed that paper?—A. Yes.

Q. And didn't tell anybody?—A. Except Mr. Glazier, to the best of my knowledge.

Q. You don't remember telling anybody you voted for McLean?—A. No, sir.

*By Mr. Russell :*

Q. You don't remember telling Chisholm you were going to vote for Holmes and free corn?—A. No, sir.

*By Mr. Borden (Halifax) :*

Q. As a matter of fact, Mr. Zoellner, you did vote for McLean; you have already told us that?—A. Yes, sir.

Q. You don't recollect telling anybody how you voted?—A. No, sir.

Q. The only one you can recollect is Mr. Glazier?—A. Yes, sir.

Q. Where does he live?—A. He lives in Dunlop.

Q. And you told him you voted for McLean?—A. Yes, sir.

*By Mr. Fraser (Guysboro') :*

Q. How long was that after the election?—A. I don't remember, it might be a week and it might be two weeks.

Q. And how did it happen you told him?—A. Well, he keeps a tavern there and I came past from the town and told him.

Q. You had a drink together?—A. Yes.

Q. And then you told him you voted for McLean?—A. Yes, sir.

Q. You remember distinctly telling him that?—A. Yes.

Q. Now, until you signed the paper you never told any but him?—A. No, sir.

Q. And you don't say you didn't tell somebody you voted for Holmes?—A. No, sir.

Q. But you don't remember?—A. I never said I voted for Holmes.

Q. You don't remember?—A. Well, I say I could almost swear to it that I never voted for Holmes.

*By Mr. McClure :*

Q. When Chisholm was taking you to the poll did he ask you to vote for Holmes?—A. No, sir.

Q. Well, in the stable?—A. Well, he might have spoken to me; he had one of them papers that came out, I think, from Mr. Taylor; Mr. Taylor and Saunders is his name made a speech; he said he had writings there and he said Mr. McLean was against the farmer and he said "you surely would not vote for a man like that."

Q. And what did you say?—A. I said I would vote for whom I liked.

*By Mr. Britton :*

Q. Can you read?—A. Yes, sir.

*By Mr. Russell :*

Q. Do you remember what you said last to Mr. Fraser a while ago?—A. Well, he was asking me if I spoke to anybody that I voted for Mr. Holmes?

Q. And your answer was?—A. I said I didn't; I didn't vote for Mr. Holmes.

Q. Well, I misunderstood you, I understood you to say you could almost swear you didn't vote for Mr. Holmes?—A. Yes, that is what I said.

Q. Your words were you could almost swear to it that you never voted for Mr. Holmes?—A. Yes.

Q. You could almost swear that you never voted for Mr. Holmes?—A. Yes, sir.

Q. Well, I suppose from that——?—A. I say to the best of my knowledge that I never voted for Mr. Holmes.

*By Mr. Borden (Halifax) :*

Q. You told me you voted for Mr. McLean?—A. Yes, sir.

Q. There is no doubt about that?—A. No, sir.

Q. What you meant was that you almost could swear you never said to anybody you voted for Holmes?—A. Yes.

Q. You could almost swear you never said you voted for Holmes?—A. No, sir.

Witness discharged.

JAMES REID SWORN.

*By Mr. Borden (Halifax) :*

Q. Mr. Reid, you reside in the town of Goderich?—A. Yes, sir.

Q. You are tax collector, assessor and street inspector, I think, for that town?—A. Yes.

Q. Your office is in the town hall?—A. Yes, sir.

Q. This is a little sketch of the second floor of the town hall in which your office is situated?—A. Yes, sir.

Q. "A" represents your office; the council chamber is so marked?—A. Yes.

Q. What is this?—A. That is a small room that is used.

Q. Of no importance in this connection?—A. Well they used it for counting the ballots.

Q. "B" is that small chamber?—A. Yes.

Q. "C" is where the councillors sit?—A. Yes.

Q. Is this the place where the table was?—A. No, that is where the Mayor sits.

## Privileges and Elections Committee.

Q. And "D" is a hall and stairway leading down below?—A. Yes, the entrance is here you see.

Q. You remember the election on the 21st of February last?—A. Yes, sir.

Q. The poll was held on this floor of the town hall which is represented by this sketch?—A. Yes.

Q. And the deputy returning officer was James Farr?—A. Yes.

Q. Where did he sit?—A. Inside the table there.

Q. Near where "C" is marked?—A. Yes, where "C" is marked.

Q. And the voters came straight up and went into "B" and marked it and came out and gave it to the deputy returning officer?—A. Yes, I suppose so.

Q. Were you not there?—A. No, I was in once.

Q. Did you know how the voters went?—A. No, I was only in for a minute.

Q. Did you see Mr. Farr that day?—A. Yes, I saw him.

Q. Did you see him walking around at all, around the hall?—A. Well, he came into my office a couple of times.

Q. Did you see him out of doors at all during the day?—A. I met him once downstairs.

Q. Between nine o'clock in the morning and five in the afternoon?—A. Yes.

Q. During the hours of polling?—A. Yes.

Q. Did you pick anything up in the hall that day?—A. Yes, I picked up some pieces of paper, a ballot.

Q. Show me about where you picked them up?—A. Under the window in the hall.

Q. Under the window in the hall?—A. Yes, on the floor.

Q. Well, just put a little mark there where it was?

Witness marked the diagram.

Q. You put the mark right there?—A. Yes, right there.

Q. You picked up some paper about the point marked (E)?—A. Yes.

Q. On picking them up could you tell what they were; what they had been?

—A. I thought it was a ballot when I picked it up, and I asked the young man who was standing there what the ballots were doing out there.

Q. Who was present there?—A. Mr. Martin.

Q. What is his first name?—A. Hamilton.

Q. Does he reside at Goderich?—A. Not now.

Q. Where does he reside now?—A. Detroit, I think; I am not sure.

Q. Did you put the pieces together?—A. I opened them up and put them together as well as I could on a piece of paper.

Q. They were torn up in such a way that you could arrange them as they had been before it was torn?—A. Yes.

Q. Could you tell whether it was a marked ballot or not?—A. It had marks on it.

Q. It was a marked ballot?—A. Yes.

Q. For whom was it marked?—A. It was marked in the disc opposite Mr. McLean's name.

Q. What did Hamilton Martin say about it?—A. He didn't say anything.

Sir Louis Davies objected to the question.

*By Mr. Borden:*

Q. He was the Liberal scrutineer, I think?—A. Yes.

Q. And you picked it up in his presence?—A. Yes.

Q. What did you do with the pieces after taking them to your office?—A. I put them together on a piece of paper and well, when I was leaving I just put the paper in a drawer, and left it in our office all night.

Q. Yes. Was your office locked?—A. Yes.

Q. Next morning did you discover anything further?—A. I found some pieces of ballots next morning in the polling booth.

Q. Where on the plan?—A. Just here.

Q. Near where?—A. At the right of "C."

Q. Where the deputy returning officer had been?—A. Yes.

Q. What did you do with them?—A. I put them in an envelope and gave them to Mr. Hayes.

Q. Before giving them to Mr. Hayes where did you keep them?—A. In the office.

Q. Did you put them in the drawer?—A. Yes.

Q. Did you see Hayes that morning?—A. I saw him the morning after the election.

Q. Was it the morning after the election you picked them up?—A. These pieces inside?

Q. Yes.—A. Yes.

Q. And that morning you met Hayes?—A. Yes.

Q. Mr. R. C. Hayes, barrister?—A. Yes.

Q. Was that after you picked the pieces up?—A. Yes.

Q. Did you tell him you had picked the pieces up?—A. He asked me if I had picked up a ballot and I said yes.

Q. You went with him to the office?—A. Yes, and I gave it to him.

Q. You gave him the pieces of the ballots you picked up the day before?—A. Yes.

Q. Did you give him anything else?—A. I gave him all I had.

Q. The pieces you picked up that morning?—A. Yes.

Q. Subsequently you were at Hayes office and signed this memoranda?—A. Yes.

Q. And you observe that this ballot had the initials "J.F." on it?—A. Yes, Mr. Hayes showed it to me.

Q. Mr. Hayes pointed it out to you?—A. Yes.

Q. These pieces of ballot which are not marked No. 2 were in the same condition when you gave them to Hayes as they were when you picked them up?—A. Yes, sir.

Q. You did nothing to them. You didn't put any mark on them?—A. No.

Q. Were these pieces of ballot that you picked up on the morning of the 22nd in the same condition when you gave them to Mr. Hayes as they were when you picked them up?—A. Yes, sir.

Q. You put no mark on them?—A. No.

Q. When you picked these pieces of ballot up on the afternoon of the 21st, did you show them to Martin, do you remember?—A. No, nothing more than I asked him what they were doing there.

Q. About what time in the day was it you picked these pieces up?—A. It would be between half past four and five.

Q. Before giving to Mr. Hayes the pieces which you had picked up on the afternoon of the 21st had you examined the back of them?—A. No.

Q. You had not examined the back of them?—A. No, I hadn't looked at the back at all.

*By Sir Louis Davies :*

Q. Were you voting, Mr. Reid?—A. Not there.

Q. You were not voting that day?—A. Not at that polling subdivision.

Q. And you were not in that polling booth at all?—A. No.

Q. So that you are only able to assume that the voters went into that room?—A. I looked in once and saw where the deputy returning officer was sitting.

Q. That was all you saw?—A. Yes.

Q. You saw nothing else?—A. No.

Q. And the rest is simply presumption, that is all?—A. That is all.

Q. What time did you vote?—A. I voted after dinner.

Q. Voted after dinner?—A. Yes.

Q. Where?—A. I voted in the other end of the town.

Q. Are you a Conservative?—A. Yes, sir.

Q. What time did you go back to the office after voting? I just want to identify the time you picked it up if I can?—A. It would be about half-past one or two o'clock.

Q. You were standing around your office, I suppose, more or less, attending to your business?—A. I was in the office most of the afternoon.

## Privileges and Elections Committee.

Q. You say your office is in the other end of the floor where the poll was?—  
A. Yes.

Q. How many feet would it be? Across the hall?—A. Yes.

Q. Some time during the day Farr would be in your office?—A. Yes, a couple of times.

Q. I suppose there would be times when the people would not be voting?—  
A. Yes.

Q. Was it about that time you discovered this paper or was it when you went to vote in the morning?—A. Oh, I didn't get that until half-past five.

Q. It was before that you saw Farr?—A. Oh, yes.

Q. And there was nothing transpired during the day to which you wish to call attention, only at half-past five when you picked up these pieces?—A. That is the only thing.

Q. Who was with you when you picked it up?—A. Martin was there.

Q. Who was he?—A. He was the outside scrutineer.

Q. Oh, he was the outside scrutineer?—A. Yes.

Q. And he was standing in his proper place?—A. Yes.

Q. As outside scrutineer?—A. Yes.

Q. And you picked up some papers on the floor?—A. Yes.

Q. How many pieces were there altogether?—A. I can't say.

Q. Well, you have pasted them together, you ought to know?—A. No, I didn't paste them.

Q. The pieces of paper you picked up you can't tell me how many pieces there were altogether in it?—A. No.

Q. Did you form any idea?—A. No, I haven't any idea.

Q. But whatever was the number of pieces, you gave them to this gentleman, Mr. Hayes?—A. Yes, I gave them to Mr. Hayes.

Q. When?—A. The next day.

Q. The next day?—A. Yes.

Q. You thought it was some great discovery, I suppose?—A. Well, it went all around town like wild fire that pieces of the ballot had been picked up.

Q. It was quite a sensation I suppose, a lot of talk?—A. They had it that there were eight or ten picked up at one time I think.

Q. Did they all examine them?—A. No, the rumour was that there were eight or ten ballots picked up.

Q. Did any one come to see it that day?—A. No, there was three or four men in the office when I went in and took it in with me.

Q. And did you announce the prize you had discovered?—A. No, I put it together as well as I could, all the pieces of papers, and looked at it.

Q. Having done this you ought to be able to give us some idea on your oath how many pieces of paper there were?—A. No, I can't tell.

Q. Well, I won't press you if you can't tell. This is the document, I suppose?—A. It looks like it, but it is dirty.

Q. Oh, that is a bird of another colour?—A. Well, I wouldn't like to swear it, it wasn't in that shape when I gave it to him, it was clean then.

Q. And now it is pretty dirty and straggly?—A. It looks like it.

Q. Well, I suppose they all look pretty much alike. Does one of these ballots with what is called the rough edge, look here pretty nearly the same, that is that if this broken piece was in its proper place this would be a straight edge?—A. I suppose it would.

Q. What I mean is that it is not a jagged edge like some of the others. I do not know whether you saw all the other ballots or not?—A. Oh, no.

Q. There are two classes of ballots here, one called the ragged edge and the other the straight edge. What I mean by straight edges was that it would be straight like this?—A. That would.

Q. Like all of these one with another?—A. Yes.

Q. And the lower one has a little bit of a jag in it like that?—A. Yes.

Q. Was that of this class of ballot?—A. Yes, it looks very much like it. I guess it is.

Q. As far as the straight edge is concerned and the jagged edge below?—A. Yes.

Q. These were the fourteen that I was calling his attention to?—A. Yes.

Q. Did I understand you to say this was initialled? Will you show me where?—A. It has a little piece torn off and underneath that, I didn't paste that part of it down.

Q. Now, sir, will you attempt to tell me to swear what these initials are, what these marks are underneath there. Do you wear glasses at all?—A. No, sir.

Q. Will you look at these marks and tell me what you swear they are?—A. I won't say what I swear they are. They look like "J.F."

Q. You have talked about them before?—A. No, sir.

Q. Mr. Hayes didn't call your attention to it?—A. He showed me the initials.

Q. Perhaps you don't understand me?—A. I have not spoken to anybody about it.

Q. You didn't call Mr. Hayes' attention to it?—A. No.

Q. But he called your attention to the initials which he said were "J. F."—A. Yes.

Q. You would not pledge your oath it was "J. F."?—A. It may be something else. It looks like "J. F."

Q. Will you show me which is "J" and which is the "F"?—A. That is the "J."

Q. It is more like a cross? What is that up there? That is more like a cross?—A. Yes.

Q. Is that the way you begin a "J." with a cross?—A. No.

Q. I asked him in the first place whether the peculiar letter he calls J had not a cross on it? What is your answer?—A. I say it looks like a cross.

Q. I asked him again whether the top of the other single mark which you say made up an "F" is not also a cross?—A. Certainly it is.

Q. Certainly it is. The top of this one, is there not a distinct clear definite cross at the head of that line you call an "F"?—A. No, sir.

Q. There is not?—A. No.

Q. Now, sir, is there any turn, of any kind or description at the foot there, of the line which you say may be a "J"?—A. Yes, sir.

Q. Which way does it turn?—A. To the left.

Q. You say to the left. Doesn't it run down as far as the page is torn in a straight line?—A. No.

Q. It does not?—A. No.

Q. Well the committee can see for themselves. Is there a line running across it like a cross, an ordinary cross at the the top?—A. It runs straight and then down.

Q. In the whole of your living experience had you ever seen another "J" that is made like that?—A. No, I didn't because the other line is not down there.

Q. You never saw any J made in that shape. Now, Mr. Hayes in the first place told you it was "J. F."?—A. He didn't tell me it was "J. F." He said Farr's initials were on it.

Q. He said Farr's initials were on it and they are what?—A. "J. F."

Q. And so you reached the conclusion what it is? Now I just ask you to look there at this ballot. Will you swear that second letter there is "F"?—A. No, I haven't sworn that it is that yet.

*By Mr. Borden :*

Q. What did he say?—A. No, it looks like "F."

*By Sir Louis Davies :*

Q. What does he say?—A. I said it looks like "F."

Q. Whatever it may be we will have to examine and do the best we can?—A. Look at his initials on the other ballots and you will see how he makes them. I have seen quite a bit of his writing.

## Privileges and Elections Committee.

Q. You cannot recollect how many pieces? Can you tell me the man who pasted all the pieces you gave him on that paper?—A. No, sir.

Q. You cannot tell?—A. No.

Q. You say that the day following the election at or about eleven you gave him the pieces you had found at the head of the stair, and also the other pieces you found where?—A. In the polling booth.

Q. Can you say how many pieces you found in the polling booth?—A. No, sir.

Q. Did you attempt to put together the pieces you found in the polling booth?—A. No.

Q. You cannot say whether they made a ballot or not?—A. No, I cannot.

Q. Did Mr. Hayes tell you he had made a discovery after he got them?—A. No, sir.

Q. Have you seen all the pieces since?—A. Yes, sir.

Q. Where have you seen them since?—A. Mr. Hayes' office.

Q. How long after you gave them to Mr. Hayes?—A. Oh, it will be some days afterwards.

Q. Some days afterwards. Had Hayes got them into shape at that time? How were they, in the same envelope?—A. Yes, sir, the same envelope.

Q. Where were they then?—A. He got them out with this. He intended me to put a memo. on this.

Q. The paper was then in the same shape as it is now, and he wanted you to put a memo. on it?—A. Yes.

Q. What shape were they in?—A. Still in the envelope I guess.

Q. And nothing had been made out of these other pieces?—A. Nothing that I know of.

Q. Have you learned since if they have made anything out of these pieces?—A. No, sir, I cannot tell.

Q. Can you tell me how many pieces they made out of them the second time?—A. No.

Q. You cannot?—A. No.

Q. You can give me some idea, the committee some idea, of how many pieces?—A. I cannot give you any idea because I picked them up in my hand you know.

Q. Here is an official return signed by James Farr and it says there were destroyed at that poll two ballots. Were there more pieces than would be made out of two ballots?—A. I do not know I am sure.

Q. You do not know?—A. I do not know.

Q. What would you like to swear about that?—A. I would not swear.

Q. If two ballots were torn up and destroyed there would be nothing singular in finding them there?—A. No, there would not.

*By Mr. Borden :*

Q. You can see the top of the "F." here coming from the left to the right cannot you?—A. Yes.

Q. And see the straight mark down?—A. Yes.

Q. And then the cross?—A. Yes.

Q. The whole of the "J" does not seem to be there?—A. It is not all there.

Q. But there is the straight down mark?—A. Yes.

Q. And this you call a cross up here. It would seem to me to be a crease in the paper?—A. No, I think it is a mark.

Q. You think it is a pencil mark?—A. Yes.

Q. Now you didn't count the pieces?—A. No.

Q. Either of the ballot you picked up on the 21st or of the pieces which you picked up on the morning of the 22nd?—A. No, I did not.

Q. You didn't count them?—A. No.

Q. For that reason you are unable to state how many pieces there were?—A. Yes, I do not know how many pieces.

Q. Have you any reason to believe that this is not the same, that these pieces are not the same pieces?—A. No, I haven't any reason to believe they are not.

Q. You have no reason to believe they are not the same. That is all.  
No answer.

*By Mr. Britton :*

- Q. Are you active in politics?—A. No, I am not.  
 Q. Do you attend meetings?—A. I do sometimes.  
 Q. Did you in this last election, meetings for McLean?—A. No, I did not.  
 Q. Were you on any committee?—A. No.  
 Q. Who were the outside men that came into Goderich for McLean?—A. I do not know I am sure.  
 Q. Do you know of anybody?—A. No, I do not know to my own knowledge.  
 Q. To your own knowledge. But was it well known in Goderich that there were outside men there for McLean?—A. Yes, I understand there was a man named Sullivan and a man named Smith was there.  
 Q. For McLean?—A. Oh, no, no.  
 Q. I mean outsiders for McLean?—A. I do not know I am sure.  
 Q. Was it not well known that there were?—A. I do not know anything about it.  
 Q. And you didn't hear of anybody that was there as organizer for McLean?—A. No.  
 Q. Where you picked up the ballot you say the outside scrutineer for Holmes was there? Who was he?—A. Mr. Martin.  
 Q. Who was the outside scrutineer for Mr. McLean?—A. There was a man by the name of Robertson.  
 Q. Who else?—A. That is all I think.  
 Q. Were he and Mr. Martin over the same ground?—A. There were up and down the stairs and round in the hall.  
 Q. It was just as much the place for the outside scrutineer for McLean stayed or was as where the outside scrutineer for Homes stood?—A. Yes, just as much.  
 Q. And this might just as well have been brought there by McLean's scrutineer as anybody else?—A. Certainly.  
 Q. By anybody going in and out?—A. Yes.  
 Q. And if it is a ballot at all it might be a ballot that McLean had for purposes of his own?—A. I do not know anything about that.  
 Q. Of course you don't but it might be so far as locality is concerned. You only know of one outside scrutineer for McLean?—A. That is all there was I think.  
 Q. That is all there was. Do you know his first name?—A. John.  
 Q. Robertson or Robinsor?—A. Robertson.  
 Q. What is he?—A. A Conservative.  
 Q. But in profession or business?—A. A stonecutter.

Witness discharged.

JOHN W. HUNTER SWORN.

*By the Chairman :*

- Q. Your name please?—A. John W. Hunter.  
 Q. What place?—A. Colborne.  
 Q. Colborne?—A. Colborne.  
 Q. What is your profession?—A. Farmer.  
 Q. Mr. Hunter, you reside in Colborne?—A. Yes, sir.  
 Q. You voted at the last Dominion election which was held on the 21st of February, 1899, for the west riding of the County of Huron?—A. Yes, sir.  
 Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

## Privileges and Elections Committee.

Q. Donald Cummings?—A. Donald Cummings.

Q. Who were the candidates?—A. Candidates for what?

Q. At that election?—A. You mean canvassers.

Q. No candidates, the two men who were running?—A. Oh, McLean and Holmes.

Q. For whom did you vote?—A. I voted for McLean.

Q. You put a mark on your ballot, what kind of a mark was it?—A. It was a cross.

Q. Opposite whose name did you put it?—A. Opposite McLean's.

Q. Was there any kind of a place?—A. Yes.

Q. What kind of place was it?—A. It was a white ring.

Q. It was a white ring?—A. Yes.

Q. Looking at one of these ballots you put your cross where?—A. I put it here.

Q. In that circular space opposite his name?—A. Yes.

Q. After you had marked your ballot and folded it what did you do with it?—

A. I returned it to the officer.

Q. To Mr. Cummings?—A. Mr. Cummings.

Q. Did you hand back to him the same ballot which you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. No.

Q. What took place when you gave it to him?—A. I turned around to speak to another party.

Q. You didn't see what he did with it?—A. No, I didn't see what he did with it.

*By Sir Louis Davies:*

Q. You knew what he ought to have done?—A. Yes.

Q. What ought he to have done?—A. Put it in the box.

Q. What box?—A. The ballot box.

Q. That was alongside?—A. Yes.

Q. You were near him?—A. Yes.

Q. He reached out and got the ballot?—A. Yes.

Q. You saw him tearing the counterfoil off?—A. No.

Q. You didn't?—A. I can't say I did.

Q. Who was looking on besides you, the scrutineers?—A. I think McManus was there.

Q. Representing McLean?—A. Yes.

Q. You hadn't much question—you knew the ballot would not be of any use unless it went into the box?—A. No.

Q. You didn't watch him?—A. No.

Q. Why?—A. I didn't think I had any use.

Q. Had you any reason for turning away?—A. No, unless to speak to this man.

Q. Who did you speak to?—A. I don't remember who it was.

Q. You don't remember?—A. No.

Q. You have not a clear recollection of what took place; you don't remember who you spoke to and you only remember one man, McManus in the room?—A. And Cummings.

Q. The deputy returning officer?—A. And the clerk.

Q. Who was that?—A. Michael Tobin.

Q. You don't recollect the other officers who were there for Holmes?—A. No.

Q. And I suppose perhaps you had known Mr. Cummings previously?—A. Certainly.

Q. Have you known him for many years?—A. No.

Q. How many years have you known him?—A. About two years.

Q. Any business relations?—A. Yes, sir, a little.

Q. I suppose you must have had confidence in him at the time?—A. Yes, sir.

Q. Absolute confidence that he would put it in the box?—A. Yes, sir, I had nothing to think that he would not put it in.

Q. Nothing to induce you to think he would not do the right thing?—A. No.

- Q. Nor do you think he didn't do the right thing now?—A. No, sir.
- Q. Nothing to make you think he was crooked?—A. Nothing as far as I am concerned.
- Q. Have you voted at many elections there?—A. Two.
- Q. Are you a well known party man?—A. Yes.
- Q. At the previous Dominion elections, how many names were on the ballot paper?—A. That is between what parties?
- Q. Do you remember who ran at the previous election?—A. That is Beck and Garrow.
- Q. Do you remember the previous election when McLean ran?—A. And Porter?
- Q. I don't know, I am asking you?—A. I remember McLean running.
- Q. And who else?—A. Wasn't it Porter?
- Q. Don't you know, I am asking you?—A. I am not positive.
- Q. Was there more than two ran?—A. Let me think; wasn't there an independent man there?
- Q. I don't know; don't you know; the fact is you don't remember?—A. I think there was three.
- Q. But you would not pledge your oath to it?—A. I would not swear to it.
- Q. You don't know, sir, how the names were arranged on that ballot paper?—A. In 1896?
- Q. I just asked you that one question, do you remember how the names were arranged?—A. I could not say positively.
- Q. Do you remember whether you marked opposite the first, second or third name?—A. No, sir.
- Q. Would you like to say where you marked it the last time?—A. No, sir,—Oh, excuse me, what did you say?
- Q. I want to know would you say where you marked it the last time?—A. I know now how they were arranged, I voted for McLean.
- Q. I didn't ask you that; have you seen the ballot papers since you marked?—A. I seen them here.
- Q. If you hadn't seen that could you have said?—A. At that time I could not.
- Q. So you could not tell me whether you marked it at the top or the bottom?—A. I could not say.
- Q. Are you absolutely certain there was a round or square disc?—A. I am.
- Q. Was there a counterfoil on the ballot paper that you got from the returning officer?—A. I could not say.
- Q. Will you swear there was the initial of the returning officer on it?—A. Yes.
- Q. Did you see him put them on?—A. No, I could not say but I know they were on.
- Q. You remember seeing them, do I understand you?—A. Well, whether it was before I voted or not but I know they were on.
- Q. Now, sir, will you swear whether these initials were on the counterfoil or on the ballot paper?—A. Well, I cannot tell it now.
- Q. You won't swear?—A. No, sir.
- Q. But you do remember receiving the paper, going behind the screen and marking it, and giving it back to Cummings?—A. Yes.
- Q. But after that you cannot recollect what he did with it or who was there for Holmes?—A. No, not Holmes.
- Q. Did you stay any time in the poll after that?—A. No.
- Q. How many men were in the apartment?—A. Not more than half a dozen or perhaps eight.
- Q. Did you do any work for McLean?—A. No.
- Q. Did you tell anybody for whom you voted?—A. Yes.
- Q. Who did you tell?—A. I told my neighbour for one.
- Q. Who is he?—A. Mosher, and may be I told more.
- Q. Did you see McLean afterwards about giving him a statement?—A. Yes.
- Q. When was that?—A. I would suppose it was about a month after.
- Q. Now, had you seen McLean between the election and that day?—A. Not on that business.

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Q. Had you spoken to him about how you voted?—A. No, sir.

Q. Where did you meet him?—A. He came to me on the roadside.

Q. Who was with him?—A. This lawyer, M. O. Johnson.

Q. M. O. Johnson was with him?—A. Yes.

Q. And what did he say?—A. Produced the paper and asked me to sign it.

Q. Did he produce a Bible, were you sworn?—A. No.

Q. You were not?—A. He told me it was an affidavit.

Q. Will you swear it was not an affidavit; will you swear he didn't tell you it was not an affidavit?—A. I told you—

Q. Well, that is the one question I want to ask you, that one simple question: will you on your oath say that he told you it was not an affidavit; the one question I want to ask you is, are you prepared to say that he said this wasn't an affidavit?

—A. What I say is he produced a paper to the effect that this was an affidavit that I voted for him; does that satisfy you?

Q. No, it does not; we have had other witnesses who told us that, but I want to get this from you; will you swear that he didn't say to you that it was not an affidavit?—A. I swear that he said it was an affidavit.

Q. You will?—A. Yes, it was a paper to the effect that I voted for him.

Q. It was to the effect that you voted for him; I quite understand that part and I don't ask you about that; I ask you under oath this, didn't he also say it was not an affidavit?—A. No, he didn't say it wasn't an affidavit.

Q. Well, then, just give the very words you are prepared to swear he did say, or are you prepared to swear to the words?—A. No, I am not. I told you as near as I know the words he did say.

Q. You are giving the effect, but not the words?—A. As near as I can.

Q. And you say you are not prepared to swear to the words?—A. No, sir.

*By Mr. Russell:*

Q. Who used the word "affidavit" or did you get the word from the paper just as you read it?—A. No, it was the lawyer man who read the paper, he used the word.

*By Mr. Borden:*

Q. May he have stated to you that the declaration or the paper which you were signing was of the same effect as an affidavit; might he have put it that way?—A. I think probably you are right as to that.

Q. Yes, you told Sir Louis Davies that you couldn't tell if you had not looked at the ballot whether you had put your cross at the top or bottom?—A. No.

Q. Have you any doubt that you put your mark opposite the name of Mr. McLean, wherever it was?—A. I have no doubt.

Q. You are positive about that?—A. Yes.

Q. You put your mark in the circular white space opposite the name of Mr. McLean.—A. Yes.

Q. You are positive about that?—A. Yes.

Q. You are quite clear about that?—A. Yes.

*By Sir Louis Davies:*

Q. Have you had any conversation with anybody yesterday, about McLean telling you the nature of that paper?—A. No.

Q. With anybody?—A. No.

Q. With Mr. Johnston? Just think before you answer me?—A. I have heard several remarks about Mr. Johnston, but I didn't pay any particular attention to it.

Q. Remarks made by whom?—A. I can't say who they were.

Q. Made to you?—A. Not especially to me. I was not spoken to about Johnston, myself, but I have heard it remarked?

Q. What did you hear remarked?—A. Nothing of any account, I have heard Mr. Johnston's name mentioned.

Q. I want to ask whether he has been talking to you since you came to Ottawa.  
—A. Well.

Q. By any person as to a conversation, McLean or any person with him, had with you at the time he gave you the paper to sign?—A. Oh, no.

Q. Will you swear that nobody since you came to Ottawa spoke to you upon that subject?—A. I don't remember as they have.

Q. Are you sure?—A. I don't think they have, I am almost positive; I have heard it mentioned, that is all.

Q. You have heard it mentioned and talked of, but not directly to you?—A. Yes.

Q. Who was it said it to you?—A. It was parties standing beside me.

Mr. Borden objected that this evidence was irrelevant.

Q. Did you hear it stated that some witness had sworn that McLean had told them it was not an affidavit?—A. No.

Q. You did not hear that mentioned at all?—A. No, nothing more than as I say I merely heard the name mentioned, that is all I know about it.

Q. What name?—A. Johnston's name?

Q. I was not asking about Johnston's name, but I asked if you had heard it stated that McLean had told some witnesses that it was not an affidavit?—A. I did not hear such a thing.

*By Mr. Russell:*

Q. As a matter of fact, you did not swear to it and did nothing further than to sign your name?—A. Yes.

Q. As a matter of fact, it was read to you or read by you?—A. It was read to me.

Witness was discharged.

Mr. BORDEN.—I intend to put the declaration of this witness in evidence subsequently.

Mr. Borden objected to the manner in which Sir Louis Davies asked questions of the witness.

JAMES TAYLOR, called and sworn.

Mr. BORDEN.—This witness is No. 13, I think.

*By Mr. Borden:*

Q. You reside in Colborne, Mr. Taylor?—A. Yes, sir.

Q. What is your occupation?—A. Farmer.

Q. Did you vote at the Dominion election for the west riding of Huron, on the 21st of February, 1899?—A. Yes, sir.

Q. At the Dominion election?—A. Yes, sir.

Q. Who was deputy returning officer at the poll at which you voted?—A. Donald Cummings.

Q. Do you remember who the candidates were?—A. Yes.

Q. Who were they?—A. Robert McLean and Mr. Holmes.

Q. For whom did you vote?—A. For Robert McLean.

Q. Did you put any mark on the ballot?—A. Yes, sir.

Q. From whom did you receive a ballot?—A. From Donald Cummings.

Q. What kind of a mark did you put on it?—A. Either an "x" or a cross, I can't swear which, either one or the other.

Q. They are much the same?—A. Very much the same, sir.

Q. You put it opposite whose name?—A. Robert McLean's.

Q. Was there any space there for the purpose?—A. Yes.

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Q. What colour was it?—A. White.

Q. And the shape?—A. Round.

Q. You put your cross in there?—A. Yes.

Q. Show me on that ballot where you put your cross? Right there in the circular white space opposite McLean's name?—A. Of course, it was not that ballot.

Q. But in the ballot delivered to you?—A. Yes.

Q. After folding your ballot, Mr. Taylor, what did you do with it?—A. I handed it to Mr. Cummings.

Q. Did you hand back to him the same ballot which you had received from him and which you had marked?—A. Yes, sir, I did.

Q. Did you observe what he did with it?—A. I observed that he took it anyway and tore off a part of it.

Q. Tore off what is called the counterfoil?—A. Yes, sir, and he put that in his pocket, and my impression is he put the other part of it in the ballot box.

Q. That is as far as you could observe?—A. As far as I could observe.

Q. Did you remain there any length of time?—A. No, sir, I did not.

*By Mr. Russell:*

Q. You stood by until the voting was over?—A. Which voting?

Q. Your voting?—A. Yes, sir.

Q. And then you went out?—A. I went out.

Q. And you looked at what he was doing with the ballot?—A. I took more notice in his putting it in his pocket which was unusual I thought, than to the ballot.

Q. You say you saw him take one piece off and put it in his pocket?—A. You are right; I watched because it was unusual.

Q. And you watched to see if he didn't take something out of his pocket?—A. I didn't think anything about that.

Q. You imagined he was putting the counterfoil in his pocket?—A. Yes.

Q. You didn't imagine he was going to bring anything else out of his pocket?—A. I don't think it.

Q. You looked at him and saw his hand come out of his pocket again? You did look at him; you told us you did?—A. I did look.

Q. You saw him take his hand out?—A. I didn't see anything.

Q. And then he took the other piece and folded it up?—A. Yes.

Q. In shape; put two or three folds and then put it into the box?—A. That is what I think.

Q. That is what you saw?—A. I saw him putting the piece in his pocket.

Q. That is true, but you saw him put the ballot in the box?—A. I could hardly be looking at the two things.

Q. You couldn't look at his pocket and his hand at the same time?—A. I could not very well.

Q. You did look at his hand going into his pocket?—A. I did.

Q. And watched it coming out again?—A. No.

Q. You saw it coming out a moment ago; you told me?—A. Yes, I did.

Q. And you saw nothing in it?—A. I saw nothing in it.

Q. And then you saw him take his two hands and fold up the ballot?—A. Yes.

Q. And put it in?—A. Well, no, sir, I didn't, I think.

Q. That is what you think you saw?—A. That is what I think I saw.

Q. You think you saw him fold it up and put it into the ballot box?—A. That is so.

Q. That is what I told you that you thought you saw?—A. That is very true.

Q. How long have you known Mr. Cummings?—A. I think about twenty-five years.

Q. Is he a neighbour of yours?—A. Yes, he lives about three-quarters of a mile away.

Q. You have known him about twenty years?—A. More than that. Twenty-five years.

Q. Twenty-five years?—A. Yes.

Q. Does he bear a good reputation in the neighbourhood?—A. Very good. I never heard anything against him.

Q. When this was all over some days after, perhaps some weeks after you made a statement in writing about the circumstances of voting for McLean?—A. I—

Q. You signed the paper?—A. I signed an affidavit.

Q. It was not an affidavit was it?—A. That is what I took it for.

Q. Why did you take it for that?—A. Because I seen the writing before me.

Q. It was read over to you and it was an affidavit?—A. Yes.

Q. And you knew it was an affidavit?—A. Yes, sir. Mr. Johnston told me it was an affidavit.

Q. When did you first hear this word affidavit applied to that document?—A. It was on the paper, sir, that I signed.

Q. And because the word affidavit was on that paper you signed, you knew it was an affidavit you were signing?—A. According to the writings.

Q. And if the word affidavit was not on it, you would have no reason for saying it was an affidavit?—By the reading of it you say it was an affidavit; that is what you say?—A. I signed it on the impression that I was taking my oath that I voted for Robert McLean.

Q. As a matter of fact you didn't take your oath?—A. I think it was pretty near it.

Q. Did you take your oath or not?—A. I did not kiss the Bible.

Q. Was there a Bible there to kiss?—A. No.

Q. Did you hold up your right hand?—A. I did not.

Q. Did you say "So help me God" or anything like that?—A. I did not.

Q. Were you told it was an affidavit?—A. I think so.

Q. That means you think you were told it was an affidavit when it was not an affidavit; when you know now it was not?—A. I don't know, sir. I was under the impression all the time it was an affidavit I signed.

Q. What made you under that impression?—A. It was on the paper I signed, I think.

Q. Oh, well, if that is so, we will let it go. If it wasn't on the paper that it was an affidavit you wouldn't have any reason for saying it was?—A. I don't remember the words on the paper.

Q. If it was an affidavit it was because you were sworn to it? If it was an affidavit it must have been because you were sworn to it, was it not? And if it turns out you were not sworn to it, I ask you again what reason you had for thinking it was an affidavit that you signed?—A. My impression is that it was really told me it was an affidavit.

Q. How long have you had that impression?—A. From the very day I signed it.

Q. Have you that impression in your mind now?—A. Yes, sir.

Q. You told me yourself you didn't swear to it?—A. I did not.

Q. Have you always been sworn to affidavits? Have you ever sworn affidavits?—A. I didn't often sign affidavits.

(Mr. Borden objected to the further examination of this witness as being a loss of time.)

Q. Have you had any conversation about giving your evidence here?—A. No; I am speaking for myself, and for no one else.

Q. You had no conversation?—A. No, I had not.

Q. You and your friends have not talked over the matter about this declaration at all since, we will say, yesterday morning?—A. No, sir, we have not.

Q. To no living soul?—A. No, I have not.

Q. Nor before that?—A. Nor before that.

Q. And your impression that this is an affidavit you got from?—A. From the paper I signed.

Q. From seeing it in the paper you signed?—A. Yes.

Q. As a matter of fact you didn't swear to it, didn't declare to it, and simply signed it, and that is all there is about it?—A. I signed it under the impression—

Q. I am not asking your impression. I am asking the facts, that is all?—A. That is all.

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*By Mr. Borden :*

Q. You understood the documents you signed was of the same effect as an affidavit?—A. Yes.

Q. You signed it believing that?—A. I did, sir.

Q. You are a councillor for the township of Colborne?—A. Yes, sir.

Q. And have been for how many years?—A. Fourteen years.

Q. Fourteen years. That is all?—No answer.

Witness discharged.

WILLIAM TOBIN, sworn.

*By the Chairman :*

Q. What is your name?—A. William Tobin.

Q. Your occupation or profession?—A. I am a farmer.

Q. What place?—A. Dunlop.

*By Mr. Borden :*

Q. He is No. 23 on the poll book. You reside in Colborne, Mr. Tobin?—A. Yes, sir.

Q. Are you any relation to the poll clerk examined this morning?—A. Yes, sir.

Q. What relation?—A. Brother.

Q. You are a brother of his? You voted at the Dominion election for the west riding of the county of Huron, held on the 21st of February, 1899? You voted at that election?—A. Yes, sir.

Q. Who was the deputy returning officer at the polling place at which you voted?—A. Mr. Cummings.

Q. Donald Cummings?—A. Yes, sir.

Q. Do you remember who the candidates were?—A. Yes, sir.

Q. Who were they?—A. Mr. Holmes and Mr. McLean.

Q. Did you receive a ballot from the deputy returning officer?—A. Yes, sir.

Q. Did you put any mark on it?—A. Yes.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name did you put it?—A. Mr. McLean's.

Q. Was there any place there for that purpose on the ballot?—A. There was a round mark, a round white spot.

Q. A round white spot on the ballot?—A. Yes.

Q. And you put your cross where?—A. On that mark.

Q. On that round white spot?—A. Yes, sir.

Q. A round white spot like that, was it?—A. Yes, sir.

Q. Opposite Mr. McLean's name?—A. Yes, sir.

Q. Now, after marking and folding your ballot, what did you do with it?—A. I gave it to Mr. Cummings.

Q. Did you give to him the same ballot which he had given to you and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. No, sir.

Q. Well, why didn't you? What happened; did you pass right along?—A. I went right out.

Q. You handed him the ballot and passed right along?—A. Yes, sir.

Q. And you didn't observe what he did with it?—A. No, sir.

*By Sir Louis Davies :*

Q. Had you voted at previous elections?—A. Yes, sir.

Q. Do you never stop to see what becomes of your ballot?—A. No, I was in a hurry that day.

Q. Oh, you were in a hurry that day?—A. Yes, sir.

Q. Do you know what the counterfoil means?—A. No, sir.

Q. You don't know what the counterfoil means?—A. No, sir.

Q. Did you see the returning officer put his initials on the ballot?—A. There was some mark on the back of it, I think.

Q. But you don't know what it was?—A. No, sir.

Q. Did you mark it where you wanted to mark it in behind the screen?—A. Yes.

Q. And you came back and handed it back to Cummings?—A. Yes, sir.

Q. Who was there looking on?—A. I do not remember anybody in particular except my brother.

Q. Your brother, he is the only one you can recollect?—A. There was some others on the other side, but I didn't pay attention who they were.

Q. You cannot recollect?—A. No, sir.

Q. Not one?—A. I think Edward Shaw was there.

Q. Can you be sure of that?—A. I would not say for sure.

Q. Do you recollect when you handed the ballot to the returning officer, his tearing off a piece of it?—A. No, sir. I just gave it and passed right out.

Q. You didn't wait a minute?—A. No, sir.

Q. Had you been in that any time?—A. About half a minute.

Q. You hadn't seen other people voting?—A. No, sir.

Q. Just went out and went away?—A. Yes. I went up with a neighbour.

Q. What is his name?—A. Robert Williams.

Q. He is a witness here?—A. He is down here.

Q. So you are unable to state anything about what became of the ballot paper at all?—A. Yes, sir.

Q. Do you remember how the names were in the ballot paper, the order in which they came. Do you remember the order?—No answer.

*By Mr. Borden :*

Q. Whether McLean's name was on the top or bottom?—A. I think McLean's name was on the bottom.

Q. Will you be sure of that?—A. I cannot.

Q. Can you swear that you put your mark in the top corner disc or the lower corner disc?—A. I would not swear to it.

Q. But you do know you put it in the disc opposite McLean's name?—A. I am sure of it.

Witness discharged.

S. B. WILLIAMS, SWORN.

*By the Chairman :*

Q. What is your name?—A. Scarlett B. Williams.

Q. Your residence?—A. Dunlop.

*By Mr. Borden :*

Q. This witness is No. 16 on the poll book. Mr. Williams, you reside in the township of Colborne?—A. Dunlop is in Leeburn ward.

Q. Did you vote in the Dominion election of 1899 for the west riding of the county of Huron?—A. I did.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Donald Cummings.

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- Q. Do you remember who the candidates were?—A. Yes.
- Q. Who were they?—A. Mr. Holmes of Clinton and Mr. McLean of Goderich.
- Q. For whom did you vote?—A. I voted for Robert McLean.
- Q. You received a ballot from the deputy returning officer I suppose?—A. I did.
- Q. What kind of a mark did you put on that ballot?—A. I put an "X."
- Q. An "X" or cross?—A. An "X" I think it was to the best of my memory.
- Q. Was there any place did you observe on the ballot for the purpose of putting that cross?—A. Yes, there was a white space.
- Q. Opposite the name of each candidate?—A. Yes.
- Q. And you put your mark in the white space opposite whose name?—A. Robert McLean's.
- Q. The white spot that you referred to was like that?—A. Yes, sir.
- Q. And you put your mark in the white spot opposite McLean's name?—A. Yes.
- Q. After marking and folding your ballot, Mr. Williams, what did you do with it?—A. I carried it down and gave it to the deputy returning officer, Mr. Cummings.
- Q. Did you hand back to him the same ballot which you had received from him and which you had marked?—A. Yes, sir.
- Q. Did you observe what he did with it?—A. I noticed him put it in the box.
- Q. Did you notice whether he tore anything off it?—A. He tore the counterfoil off and then put it in the box.
- Q. He tore the counterfoil off and then put it in the box. Did you notice what he did with the counterfoil?—A. He left it in the pocket.
- Q. He put it in his pocket?—A. Put it in his pocket to the best of my recollection.

*By Sir Louis Davies :*

- Q. Are you a strong party man, Mr. Williams?—A. No.
- Q. Are you what we call an independent man?—A. I am a party man, I always vote for the Conservative side.
- Q. Oh, you do?—A. Yes.
- Q. But you are not a strong one, eh? But you always vote the one side, what do you call a strong party man then, what did you mean by telling me that?—A. Well, I always vote Conservative; whenever there was an election held I always voted Conservative.
- Q. You didn't give anybody to understand you voted for Holmes?—A. No, I did not.
- Q. Did you see the deputy returning officer put his mark on the ballot paper?—A. Not there.
- Q. Who was there?—A. Well let us see; McEvoy was present and John Lawson and Michael Tobin, the poll clerk, and there was one or two other voters come in.
- Q. And Cummings, was the deputy returning officer?—A. Yes.
- Q. Did you give your name in?—A. The poll clerk told me to come and vote; there was just two or three taking their turn and he said "your name is down."
- Q. Did you see the others voting ahead of you?—A. I didn't pay much attention.
- Q. I thought you might pay attention, not having anything to do?—A. I saw the deputy returning officer put them in the box, put the single ones in, but wasn't paying much attention.
- Q. Did you see him put his initials on the ballot before he gave it to you?—A. Yes.
- Q. To the best of your recollection?—A. Yes.
- Q. You have not got a clear recollection?—A. I saw him mark it, hand it to me, and I went up and voted with it.
- Q. Do you recollect whose name was on the top of the ballot?—A. Yes, Robert Holmes.
- Q. Where was McLean's name?—A. At the bottom.
- Q. If anybody told you it was a square disc what would you say?—A. I would say it was wrong.

Q. If some man said it was black or white what would you say?—A. It was round in my opinion.

Q. Are you strong about that, are you absolutely sure?—A. It was round like that, don't you know round?

Q. And you have no doubt you voted that way?—A. Yes.

Q. And did you see the identical ballot you gave Commings put in the box?—A. I saw Cummings put the paper in the box all right.

Q. What paper, the ballot paper you gave him?—A. Yes.

Q. And, afterwards some one called on you to know how you voted?—A. Yes.

Q. How long was that?—A. I don't exactly remember the day; I was eating my dinner and a man came and asked for me.

Q. How many days was this after?—A. I am not sure of the exact date, but I was eating my dinner.

Q. But that you do every day; it looks like it?—A. I don't know about that.

Q. You think it was some weeks after?—A. Some days after.

Q. Not a week?—A. I won't say a week, but some days.

Q. I want to get that, was it two, three or four weeks?—A. It was some days after.

Q. You won't go more than that; you don't remember how many days?—A. No, I don't.

Q. Who came?—A. Mr. McLean came and M. O. Johnston, barrister of Goderich.

Q. Barrister of Goderich?—A. Yes.

Q. Did you tell anybody who you voted for before they came?—A. I did tell two or three men that I voted for McLean.

Q. How many?—A. I don't know.

Q. You were blathering it all around?—A. No, if people asked I told them.

Q. Did you tell McLean that?—A. No.

Q. Nor Johnston?—A. No.

Q. So they came to you?—A. Yes.

Q. And asked you what?—A. If I had signed that disposition.

Q. That disposition?—A. Yes.

Q. Did you sign the disposition?—A. Yes.

Q. Did you read it yourself?—A. Johnston read it over to me.

Q. Did you take down the family Bible to swear to it?—A. No.

Q. There was no Bible to it?—A. No.

Q. There was no swearing to it?—A. No.

Q. What do you call it, a disposition?—A. What do you call it?

Q. I want to know what you call it?—A. A declaration.

Q. A statement that you voted for McLean?—A. Yes.

Q. And you signed that?—A. Yes.

Q. You didn't swear to it?—A. I signed it.

Q. But you didn't hold up your hand and go through the form; just think for a moment, or did you just sign it and have an end to it?—A. I signed it.

Q. That was all?—A. Yes.

*By Mr. Russell:*

Q. Has anybody told you since that was the same thing as an oath?—A. No, they have not; I didn't pay any attention to it.

Q. No one has told you that was the same thing as an oath; but you have heard people talk of that as an oath since?—A. Some say so, but I didn't pay much attention to it.

Q. Some people?—A. Equal as an oath, the same kind of thing as an oath.

Q. Do you remember who it was was saying that?—A. No.

Q. You don't recollect any particular person?—A. No.

Q. But you heard statements like that in presence of you and some others?—A. In a general way of conversation.

Q. You cannot recollect who it was that made them?—A. No, I can't.

Q. Where was that, before you came or since?—A. Wherever this election business was talked of.

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Q. Wherever that document was talked of you heard this?—A. Yes.

Q. And that you might get yourself into great trouble if you went back on it?  
—A. Yes.

Q. You have heard several people calling this an oath, and that if you went back on that you might get into trouble; you have heard that sort of conversation?  
—A. Yes.

Q. I would like you to recollect who you heard speaking about it?—A. I can't recollect, I didn't pay particular attention to mention names.

Q. Did you hear the lawyers or the witnesses?—A. I was not admitted in the room.

Q. It is not that, you misunderstand me, I mean the witnesses?—A. No, I didn't hear them.

Q. Where did you hear it?—A. I might have heard it down at the hotel.

Q. That is where the witnesses stop?—A. A good many of them.

Q. I would like you to recollect who you heard talk about that being like an oath and there would be danger to those who signed if they didn't stick to what they signed; just clearly recollect who it was you heard; you can't recollect any person in particular?—A. I can't.

Q. You heard it and heard it several times?—A. Yes.

Q. And heard it at the hotel where the witnesses stop, and never heard any particular person?—A. No.

Q. It is strange you can recall last February and not the few days you have been here in Ottawa?—A. A few days here, ten days.

Q. When did you hear that?—A. I don't know.

Q. Didn't you hear it yesterday?—A. Yesterday, and the day before and the last ten days.

Q. You heard it yesterday and the day before and the last ten days; you don't mean to say that, perhaps; I don't want to take advantage of you; did you hear that conversation yesterday?—A. No.

Q. The day before?—A. A little.

Q. You did?—A. I might have.

Q. Is it not strange that you cannot recollect who talked that way when you can recollect what took place five months ago?—A. Well, I didn't pay much attention to it, but just hearing the men talking about.

Q. But you might have heard it yourself and said, "it is best to pay attention to that, and I had better say the same, I said in the paper there?"—A. Well, I say this, whatever paper I signed I confirm to it.

Q. Whatever paper you signed you affirm it?—A. Yes, confirm it.

Q. I ask again, didn't that pass through you mind, that it was safer to stick to what you had said?—A. I consider it safer to stick to what I signed my name to.

Q. Especially after you had heard people say that was the same thing as an oath and a man might be jugged if he went back on it; did you hear that?—A. Well, I considered if I signed that paper my honour was there.

Q. You never said anything like this, that it was a point of honour for you not to go back on Holmes?—A. I never promised Mr. Holmes my support, sir.

Q. But you never said you were not going to go back on Holmes?—A. No, I didn't say it.

Q. You never said you were not going to go back on Holmes, or any words like that?—A. No, sir, to the best of my recollection.

Q. Because he was a newspaper man?—A. Yes, I think Mr. Holmes is a newspaper man.

Q. I think there is some glimmer of recollection now; didn't you say this that you would not go back on Holmes because he was a newspaper man?—A. I didn't say that, I didn't vote for him, I voted for McLean.

Q. I know that, but did you never say that you were not going to go back on Holmes because he was a newspaper man; you never said that to anybody?—A. Not to my recollection.

Q. Or any words like that?—A. No, I always said I would support McLean and I did, this time.

Q. Except this time, but did you never say that you would not go back on Holmes because he was a newspaper man?—A. I always supported McLean and did so.

Q. Is it possible you used words like that, you would not go back on Holmes because he was a newspaper man; do you think it possible you used the words?—A. No, I didn't vote for Holmes.

Q. I didn't ask you that, I asked you if you didn't say "I don't intend to go back on Holmes because he is a newspaper man" or any words like that; don't answer quickly, did you?—A. To the best of my recollection I don't think I did.

Q. You won't be certain you never used the words?—A. No.

Q. And you won't be certain you didn't say so?—A. You know very well when there is an election going forward there is a good deal of talk about this one and that one and I came down to-day——

Q. What objection have you to answer?—A.——and I voted for McLean and why should you be detaining me here?

Q. Will you swear that you did not say that you would not go back on Holmes because he was a newspaper man? If you will answer me that question you may go; will you answer me that question, if you used these words I have mentioned, that you would not go back on Holmes because he was a newspaper man?—A. Well, people may talk of this and that, they may have been talking, and I voted for McLean, and I think that should end the subject and not keep me and others here.

Q. You won't answer that question?—A. To the best of my recollection I don't think I said so.

*By Mr. Borden (Hulifax):*

Q. As a matter of fact, outside of this declaration that you made you remember that you did vote for McLean at that election?—A. I did, sir.

Witness discharged.

SAMUEL JOHNSTON, called and sworn.

*By the Chairman:*

Q. Your occupation?—A. Farmer.

Q. Where do you live?—A. At Sheppardton.

*By Mr. Borden:*

This witness is No. 87 on the poll book.

Q. Mr. Johnston you reside in the township of Colborne?—A. Yes, sir.

Q. You voted at the Dominion election for the west riding of the county of Huron on the 21st of February, 1899?—A. Yes, sir.

Q. Do you remember who the candidates were? Do you remember who the two men were that ran?—A. Yes, sir.

Q. Who were they?—A. Holmes and McLean.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. Donald Cummings?—A. Yes, sir.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. Robert McLean.

Q. What kind of a mark did you put on it?—A. A cross.

Q. Opposite whose name?—A. Robert McLean.

Q. Was there any place opposite McLean's name for the purpose of marking?  
—A. Yes, sir.

Q. What kind?—A. A round disc.

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Q. What colour?—A. White.

Q. A round white disc, you put your cross where?—A. In the white disc.

Q. Opposite McLean's name?—A. Yes, sir.

Q. After marking and folding your ballot what did you do with it?—A. I walked out with it.

Q. To whom did you give it?—A. To Mr. Donald Cummings.

Q. Did you give to him the same ballot which you received from him and which you marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. Yes, sir.

Q. He put it down, tore the counterfoil off, and put it in the ballot box? He laid it down on the table, tore the counterfoil off, and put the ballot in the ballot box?—A. Yes, sir.

Q. Did you observe what he did with the counterfoil?—A. Yes, sir.

Q. What did he do with it?—A. He put it in his pocket.

Q. Do you remember whether it was before or after he put it in the box?—A. He held the ballot in his left hand while he put it in his pocket with the right.

Q. He held the ballot in his left hand while he put it in his pocket with his right?—A. Yes, sir.

Q. And then he put the ballot in the box?—A. Yes, he rolled the ballot up and put it in his box.

Q. Were you watching him closely, had you any suspicion?—A. No, sir, I had no suspicion, I just stood there and looked at my own ballot going in, or what I thought was my own.

*By Sir Louis Davies:*

Q. Are you a strong party man, Johnston?—A. Yes, sir.

Q. Do you know Cummings?—A. Yes, sir.

Q. Intimately; for many years?—A. I knew him since I started to go to the poll.

Q. You don't live near him?—A. Betwixt three and four miles from him.

Q. Do you know him as one of your neighbours?—A. No, not as a neighbour.

Q. So that outside the voting you do not know anything about him?—A. No, sir, I don't know anything about him.

Q. So that all you know is that you gave him the ballot paper and he put some paper in the box?—A. I said I supposed it was the same one.

Q. Tell me where your doubt came in?—A. I—I said I supposed it was the same one.

Q. Tell me where your doubt came it? How could that be, you said before that you saw him take off the counterfoil, put it in his pocket and held the ballot in his left hand?—A. Yes, sir.

Q. You swore to that?—A. Yes, sir.

Q. How came you to raise a doubt? You have, you think, sworn to that?—A. yes, sir.

Q. Have you any reason to doubt that?—A. No, sir.

Q. None whatever?—A. No.

*By Mr. Russell:*

Q. You said you watched him until your own ballot went in?—A. No, I say I did not say I watched him until my own ballot went in.

Q. Will you swear you did not?—A. I might have said.

Q. Did you watch until you saw your own ballot go in and had no further interest in it?—A. I did not say it was my own.

Q. You did not say a little while ago, before you used the terms "suppose" to me that you had doubts about the matter; that you watched until your own ballot went in and that is all the interest you had in the matter, you did not use those words?—A. I don't think it.

*By Sir Louis Davies :*

Q. Are you trying to raise a doubt in your mind that the paper which he had in his hand was the paper you gave him? Did you hand him a paper at all?—A. Yes, sir, I handed him a paper.

Q. What hand did he take it in?—A. He caught it in his left hand.

Q. What did he do with it?—A. He laid it down.

Q. Show me how?—A. He just laid it down that way and tore the counterfoil off.

Q. He kept it in his hands?—A. Yes.

Q. And put the counterfoil in his pocket?—A. Yes, sir.

Q. When that hand of his went into the right hand pocket wasn't the paper which you gave him in his left?—A. I was watching the hand which went into his pocket.

Q. You say you gave him the paper and he tore off the counterfoil; was the paper in the left hand, the paper you gave him?—A. The piece he had in his right hand was the paper I gave him.

Q. The piece which he tore off?—A. Yes.

Q. What did he do with the right hand?—A. He rolled it up.

Q. What did he do with it then?—A. He started to put it in the box.

Q. Did you have any doubt in your mind that your ballot went into the ballot box?—A. I did not any more than the suspicion I had it was the same one. I never changed it.

Q. Now you are evading my question again? Did you have any doubt in your mind, did you have the slightest doubt in your mind that it was your ballot?—A. No, sir.

*By Mr. Borden :*

Q. You had no suspicion that there was any manipulation of the ballots going on?—A. No, sir.

Q. And you looked at his hand when he put it into his pocket?—A. Yes, sir.

Q. And when you were looking at that you were not watching the other?—A. No, sir.

Q. That is what you mean when you say you could not be absolutely sure that he put the same ballot into the box?—A. Yes, sir.

*By Sir Louis Davies :*

Q. You say you had no doubt then?—A. No, sir.

Q. Have you any doubts put in your mind since?—A. No, sir.

Q. You have no doubts now, is that correct?—A. Yes.

Witness was discharged.

JAMES McWHINNEY, called and sworn.

*By Mr. Borden :*

This witness is No. 66 on the poll book.

Q. You have already been sworn, haven't you Mr. McWhinney?—A. Yes, sir.

Q. Mr. McWhinney you reside in the township of Colborne?—A. Yes, sir.

Q. You voted at the election on the 21st of February, 1899, at the Dominion election for the West riding of the county of Huron?—A. Yes.

Q. The candidates were, who were the candidates?—A. Robert McLean and Robert Holmes?

Q. Who was the deputy returning officer at the poll at which you voted?—A. Donald Cummings.

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Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. I marked it for Robert Holmes—or Robert McLean I mean.

Q. You marked it for Robert McLean?—A. Yes.

Q. What kind of a mark did you put on it?—A. I put a cross on it.

Q. Opposite whose name?—A. Opposite Robert McLean's.

Q. Was there any place opposite McLean's name for the purpose?—A. Yes, sir.

Q. What kind of a place was it?—A. It was a round white disc.

Q. And you put your cross where?—A. In that disc.

Q. After marking the paper and folding it what did you do with it?—A. I brought it out and handed it to Mr. Cummings.

Q. Did you hand to him the same ballot paper which you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. No, sir, I did not.

Q. What did he do with it when you handed it to him?—A. I just handed it to him and passed on outside.

*By Sir Louis Davies :*

Q. What age are you, Mr. McWhinney?—A. Twenty-two past.

Q. Then this was the first election you had voted at?—A. No.

Q. You had voted before?—A. I had voted before at the Beck and Garrow election.

Q. At the local election?—A. Yes.

Q. You had never voted at a Dominion election before?—A. No.

Q. Never seen a Dominion election before?—A. No.

Q. Had any body trained you how to mark it?—A. No.

Q. So that you went for the first time in your life in a Dominion election behind the screen.—A. Yes.

Q. And this was the first time of ever marking a ballot?—A. Yes.

Q. Have you a clear recollection of everything that took place?—A. Yes.

Q. You know who were there and everything?—A. I don't know everybody that was there.

Q. But do you remember the people who were there when you got the ballot?—A. Yes.

Q. Who were there?—A. I seen Cummings, McManus and Mr. Tobin, they were the principal ones. I don't remember who all the others were.

Q. You remember these three?—A. Yes, sir.

Q. When he gave you the ballot what did he do?—A. When I gave it to him?

Q. When he gave it to you did he do anything to it that you saw?—A. No.

Q. You didn't see him do anything?—A. No.

Q. I mean with respect to putting his name or initials on it.—A. Yes, I saw him put it on.

Q. Did he do it with a pen?—A. Yes, sir.

Q. You are sure of that?—A. Yes, sir.

Q. Absolutely sure?—A. Yes.

*By Mr. Borden :*

Q. Was it with a pen or a pencil?—A. I am not particularly sure, I stood and watched him put his initials on it.

*By Sir Louis Davies :*

Q. And you have no doubt about that?—A. No.

Q. Was that correct?—A. I can't say whether it was a pen or pencil, but I saw him put them on.

Q. You could say a little while ago on your oath; will you stand by what you said a little while ago, or do you want to withdraw it?—A. I will withdraw it, I am not quite sure whether it was a pen or pencil.

- Q. Then you went behind the screen to mark it?—A. Yes.
- Q. Do you remember how the names were, which was first and which was last? Do you remember which right off without seeing the ballot to-day?—A. I did not see the ballot to-day.
- Q. You didn't see the ballot to-day?—A. No, I did not.
- Q. You remember the names were in order?—A. Yes.
- Q. Clearly?—A. Yes.
- Q. Very clearly?—A. Yes.
- Q. When were you looking at one?—A. I never looked at one since the day I voted.
- Q. Since the day you voted?—A. No.
- Q. You never looked at one, well I will accept your statement, and you remember the order in which they were placed?—A. Yes.
- Q. Who was first?—A. Robert Holmes.
- Q. Robert Holmes was the first and McLean was second, and when you brought it out voting for the first time you were very particular to get your ballot into the box of course.—A. No, I did not, I was in a hurry.
- Q. What did Cummings do when you handed him the ballot?—A. I passed outside.
- Q. Did you see him take the counterfoil off?—A. No.
- Q. You know what the counterfoil is?—A. Yes.
- Q. Did you see anything on the counterfoil?—A. No, sir.
- Q. You saw no mark on the counterfoil?—A. No.
- Q. Nor on the ballot paper?—A. No.
- Q. Did you look to see?—A. No, I did not.
- Q. And you mean to say you did not stop to see what became of your ballot?—A. No, I did not.
- Q. It might have been torn up on the spot?—A. I thought the scrutineer was there for the purpose of seeing the ballot put in.
- Q. Was McManus looking on?—A. Yes.
- Q. McManus was looking on?—A. Yes.
- Q. And you absolutely didn't look to see if he put it in the box or not?—A. No, I did not.
- Q. Did you tell anybody how you voted?—A. No.
- Q. You did not?—A. No, I did not.
- Q. Did anybody ask you?—A. No, sir.
- Q. How long was it before Mr. McLean came to you to sign the paper?—A. I cannot say how long it was.
- Q. Give us an idea as near as you can give it? A day, two days, a week, two weeks, three days, three weeks, four weeks. Can you remember whether it was one, two or four weeks?—A. Pretty near four weeks, I should think.
- Q. And, in the meantime, you had told no one?—A. No, sir.
- Q. And nobody had asked you?—A. No.
- Q. Nobody had asked you at all?—A. No.
- Q. And when they came to you, who came?—A. Robert McLean and Mr. Johnston.
- Q. Where did they find you?—A. At home.
- Q. In your own house?—A. Yes, sir.
- Q. And did they ask you to sign anything?—A. Yes, sir.
- Q. And you did sign?—A. Yes.
- Q. Did they swear you to it?—A. No.
- Q. They didn't?—A. No.
- Q. What did you do when you signed it, was anything said to you at all?—A. He read the declaration over to me.
- Q. He read the declaration over to you?—A. Yes.
- Q. He asked you if you voted for McLean?—A. Yes, sir.
- Q. Anything more than that?—A. No.
- Q. No oath or affirmation about it?—A. No.
- Q. No Bible about it?—A. No.

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Q. No declaration?—A. No.

Q. No raising of your hand?—A. No.

Q. No solemn declaration?—A. No.

Q. And you are not going back on that paper, are you?—A. No, sir.

Q. That is a dead sure thing. Have you heard anybody say lately, what would occur if you went back on that paper?—A. No, I haven't.

Q. You haven't been hearing them say it is equal to an oath?—A. I have heard some outside say it was equal to an oath.

Q. You heard some outside say it was equal to an oath? When did they tell you that?—A. I have heard different people speak about it lately.

Q. You have heard different people speak about it, yes. And do you know that going back on the paper would be equal to going back on an oath?—A. No, I do not.

Q. Don't you know what it would be if you made an oath here different from what you did then?—A. No.

Q. You don't know what the effect of swearing two ways on the one subject would be. One would be false and the other would be true?—A. Yes, sir.

Q. And you know the effect of this of course. Within how many days were you told that this paper you signed was equal to an oath?—A. Within a week.

Q. Within a week. How many times have you been told?—A. I do not remember how many times I was told it.

Q. Who were you told it by?—A. I do not know as I could say who they were because I have been just in company and heard different men speak.

Q. The witnesses that came down with you?—A. Yes.

Q. To give evidence here?—A. Yes, sir.

Q. And they told you the paper you signed was equal to an oath?—A. Yes, I have heard them.

Q. That is all within the last week? (No answer.)

*By Mr. Fraser :*

Q. How many discs were on the ballot?—A. Two.

Q. Which side of it were they on?—The right hand side.

Q. And you say you put your initials on one, or your mark rather. Now just one question or two. You have been talking with the witnesses?—A. Yes.

Q. On the effect of the paper you signed?—A. Yes.

Q. And you had come to the conclusion it was equal to an oath?—A. Yes.

Q. And if you swore anything different here you would be liable to be sent to the penitentiary for making a false oath?—A. Yes.

*By Mr. Britton :*

Q. Who was the poll clerk? When you put in your vote who put your name down?—A. Michael Tobin.

Q. What time did you vote?—A. It would be three o'clock in the afternoon.

Q. Did Mr. Beck—you know Mr. Beck?—A. Yes.

Q. Where is he? There he is over there with the light clothes on?—A. Yes, sir.

Q. Has he been constantly going out to the witnesses in the hall and talking to the witnesses while this case is going on?—A. No.

Q. Have you seen him there?—A. No.

Q. You haven't seen him in the hall?—A. No.

Q. Did he tell you it was equal to an oath?—A. No.

Q. Did you ever talk with him at all?—A. No.

*By Mr. Borden :*

Q. Has Mr. Holmes talked to you at all?—A. No, I haven't talked with Holmes at all.

Q. When you made this declaration, you understood when you signed this declaration that you were stating that you voted for Mr. McLean?—A. Yes, sir.

Q. For Mr. McLean and it was read over to you?—A. Yes, it was read over to me.

Q. And you stated it was correct?—A. Yes.

Q. Did Johnston sign it while you were there also?—A. No, I do not think he did.

Q. Did you understand at the time that it was not an affidavit or an oath, but was of the same character? I want to know whether at the time you signed it you knew it was not an oath, but of the same character and as binding as an oath?—A. Yes.

Q. You understood that at the time you signed?—A. Yes.

Q. And the discussion you heard among the witnesses has not altered your opinion as to the effect of it in any way?—A. Oh, no.

Q. Irrespective of that declaration altogether. You know that you voted for some one at that election?—A. Yes.

Q. You know who that was?—A. Yes.

Q. And who was he?—A. Robert McLean.

*By Mr. Russell :*

Q. What makes you think it was Michael Tobin that was there when you voted?—A. What makes me think?

Q. Yes?—A. I seen him and I know him.

Q. You saw him when you came up to vote?—A. Yes.

Q. What is your name?—A. James McWhinney.

Q. Are you positive it was not Mr. Lawson that was sitting there?—A. I am.

Q. What time of day was it that you went to vote?—A. About three, I judge. I think it was about that time.

Q. About three, you judge? Is there any other James McWhinney but you?—A. Yes there is, but not in that township.

Q. Not in No. 4 Colborne?—A. No.

Q. I would like you to remember whether it was not Mr. Lawson that was there as poll clerk instead of Michael Tobin as you have said?—A. Well, to the best of my knowledge it was Mr. Tobin.

Q. What I want to know is not your impression derived from the fact that you knew he was poll clerk?—A. Yes.

Q. Rather than from your seeing him there when you voted?—A. Yes.

Q. You didn't see him there when you voted?—A. I didn't take particular notice. I was in a hurry and I kind of thought it was him.

Q. Don't you think it was rather a careless kind of thing to tell counsel that it was Michael Tobin that was there as poll clerk when you voted, might you not be mistaken about other things? Did you take a little note about your vote?—A. Oh, no.

Q. You might have taken as little pains about your vote? I have no reason to doubt you. (No answer.)

Witness discharged.

WILLIAM J. GRAHAM, sworn.

*By the Chairman :*

Q. What is your name?—A. William J. Graham.

Q. What place?—A. Sheppardton.

Q. Occupation?—A. A farmer.

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*By Mr. Borden :*

Q. No. 79 on the poll book. You reside in Colborne, Mr. Graham?—A. Yes, sir.

Q. You voted at the Dominion election held on the 21st of February, 1899, for the west riding of the County of Huron?—A. I did, sir.

Q. Who were the candidates?—A. Mr. Holmes and Mr. McLean.

Q. Who was the deputy returning officer at the poll at which you voted?—A. It was Mr. Cummings.

Q. What is his first name?—A. Donald, I think.

Q. Donald Cummings?—A. Yes.

Q. Did you receive a ballot paper from him?—A. I did, sir.

Q. Did you mark it?—A. I did.

Q. For whom?—A. Mr. McLean.

Q. What kind of a mark did you make?—A. An "X".

Q. An "X" or a cross?—A. An "X" or a cross whichever you like to call it.

Q. Opposite whose name?—A. Mr. McLean's.

Q. Was there any space there for the purpose?—A. Yes, a round white space.

Q. A round white space. And you put your cross in it?—A. Yes, I did.

Q. After marking and folding the ballot paper what did you do with it?—A. I handed it to Mr. Cummings.

Q. The same ballot paper?—A. Yes, I did.

Q. Did you observe what he did with it?—A. I could not see. When I gave it to him I passed back from where he was sitting, at the side of the table and the ballot box was standing between me and him and I could not see. But he was so long from the time I gave it to him to the time he put it in the ballot box I thought he was handling it more than I would like.

Q. Did you see anything?—A. I did not, because I could not see.

Q. You were waiting to see what he was doing?—A. Yes, waiting to see what he was doing and after a little he lifted it up and put it in the box a minute or so afterwards.

Q. Could you see what he was doing with it, from where you were standing?—A. No, I couldn't see.

Q. You say he took some little time?—A. Some little time.

Q. Did you see him put his hand in his pocket?—A. Yes, I did.

Q. Do you know what he was doing it for?—A. No, I do not.

Q. You could not tell at the time what he was doing it for?—A. No.

*By Sir Louis Davies :*

Q. Would you be surprised to learn that you are the first Conservative that has suggested that the returning officer took a long time to put the ballots in?—A. He seemed to go that way with me.

Q. He did?—A. Yes.

Q. Did you know him before?—A. I knew him well before.

Q. Had you been canvassed?—A. No, sir.

Q. Nobody canvassed you?—A. No, sir.

Q. Did you tell anybody who you were voting for?—A. No, I do not remember doing it.

Q. Can you remember who were standing around that time at the time when you went to get your ballot?—A. The poll clerk was there.

Q. That is Tobin?—A. Yes.

Q. What time of day did you vote?—A. In the afternoon.

Q. What time about is that?—A. About four o'clock it must have been.

Q. Cummings was there, that is two; who else was there?—A. Well, there was different ones there, Dancy was there too about at the time I went in to vote.

Q. Dancy was there, that is three, who else?—A. McManus was there.

Q. McManus was there as scrutineer for McLean?—A. Yes.

Q. Who else?—A. Some of my neighbours, I could mention some.

- Q. Mention them?—A. There was different ones of the Kearneys.
- Q. Was Lawson there?—A. Yes.
- Q. Lawson was there?—A. Yes, he was.
- Q. And Shaw was there?—A. Yes, he was there too.
- Q. He was representing McLean too?—A. Yes.
- Q. These men were looking on?—A. Yes.
- Q. They were near the returning officer?—A. Yes, they were sitting around.
- Q. When you came up was your name called?—A. Yes.
- Q. You got a ballot?—A. Yes.
- Q. From whom?—A. Cummings.
- Q. Where did he get it?—A. Well, from the book.
- Q. He got it from a pad?—A. Yes.
- Q. What did he do?—A. He put his initials on.
- Q. He put his initials on?—A. Yes.
- Q. Would you say whether it was with a pen or pencil he put his initials on?—
- A. I think it was with a pen.
- Q. And then he gave it to you?—A. Yes.
- Q. And you came out?—A. I went up behind the screen.
- Q. You marked your ballot there?—A. Yes.
- Q. And brought it back and gave it to the returning officer?—A. Yes.
- Q. How near were you to him?—A. He was sitting there and I was standing here at this little table.
- Q. You say different to others; suppose that little table—did he stand where the gentleman is writing and did you stand here?—A. It was where this gentleman is.
- Q. That is different?—A. He was there and the ballot box was standing as it were between him and me.
- Q. Supposing that to be the door coming in and that is the stove, and this is to be the table on which the ballot box was; there was the poll clerk to the right, there is the poll clerk and here is the screen, there is the returning officer sitting here; here you would be standing, here?—A. Well, now, I will give it to you; as the length of the table, here is the door where you come in here, and this is the table, you see; the table is the opposite way sitting, a square table; he was sitting here and I stepped this end of the table.
- Q. You could not step to this end because you could not reach him?—A. I did after I gave him the ballot.
- Q. I hadn't got you that far; you understand then, assuming Cummings was there, where that man is, that the ballot box—?—A. He was there, he was sitting where this gentleman was.
- Q. Put it there then?—A. I won't. I won't speak anything but the truth; you won't get me to put it out of the way it was.
- Q. I want to get you and the other witnesses reconciled?—A. If they have told a different story I won't change for them.
- Q. You say you stood on the opposite side?—A. I stood on the opposite side and this gentleman was like Mr. Cummings.
- Q. He was around the table and the other officials at the corner?—A. I say what I know and nothing more.
- Q. That is the way you want to put it?—A. Yes.
- Q. And then you came out and reached across the table?—A. No, sir, I didn't reach across.
- Q. You did to give the ballot to him?—A. I gave it to him as I came from the screen.
- Q. If that man that is writing was away you would be there?—A. No.
- Q. Now if the deputy returning officer was there how could you reach him?—A. I came along and stepped as it were here and reached across to him here.
- Q. You gave him your ballot paper as you passed by and then walked round the table?—A. Yes, to this side.
- Q. That is to get the box well between you and the returning officer?—A. No.
- Q. Why didn't you stand alongside him?—A. Because I had no need.

## Privileges and Elections Committee.

Q. You hadn't?—A. I didn't expect he would go to handle my ballot after he seen the initials, but put it in the box.

Q. You expected he would be straight?—A. Yes, I rolled it up carefully, so he would see his initials, and all he would have to do was to put it in the box.

Q. That was your opinion, and that is your opinion now?—A. Yes.

Q. And your opinion was, it was his duty to put it in the box? And you had some suspicion?—A. I had some suspicion.

Q. You didn't know he had to take that ballot paper and tear the counterfoil off?—A. No, I didn't know that.

Q. If you had known, there would be no suspicion?—A. No, I don't think I would have had it.

Q. So if he put the ballot paper down to take the counterfoil off there was nothing suspicious, and now you know that there was nothing singular about it?—A. I didn't like that pocket work there.

Q. What difference was it to you where the counterfoil was put?—A. Well, it was such a remnant of a thing and worthless, it might go on the floor or in the basket.

Q. Are you naturally a suspicious man?—A. No, sir.

Q. Now, having found out you were all wrong, and the man had to put the counterfoil in the box, but was bound by law to take it off, are you man enough to say your suspicions were unfounded?—A. I am not going to say that; he unfolded my ballot, and, therefore, he could have an opportunity to see who I voted for.

Q. Could he have taken off the counterfoil without unfolding it first?—A. Well, I don't know.

Q. Now, can you blame him for that?—A. I don't blame him, but at the same time I did not think it was right, and I don't think it was right still, that a man should have the right to open a man's ballot.

Q. We're not only doing that, but making the man tell how he voted?—A. What is the use of the ballot then?

Q. Now, what I want to see is the sort of man you are; having seen that man open your ballot and having formed this suspicion against him because he did that, now having found out he was bound by law to tear the counterfoil off, are you man enough to withdraw your suspicions?—A. Well, yes, I am.

Q. Now, then when he did that, took off the counterfoil, you saw him put the paper in the ballot box?—A. I saw him put one in, I would not say it was the same.

Q. You won't say?—A. The ballot box was between—

Q. What do you say?—A. It was; I have not to come to tell my belief.

Q. Did you watch his hand go to the pocket?—A. Yes.

Q. Did you see anything go in?—A. I saw the counterfoil go in.

Q. Did anything come out?—A. I don't know.

Q. But you say you watched it?—A. Yes.

Q. Was anything in the hand?—A. I could not say there was.

Q. Did you see anything?—A. No.

Q. The hand went in with the counterfoil and came out with nothing?—A. The hand was half closed.

Q. Do you want to insinuate that there was anything in it?—A. No.

Q. Have you any ground for telling this committee there was anything in his hand?—A. No, I have no ground and there was no ground.

Q. And when he did take out his hand he folded the ballot up?—A. Yes.

Q. The ballot you gave?—A. I suppose that he did.

Q. You suppose that it was the ballot you gave him; after he tore off the counterfoil the ballot remained in his left hand and was visible to Shaw and McManus?—A. I suppose.

Q. They were looking on?—A. They were there; I suppose they were looking on.

Q. And Shaw and McManus were looking on and the shrewd and suspicious Mr. Graham was looking on, all at this poor fellow, the returning officer. I ask you didn't that ballot remain in his left hand?—A. I could not say for mine.

Q. What did he do to make you doubt?—A. He delayed.

Q. Did he delay longer than necessary to open the ballot, tear off the counterfoil, and bring back his hand?—A. I could not say to that.

Q. Do you wish to say that he delayed longer?—A. I do not say he delayed longer with mine than with others.

Q. Could you have done it quicker, to open the ballot, tear off the counterfoil and bring back your hand?—A. I am not a practiced hand at that.

Q. You don't want to admit anything?—A. No.

Q. Did you see him put the paper you supposed your ballot in the box or did it fly away?—A. I seen him put a paper in the ballot box after a few minutes or a second or two.

Q. Did you believe that to be your ballot?—A. I suppose so.

Q. At that time did you believe that was your ballot?—A. I did.

Q. Had you any doubt about it then?—A. I had no doubt, only I thought he was wanting to see who I voted for.

Q. All you had suspicion of was you thought he was wanting to see who you voted for?—A. When he was so long putting it in.

Q. You had no doubt otherwise?—A. No.

Q. But since you heard and read things you were suspicious?—A. I have heard more here.

Q. Who were you talking with?—A. Several ones.

Q. And what were you led to suspect since you came here?—A. Well I heard them talking.

Q. And you supposed there was some thimble-rigging?—A. That is to be told yet.

Q. Had you expressed any opinion as to Holmes and McLean and how you were going to vote before the election?—A. No.

Q. Are you quite sure?—A. Yes.

Q. I would like you to recollect did you lead anybody to believe you were going to vote for Holmes?—A. No, sir, I didn't.

Q. Did you talk to anybody about who you were going to vote for?—A. Well, I don't just remember that I did.

Q. You don't remember?—A. I don't remember that I did because there has been so much talk dealing with the election.

Q. Do you know McLean?—A. Yes.

Q. Had you business with him?—A. A little.

Q. Did you promise to vote for him?—A. No.

Q. Did he ask you?—A. He asked me if I would support him, but I didn't promise him.

Q. Did Holmes ask you?—A. No.

Q. Or anybody on his behalf?—A. No.

Q. And you held yourself perfectly free?—A. Yes.

Q. You are pretty sure of that now, that only McLean asked you and you would not give him the satisfaction of knowing?—A. Exactly that.

Q. Are you quite sure that McLean asked you and you would not tell him?—A. No, I would not tell him.

Q. How long was that before the election?—A. A good while.

Q. What do you mean?—A. Well, weeks.

Q. Why they were not nominated weeks?—A. It was before he was nominated.

Q. The only time you were asked by him?—A. The only time.

Q. Was weeks?—A. Some weeks.

Q. And you would not tell him?—A. No.

Q. How long was it after, before anybody came to get a certificate about voting?—A. A declaration.

Q. Call it what you like, declaration, statement, or certificate, a paper writing?—A. About the 1st of April.

Q. And that would be two or three months after, February, March, April?—A. Well, about the end of March.

Q. Five or six weeks?—A. It might be that.

Q. Well who came?—A. Well Mr. Johnston and Mr. McLean.

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- Q. Had you told Mr. Johnston and Mr. McLean how you voted up to that time ?  
—A. No, I didn't.  
Q. Had they the paper drawn up certifying how you voted ?—A. No, they drew it up after they came.

*By Sir Louis Davies :*

- Q. Now, Mr. Graham, I want you to pull yourself together ?—A. Yes, sir, I am.  
Q. They read the paper out, I suppose ?—A. Yes, they filled it up.  
Q. Filled what up ?—A. This declaration ?  
Q. Filled what up ?—A. This paper.  
Q. Oh, they had a printed form ?—Yes, and they filled it up.  
Q. Was this at your own house ?—A. It was at the stable ; I was just coming from the stable.  
Q. Who talked to you ?—A. We talked there, they were there before. I heard they were coming for the purpose, a day or two before. I made mention of it and said I was ready for it, and Johnston took it out and filled up this paper for me and I signed it.  
Q. You are sure it was not filled up before ?—Oh, yes, sir, I am. He read it to me and I signed it.  
Q. Did you take a book and swear to it ?—A. Yes, sir.  
Q. I say did you take a book ?—A. No, sir.  
Q. Did you make any oath or affidavit about it ?—A. No.  
Q. You are quite sure of that ?—A. Yes, sir.  
Q. There was nothing spoken about the oath or affidavit ?—A. No.  
Q. Nothing said about it. Will you stick to that ?—A. Yes, sir, I will.  
Q. Nothing said about an oath or affidavit of any kind ?—A. No.  
Q. As far as Johnston or McLean or you were concerned, neither of you mentioned anything about an oath or affidavit or did you mention it ?—A. I mentioned at the time that it was something similar to an oath.  
Q. Did they mention it ?—A. No.  
Q. Did they make any remark ?—A. No.  
Q. They did not ?—A. No.  
Q. They did not say whether it was or not ?—A. No, they did not.

*By Mr. Fraser :*

- Q. Who came to see you about it as you knew they were coming ?—A. Well, they had called around a day or two before.

*By Sir Louis Davies :*

- Q. You have been here with the other witnesses since you came down ?—A. Yes, sir.  
Q. Did you hear from them that what you signed was in the nature of an oath ?  
—A. No.  
Q. Sure of that ?—A. Yes, sir.  
Q. That nobody has mentioned to you that the document you signed was somewhat in the nature of an oath ?—A. No, I knew it was myself.  
Q. I am not asking you that at all, I am asking you if you heard from any party say, since you came to Ottawa, that it was ?—A. No, I have not.  
Q. You are quite sure of that ?—A. Yes.  
Q. Nobody has spoken to you ?—A. No.  
Q. And although you have been mixed up with the other witnesses and among them day in and day out nobody has spoken to you ?—A. No, sir.  
Q. Or told you what this document was or suggested to you that it was equivalent to an oath ?—A. No, sir, it was not necessary.

*By Mr. Borden :*

Q. You understood at the time you made this declaration it was of the same force as an oath?—A. Yes.

Q. And Sir Louis Davies has told you that this was regular; now I tell you it was not regular, that he should have destroyed the counterfoil at the time. Did you know it was necessary to destroy the counterfoil?—A. I knew nothing about it; I thought the ballot was prepared completely for me to give it to him.

Q. You saw him put something in his pocket which you thought to be the counterfoil?—A. Yes, sir.

Q. And you can't tell whether it was the counterfoil or not?—A. I can't tell.

Q. And while you saw that hand go into his pocket you could not see that the other hand held the ballot?—A. No, I could not see it for the ballot box.

Q. You could not see it at all?—A. No.

Witness was discharged.

The committee adjourned.

## Privileges and Elections Committee.

HOUSE OF COMMONS,  
THURSDAY, 27th July, 1899.

The committee met at 11 a.m., Mr. Fortin presiding.

Inquiry *re* the last Dominion election in the west riding of the county of Huron resumed.

ROBERT C. HAYS, sworn.

*By the Chairman :*

Q. Your name?—A. R. C. Hays.

*By Mr. Borden :*

Q. Mr. Hays you are a barrister and solicitor?—A. Yes.

Q. For the province of Ontario?—A. Yes.

Q. Of how many years?—A. Oh, about fifteen, I think.

Q. You practise your profession in the town of Goderich?—A. Yes, sir.

Q. You took the declarations of Hamilton McManus, Joseph J. Wright, James McManus, Jerry Dalton, Joseph C. McCann and Edward Shaw?—A. Yes, sir.

Q. With regard to that election?—A. Yes, sir.

Q. Which have been referred to by these gentlemen in their evidence I think?  
—A. Yes, sir.

Q. Tell me whether you explained to these persons what the nature of the document was?—A. Yes, I both read it to them and explained it to them.

Q. What did you explain about it to them?—A. I explained that it was of the same effect as an affidavit. One of them, I think Mr. Wright, asked me if he had to make an oath on it, and I explained that the oath was not administered. It was of the same effect as an oath.

Q. You remember the election which was held on the 21st of February, 1899, for the west riding of the county of Huron?—A. Yes, sir.

Q. Do you remember going on the following morning to the office of Mr. James Reid, tax collector?—A. Yes, s.r.

Q. On your way to his office, I think, you met him?—A. Yes, I met him.

Q. And you went with him to his office?—A. Yes.

Q. After reaching his office did he show you anything?—A. Yes, he showed me some pieces of ballot.

Q. He handed you some pieces of a ballot, you say?—A. Yes.

Q. And you brought them away with you?—A. Yes.

Q. Were they in an envelope?—A. They were in an envelope.

Q. And he also handed you some further pieces of ballots in another envelope?  
—A. Yes.

Q. Now, speaking of one of these envelopes, did you do anything with these pieces?—A. Yes, I pasted them on paper. I pasted them on a paper.

Q. Did you put any mark on them yourself?—A. No.

Q. Did you put any mark on the pieces yourself?—A. Not on the pieces of ballot; no.

Q. Were they in the same condition when you pasted them on pieces of paper as when you received them from Reid?—A. Yes, sir.

Q. In examining these pieces did you notice any mark on the back of one of these pieces?—A. Yes.

Q. And in pasting the ballot on the pieces of paper did you take any precautions with regard to them?—A. I pasted one end of it, leaving the other loose so it would show the mark.

Q. So it would show the mark. Will you look at this exhibit and tell me where that is?—A. Yes.

Q. Exhibit 2 contains the pieces of the ballot delivered to you by Mr. Reid on that occasion?—A. Yes.

Q. After pasting these pieces on this piece of paper where did you keep the paper?—A. I kept it in my purse in my pocket.

Q. And you made this memorandum?—A. Yes.

Q. Signed R. C. Hays?—A. Yes.

Q. The whole of it is in your writing?—A. No; this is in Reid's writing.

Q. But the whole of this lower memorandum is in your writing?—A. Yes, that is my writing.

Q. And the upper is in the handwriting of Reid?—A. Yes.

Q. Made in your presence?—A. Yes.

Q. Made in your presence at your office?—A. Yes.

Q. Now besides these two pieces of the ballot did Reid give you any pieces of the ballot?—A. Yes.

Q. He did?—A. Yes.

Q. Did you take them away from his office?—A. Yes. I took them to my own office.

Q. And where did you keep them in your own office?—A. I kept them in my safe.

Q. Have you got them with you?—A. Yes.

Q. Will you produce them?

(Envelope produced.)

Q. You might just open it up and see?—A. Shall I empty them out?

Q. There are some in there not pasted?—A. Yes.

Q. Do you know how many pieces there are?—A. No, I have no idea how many pieces.

Q. Perhaps you had better count them? They are pretty well torn up. Well, we had better put them in an envelope I suppose. That will be the best way. Are these pieces of ballot in the same condition in which they were when you received them from Mr. Reid?—A. Yes, except that I pasted these few on this paper.

Q. Except that you have pasted these pieces of ballot on this white piece of paper?—A. Yes.

Q. Perhaps we had better have two pieces marked?

(Pieces filed and marked exhibits 10-1 and 10-2.)

Q. The remaining pieces of ballot are very numerous you observe seeing them spread out on the paper?—A. Yes.

Q. I would suggest that the remaining pieces be filed?

(Pieces filed and marked exhibit 10-3.)

Q. So you did nothing to these pieces of ballot except to place certain ones on two pieces of paper, 10-1 and 10-2?—A. Nothing.

Q. Nothing else?—A. Nothing.

Q. Do you know Mr. Alexander Smith, Liberal Organizer for Ontario?—A. I know him by sight.

Q. You know him by sight. Your office is in the same building as the office of the *Signal* newspaper?—A. Yes, next door on the ground floor.

Q. Next door on the ground floor? Did you see Mr. Smith on any occasion in the town of Goderich during that election?—A. Yes.

Q. Did you see him going into any building?—A. I saw him going in and out of the *Signal* office.

Q. More than once?—A. Yes, several times.

Q. Did you see any persons going in or coming out with him whom you did not know?—A. On two or three occasions I did.

Q. On two or three occasions you did, strangers?—A. Yes.

Q. You are pretty well acquainted with the people of the town of Goderich I suppose?—A. Yes.

Q. You know the people in the town of Goderich very well?—A. Very well.

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Q. And these were people whom you say you did not recognize?—A. No, I am positive they were not residents of Goderich.

*By Mr. Powell :*

Q. Would you just step here and see how many of these there are. The question I ask him is this, if he can tell me how many at the least are torn up and placed in exhibit 10-3. How many would there be?—A. There are at least three.

Q. At least three ballots?—A. Yes.

Q. At least there are pieces of how many ballots torn. I am not saying how many could be made putting them together, but at least there are in these pieces that are in evidence as exhibit 10-3, there are portions of at least how many ballots?—A. Three.

Q. Three ballots, separate and distinct ballots?—A. Yes.

*By Sir Louis Davies :*

Q. Do you know where these little pieces were found, what subdivision they were taken out of or anything of the kind?—A. I do not know of my own knowledge, only what Reid told me.

Q. Only what Reid told you, about sixty little pieces, I should judge?—A. Probably. I did not count them.

Q. What do they look like? Like where ballots have been torn up and destroyed?—A. Yes, sir.

Q. You heard the last witness examined. You were in court all the time, at least in the committee room?—A. Yes.

Q. You said they were found on the floor where the polling took place?—A. Yes.

Q. As being torn up by the officers?—A. Yes.

Q. That would account for them entirely, being destroyed ballots?—A. Yes, I suppose it would.

Q. There is nothing wonderful about that. You have attended elections before to-day?—A. Yes, sir.

Q. You have been at polling booths?—A. Yes.

Q. Do you ever remember once in your life where there was not a destroyed ballot?—A. What I understand—

Q. Answer me that question?—A. Not destroyed in that way.

Q. You never saw a ballot torn up?—A. No.

Q. You are a wonderful electioneer?—A. I never saw it done that way.

Q. You were going to say you have seen some destroyed?—A. What I understand to be a destroyed ballot, is one that the voter has destroyed and returned and got another in the place of it.

Q. Did you never see one destroyed in the poll?—A. No.

Q. But if these were torn up and destroyed, that would account these for a pieces?—A. Yes.

Q. Now, as a matter of fact, Mr. Hays, you say you could see distinctly three ballots?—A. What represents three ballots.

Q. And all of the circles?—A. Yes.

Q. Not one of them marked?—A. No.

Q. That is plain; they are blank ballots; you know of nothing wonderful in that; nothing very fraudulent could happen to anybody in that?—A. No.

Q. What is wonderful, bringing all these here before the committee and keeping them sealed up in your safe and in an envelope; what is the intention—what is the inference you draw?—A. I don't draw anything.

Q. Do you suggest any fraud through these blank ballots picked up?—A. No, I don't, only it shows carelessness.

Q. Can you tell me why you picked four pieces out of this number and pasted them together?—A. Because they had marks.

Q. What marks?—A. "No.," which means number, and the part containing the number, I presume, of the polling place, probably No. 3.

Q. Why do you say three; do you see "3" there?—A. No.

Q. I ask you for the evidence; is there anything to show to indicate to you what number could have been there?—A. No.

Q. There is not; and then you say what is there?—A. "No."

Q. "N;" do you see "o" there?—A. I see part of the "o" there.

Q. You do?—A. On the side of the paper.

Q. How strong is your imagination, do you think; do you see anything more?  
—A. "N."

Q. And what else is there?—A. G-o-d-e-r-i-c—

*By Mr. Britton :*

Q. That is the town the poll was at?—A. Goderich.

*By Sir Louis Davies :*

Q. You say you imagine that to be part of "Goderich"?—A. Yes.

Q. And whatever that is, as far as you see, it seems to end in "N"?—A. "N" and part of another letter.

Q. I am willing to take your evidence whether this down stroke was "o;" that is what you state?—A. That is what I think it is, and in addition there is the figure "200."

Q. And also you want to make a "2" out of this; do you?—A. I don't see what else it would be.

Q. Do you wish to say that is a "3," filling in the blank?—A. It is not complete.

Q. And you fill in the blank?—A. I don't see what else it could be.

Q. What might it not be with your imagination; the bottom part of a 3 or a 5, or any other figure you like; the bottom part of a 2 it might be?—A. It goes over too far.

Q. Might that be the bottom part of 2?—A. It might be.

Q. So that is all your imagination, transforming that little line into a possible 3. You have already told me, as far as you are concerned, it requires some effort of the imagination to fill up that blank, that "No" and put a top on that figure and call it "2"?—A. It certainly is not a complete figure.

Q. And a man could equally well put something else there if his imagination is strong enough?—A. What I meant was, I am not positive, I am only giving what I think.

Q. You are only giving your theory?—A. Yes.

Q. As a matter of fact, I think we can pass this by by saying all this resolves into three blank ballots without a mark?—A. You will find another piece you have not referred to.

Q. All I ask is, this is three blank ballots and on the white discs there is no mark?—A. On the face, look at the other?

Q. On the pieces you received from Mr. Reid?—A. On the face of the ballot?

Q. Yes.—A. Certainly.

Q. Now then, you got some other pieces of paper; and I believe from what Mr. Reid said that Goderich was in a state of excitement?—A. Well, I don't know anything of that.

Q. But you hurried off to Reid to get them?—A. Yes

Q. You participated in the excitement to that extent?—A. Well, I thought the hall might be swept out.

Q. Somebody told you the ballots were found?—A. Yes.

Q. So we will go away from this mass of pieces altogether and turn to the other piece; this is the document I suppose?—A. Yes.

Q. You are the author of this in the present shape?—A. Well, I pasted it.

Q. The architect did it with your own hands, no assistance?—A. No.

Q. When did you do that, the day you got it from Reid?—A. Yes.

Q. Reid didn't assist?—A. No.

## Privileges and Elections Committee.

Q. It is not a complete ballot, is it?—A. No.

Q. Part of one?—A. Yes.

Q. You have got a piece which appears to be torn, which you say would only stick by the edge so we might see some marks on the back?—A. Yes.

Q. Your imagination was strong enough in the other case; I have no objection to your exercising it on that to see what you make out of these hieroglyphics, these marks, these lines?—A. Well, the first letter, as I believe—

Q. Is it a letter at all? Is it a letter which would enable you to state in your present position it is any letter?—A. No.

Q. Now then, we will go to the second; are you strong enough in your judgment to say what that is?—A. I would say it is an "F."

Q. Perhaps you will give me your reasons—we may both be prejudiced, you and I. Now, Mr. Hays, to an ordinary eye that looks like a stroke, that cross across the top and the line going up?—A. There is a line going over this way at the top.

Q. You think there is a line over there making the "F"?—A. Yes.

Q. That is what you draw from it?—A. Yes.

Q. And that is a line over there?—A. Possibly you may be right.

Q. You think there is a top there indicating an "F"?—A. Yes.

Q. Mr. Reid explained where that was found, at the top of the stairs?—A. Yes.

Q. You have no knowledge as to the circumstances?—A. No.

Q. And this story of the pieces of ballots being found in the polling book, you were all on the qui vive?—A. All I know anything about.

Q. And being one of the managers of the election you know all about it?—A. I presume I do.

Q. Some blank ballots and one marked?—A. Yes.

Q. You saw Mr. Smith going in to the *Signal* office?—A. Yes.

Q. Do you want to imply there was anything extraordinary in that?—A. No.

Q. I suppose strangers are in the habit visiting these printing offices constantly during an election? If strangers went to the town of Goderich one of the principal places they would go to would be the printing offices?—A. If they had business there.

Q. There is nothing singular about it, why did you notice? I want to know whether you attach any importance to that?—A. Well I cannot say that.

Q. You do not know why you were asked that?—A. Well I can imagine why.

*By Mr. Britton :*

Q. Would you please give the committee the authority under which you administered these declarations, took the declarations or administered the oath?—A. Under the Act respecting the Administration of Oaths.

Q. An Ontario Act?—A. The Dominion Act.

Q. You do not remember the chapter, I suppose?—A. No, it was passed I think in the year 1874.

Q. And it was under that that you professed to act in this?—A. Yes.

*By Mr. Fraser (Guysboro') :*

Q. Then it is the similar way that you take all declarations under that Act just the same as in this case?—A. Yes.

Q. You never swear them, you never think they ought to be sworn, whether criminal or civil?—A. There is a penalty.

Q. I ask you is that your general course, to get the people to sign it?—A. Certainly, and explain to them.

Q. You never do it any other way?—A. No.

Q. You never swear, that is the general way?—A. Yes.

*By Mr. Powell :*

Q. Mr. Hays, I understand that is the general way with solemn declarations?—A. Yes.

- Q. But not the way you make affidavits?—A. No.
- Q. I would call your attention to this ballot (exhibit 10-3) which Sir Louis Davies has asked you about; would you swear positively that that is "200"? What is your judgment?—A. My judgment is it is "200."
- Q. And what is your judgment on that letter "N" and portion of the other?—A. "N-o."
- Q. That is the abbreviation for number?—A. Yes.
- Q. And what is your judgment on that "G-o-d-e-r," that that means what?—A. Goderich.

*By Mr. Fraser :*

- Q. You have never looked at them since you got them?—A. No, never.
- Q. From the time you got them to the present you never had them arranged till now?—A. Nothing further than these pieces.
- Q. I mean these pieces that are pasted. You never arranged them or anything else?—A. No.
- Q. So that you are giving your judgment, upon the explanation that is made to you over there, just now, for the first time?—A. Yes.

Mr. POWELL.—I ask that these small pieces be marked and recorded on the evidence as 10-3?

*By Mr. Borden :*

- Q. One of these exhibits you have not been asked about is exhibit 10-2? Do you see any mark on the larger piece of the ballot which is pasted on 10-2?—A. Yes.
- Q. What do you take it to be?—A. I take it to be "F."
- Q. And what do you take the mark before the "F" to be?—A. "J," but there is a portion of it missing.
- Q. And there is a portion also of "F" apparently missing?—A. Yes.
- Q. A small portion?—A. Yes.
- Q. There is also a pencil mark on the small piece of exhibit 10-2?—A. Yes.
- Q. A small piece of the ballot?—A. Yes, I don't know what that is.
- Q. In looking at exhibit No. 2 you have told Sir Louis Davies that you took the second mark there to be "F"?—A. Yes.
- Q. Before "F," do you see a pencil mark?—A. Yes.
- Q. Apparently a straight pencil mark?—A. Yes, with a little turn.
- Q. With a little turn?—A. A little turn and also a mark of a cross.
- Mr. Britton objected to the question as leading witness. Argument followed.

*By Sir Louis Davies :*

- Q. You have been exercising a little imagination on this, eh! Mr. Hays?—A. I don't think so.
- Q. You told Mr. Borden that you came to the conclusion that this represents a large "F"?—A. I certainly did.
- Q. You don't mean to go farther than that. You don't profess to be an expert of course?—A. Oh, no, not an expert.
- Q. Not an expert on hand writing, just to the best of your judgment?—A. Yes.
- Q. I want to see as a matter of curiosity how your judgment is. You think this the top of the "J" do you?—A. Yes.
- Q. That would make it, if this was a cross there, it would mark it off distinctly, would wouldn't it?—A. No, because it has no down stroke there.
- Q. Eh!?—A. There is a distinction.
- Q. I only wanted to see by what reasoning you came to this conclusion. You can make almost anything out of that beginning at the top, eh?—A. I thought that was what it was.

## Privileges and Elections Committee.

*By Mr. Bergeron :*

Q. To sum up the whole thing, as a matter of fact there were found in that division about five ballots which had been torn up and thrown on the floor?—A. As far as I know four.

Q. That is what I am asking you, how many ballots were found torn up in the poll there, according to your estimation?—A. The ballots that were produced here.

Q. In No. 10-3?—A. In number 10-3, I would say at least three ballots, I can't say there was more.

Q. That were found in the poll on the floor?—A. Yes.

Q. And the other two which had been pasted by you, had been found where?—A. No. There was only one.

Q. That is what I mean, one?—A. Yes.

Q. That was found where?

SIR LOUIS DAVIES.—Mr. Reid stated yesterday that he found it at the head of the stairs.

Mr. BORDEN.—No. 2 was found outside in the hall near the head of the stairway, so Mr. Reid says. Mr. Hays has no knowledge at all about that.

*By Mr. Bergeron :*

Q. Did you ever see any ballot torn in that way and thrown on the floor at other elections?—A. No, I have already said that.

*By Mr. Russell :*

Q. You are of course familiar with the law that requires a spoiled ballot to be put in an envelope?—A. Yes, sir.

Q. I suppose you made no inquiry as to whether that was done in this case or not?—A. No.

Q. Suppose you found there had been some spoiled ballots at this booth, but there was no envelope containing the spoiled ballots in the returning officer's return, do you think you might account for these pieces of ballots being on the floor by that circumstance or not?—A. Do you mean if the deputy returning officer made returns of spoiled ballots, but no ballots?

Q. Yes. Could it possibly be that these were the spoiled ballots that were not returned in an envelope and instead of being returned it were thrown on the floor, don't you think that would account for it?—A. If his return showed about the same number I should think so.

Q. If his return showed the same number that would be the inference you would draw?—A. It might.

*By Mr. Britton :*

Q. This is what you make as 200 there?—A. That would be in my judgment.

Q. And Goderich?—A. Yes.

Q. You know I suppose that where a package was—in the first place do you know whose hand writing that is?—A. No, I do not recognize it at all.

Q. You don't know whether that came from the printing office or not?—A. No, I do not.

Q. Do you know that when these packages of ballots were delivered in the first place they would bear the number in the package on the back of the outside ballot?—A. I believe that is so.

Q. And of course Goderich in that reference would refer to the town?—A. Yes.

Q. And that number there is out altogether, No. for number and the figure is out altogether?—A. Yes.

Q. So that if you were dealing with hypothesis this may be the bottom one of a package handed to some poll in Goderich?—A. Yes.

Q. And that may be the writing of the returning officer?—A. I can't say as to that.

Witness was discharged.

NIXON DOUGHERTY, called and sworn.

*By Mr. Borden :*

This witness is No. 39 on the poll book.

Q. You reside in the township of Colborne?—A. Yes, sir.

Q. Did you vote at the Dominion election that was held on the 21st February, 1899, for the west riding of the county of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. What is his first name?—A. Donald Cummings.

Q. Who were the candidates at the election?—A. Mr. McLean and Mr. Holmes.

Q. Did you receive a ballot from the deputy returning officer?—A. Yes, sir.

Q. For whom did you mark it?—A. Mr. McLean.

Q. Opposite whose name did you put your mark?—A. Mr. McLean's.

Q. What kind of a mark?—A. An "x."

Q. An "x" or cross?—A. Yes.

Q. Was there any place opposite?—A. Beg pardon.

Q. Was there any place opposite McLean's name for the purpose?—A. Yes, sir.

Q. What kind of a place was it?—A. Well, it was a round place.

Q. What colour?—A. White.

Q. A round white place?—A. Yes.

Q. And you put your cross in that round white place?—A. Yes.

Q. After marking the ballot and folding it, what did you do with it?—A. I folded it up and handed it to the deputy returning officer.

Q. Did you hand back to him the same ballot which you had received from him and which you marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. No, I did not.

Q. Did you pass right along?—A. Yes, I passed right along.

Q. Handed him the ballot and passed right along?—A. Yes, sir.

Q. Did you remain any time after that in the polling booth?—A. No, sir.

Q. You passed right out?—A. Yes, sir.

*By Mr. Britton :*

Q. You have always been a Conservative?—A. Yes, sir.

Q. Yes, and were you taking any active part at all in that election?—A. No, sir.

Q. Were you a member of any committee?—A. No, sir.

Q. Were you canvassed by anybody?—A. No, sir.

Q. They let you do then just what you thought best?—A. Yes.

Q. Did you attend any meeting?—A. No, sir, I did not.

Q. You did not attend a meeting at all?—A. No.

Q. You have voted, of course, at a good many elections?—A. Yes, sir.

Q. How many?—A. Well, now, I cannot tell you how many elections I have voted at, I would have to—

Q. Several, at all events?—A. Yes, several.

Q. Is this your usual practice not to see where your ballot goes?—A. Well, yes, it is. I generally just hand it to him and go out. I do not take any part in bothering with politics.

Q. Did you know where it was to go?—A. Yes, certainly.

Q. And the box was there, in sight?—A. Yes.

Q. And the hole in the box?—A. Yes.

Q. You saw all that?—A. Yes, I saw it when he was handing me the ballot.

Q. When he was handing you the ballot you saw there was a ballot box there, placed to put the ballot in?—A. Yes.

Q. And you went into the room and marked it?—A. Yes.

Q. You could not make any mistake about marking it?—A. No.

Q. You don't think you did?—A. No, sir.

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- Q. Did you see anything on the ballot that had to be torn off?—A. I did not.
- Q. Did you know there was anything in the ballot that had to be torn off?—A. I did not.
- Q. What did you do when you marked it?—A. I folded it up.
- Q. You folded it so that the initials were exposed and then you took it into the room where the returning officer was?—A. Yes.
- Q. You handed it to him?—A. Yes, sir.
- Q. So far we have got. Who were there, that is, in the room?—A. Well I cannot tell you unless Mr. McManus.
- Q. Any one else that you remember?—A. Mr. McManus was in the room just passed and saw him and walked out.
- Q. McManus was there and who else, do you know?—A. I cannot tell you.
- Q. Surely you know somebody who was in the room?—A. I did not see them to know who it was. Of course they told me after I came out but I did not see.
- Q. You did see Mr. McManus?—A. Yes.
- Q. Mr. McEvoy?—A. No, I did not.
- Q. You didn't see McEvoy there?—A. No, I did not.
- Q. You know Shaw?—A. Yes, I know him.
- Q. Didn't you see him?—A. I didn't take any notice.
- Q. Did you see Lawson?—A. No, I did not.
- Q. Then the only person you can remember is McManus and the deputy returning officer?—A. Yes.
- Q. Who recorded your name?—A. That is what I cannot tell you.
- Q. You cannot tell even that. Was your name recorded in the book?—A. Well, I expect it was.
- Q. You do not know?—A. No.
- Q. You didn't see anybody writing down your name?—A. I didn't take any notice.
- Q. You have known the deputy returning officer some time?—A. Yes, sir.
- Q. How far do you live from him, a short distance?—A. Oh, yes, about—
- Q. Always known him favourably?—A. Yes, I have known him, of course not personally.
- Q. Never heard anything bad about him?—A. No.
- Q. You know nothing bad about him?—A. No.
- Q. Never heard anything bad about him at all?—A. No.
- Q. You didn't suspect anything at that time?—A. No, I did not.
- Q. Did you notice the returning officer do anything with the paper you handed to him?—A. I just handed it and moved out.
- Q. Your answer is you did not?—A. No.
- Q. You didn't see him tear anything from the paper?—A. No.
- Q. Didn't see the way he put his hand, then you don't know very much about it. Did you stay about the poll long?—A. No, I went straight home.
- Q. Did you return again to the place?—A. To my own home.
- Q. To the poll booth?—A. No.
- Q. No, what time in the day was it when you voted?—A. Well it was in the afternoon, but I cannot tell the hour.
- Q. You cannot tell the time in the afternoon. When was the next you heard anything about the voting in that polling place? How long after you voted before you heard anything with reference to the voting in that place?—A. I can't hardly answer that question.
- Q. You cannot answer. What did you hear, what was the next thing that occurred with reference to your vote?—A. Of course the first thing I heard was that H lmes was elected, I think probably the next day, but I can't swear to it.
- Q. That was the general report, that he was elected. What next. Anything with reference to yourself. Did you tell anybody how you voted?—A. No, sir, I did not.
- Q. You did not tell anybody how you voted. Did you ever tell anybody?—A. If they asked me I would.

Q. Did they ask you. Did anybody ask you?—A. I do not think anybody asked me because I always voted Conservative, and they didn't bother with me.

Q. After you voted did anybody ask you?—A. No.

Q. Never?—A. No, never, no person asked me.

Q. No person asked you?—A. Yes. Oh, I beg your pardon. Mr. McLean and Lawson came and met me on the road.

Q. Mr. McLean and Lawson met you on the road?—A. Yes.

Q. They seem to have met all the voters on the road?—A. Yes.

Q. Where did they meet you?—A. They asked me how I voted and asked me to sign this declaration.

Q. Asked you to sign the declaration? Where was that as near as you can remember?—A. Well, it was a short time after the election, but I won't swear.

Q. And on the road, where was it?—A. Somewhere about Leeburn.

Q. And that is near where you live?—A. About four miles.

Q. You were out on your own business and met them by accident?—A. I was going to Goderich.

Q. And when you did meet them what happened?—A. Well, they asked me—

Q. Who asked you?—A. Mr. Johnston; I won't be positive. I think it was Johnston.

Q. Mr. Johnston asked you what?—A. Who I voted for.

Q. He asked you who you voted for and you told him?—A. Yes.

Q. And what next?—A. He asked me would I sign this declaration.

Q. He asked you if you would sign this declaration and presented the paper?—A. Yes.

Q. And what did you say?—A. I said, yes, certainly.

Q. Without knowing what it was?—A. He told me what it was.

Q. What?—A. He asked me did I vote for McLean.

Q. What next did he say?—A. And would I sign this declaration. He read it over to me. Of course I cannot remember all, but of course I knew that I voted for McLean.

Q. And then he produced the paper and read it to you?—A. Yes.

Q. The paper was all ready before?—A. No.

Q. Well, what then?—A. He filled it out there right on the road.

Q. He filled some paper out there right on the road?—A. Yes.

Q. And what did he fill it out with?—A. A pen, I think.

Q. He had an ink bottle ready had he, and ink horn? Can't you remember that. He filled it out with either pen or pencil?—A. Yes.

Q. Well, then, what next?—

MR. BORDEN.—The witness said it was a pen very clearly?

WITNESS.—It was a pen.

*By Mr. Britton :*

Q. You have got to there—?—A. It is so long since this occurred.

Q. It is not so very long at all. After he filled something out he read it to you didn't he?—A. Yes.

Q. And then what next?—A. I signed it.

Q. And then what?—A. I drove on and he drove on.

Q. Did he tell you it was an oath?—A. Yes, certainly.

Q. Well, why didn't you tell me it was an oath?—A. A declaration or whatever you like to call it.

Q. I do not want to call it anything. I want to know if you remember what did Johnston or McLean say to you?—A. I have told you I think all I can tell you.

Q. You haven't told me anything about their telling you it was either a declaration or an oath. Did anybody say that?—A. Didn't I tell you before it was a declaration?

Q. How do you know? What took place between you and him and Lawson and McLean?—A. What took place?

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Q. When you met them on the road and Johnston ask you who you voted for, you told him?—A. Yes.

Q. Now, then, what next?—A. Well, I have answered the whole answer. I cannot answer any more. I have told you everything I know.

Q. You haven't told me one-half you know?—A. Yes, I have.

Q. Johnson, did he ride on after he filled the paper or was anything more said?—A. Well, I do not think so.

Q. Oh, don't whisper, say it out?—A. I cannot remember of anything.

Q. You cannot remember anything you said?—A. No.

Q. It was filled out before it was shown to you?—A. Yes.

Q. You read it?—A. No, he read it to me.

Q. Now, you have told me something. Now, then, I want you to tell me if he said anything at that time after he read it over?

Mr. HAGGART.—I object. Counsel has asked these questions half a dozen times. I ask a ruling of the chair.

The CHAIRMAN.—I must admit that I believe the witness has answered frankly to the questions, and he appears to me to have told all he knows about it.

*By Mr. Britton :*

Q. Then you came down here?—(No answer.)

Q. Now, Mr. Dougherty I ask you a question, when you came down here to Ottawa who did you see in reference to this matter about your evidence?—A. Who did I see?

Q. Yes, who did you see, who were you talking to during all these days?—A. Well—

Q. In the first place you saw Mr. Borden?—A. Yes.

Q. And told him all about this matter?—A. I have not talked about this matter to him.

Q. Has he talked to you before he saw you in the witness box?—A. No.

Mr. BORDEN (Halifax).—I may state for the information of my hon. friend, and for the information of the committee, that of these forty-one witnesses, who have come down here to give evidence, I have spoken to just two on other matters, Shaw and McManus, taking their statements from them as to other matters. As far as the other thirty-nine men are concerned, I have never spoken to them.

Mr. BRITTON.—I accept that.

*By Mr. Britton :*

Q. Now then, we will pass to any one else; did you talk to any one else about the evidence?—A. No.

Q. Then from first to last since you came here you have had no conversation with any one as to the evidence you were to give here?—A. No, sir.

Q. So I need not ask you about particular persons you saw?—A. No, I have not talked to any person, I said I had not anything to say.

Q. Who did you say that to?—A. I just did it generally as to any one here.

Q. You talked to yourself like?—A. No.

Q. And so then you have been here all these days without saying anything to those interested in this investigation or talking to them about this investigation, is that it?—A. Yes, concerning myself.

Q. Did you sign this declaration with pencil or pen?—A. Well, I think—Oh, it was with pen.

Q. And furnished by whom?—A. By Mr. Johnston.

*By Mr. Bergeron :*

Q. Mr. Dougherty, one or two questions will settle the whole thing; I want to ask you when you went to vote you knew there were officers lawfully appointed?—

A. Yes, sir.

Q. To do the work required?—A. Yes, sir.

- Q. You had confidence that he would do it properly?—A. Yes.  
 Q. You had voted before?—A. Yes.  
 Q. You knew there would be nothing wrong?—A. No.  
 Q. You voted?—A. Yes.  
 Q. You came back and gave it to an officer of the government who was an honest man and he took it?—A. Yes.  
 Q. Next day you heard Holmes was elected?—A. Yes.  
 Q. Did you meet anybody who said he was surprised at the result?—A. Yes.  
 Q. Now later on when you met Mr. McLean and this gentleman, Mr. Johnston on the road, they asked you if you had voted and you said yes?—A. Yes.  
 Q. And you said yes?—A. Yes.  
 Q. You signed that declaration that they read to you purporting that you had voted for McLean?—(No answer.)

*By Mr. Russell :*

- Q. Mr. Dougherty, are you boarding at the same place with the other witnesses, at the Brunswick House?—A. Yes.  
 Q. Quite a number there?—A. Yes.  
 Q. Have you heard any conversation among them about the people that signed for McLean?—A. Well, this, that they signed, of course, I have not heard any of the conversations.  
 Q. No conversation you can recollect to swear to?—A. No.  
 Q. No particular conversation?—A. No.  
 Q. You have not heard them say that was like an oath and they would have to stand to it?—A. No.  
 Q. Nor conversation like that?—A. No.  
 Q. You have had some conversations with Mr. Beck?—A. Yes, I have been talking with him as a general thing.  
 Q. About the trial? Has he said anything to any witness, have you heard him say anything to any of the witnesses you spoke to of this document being like an oath and having to stand to it?—A. No.  
 Q. You have not heard that?—A. No, you know I have not a good memory, I have not heard anything.  
 Q. But if these words you heard, it cannot have escaped your memory?—A. Yes.  
 Q. And now you say you heard no conversation between Beck and the witnesses about the nature of the documents?—A. Well, I suppose I have heard conversations.  
 Q. Well, what sort of conversations, just what you recollect?—A. I can hardly explain it.  
 Q. Well, I do not just understand what you mean when you say you can hardly explain it, you mean you cannot remember?—A. Of course they had conversations.  
 Q. Well, I ask you to tell us what the conversations were?—A. Well, do you know, I cannot.  
 Q. Do you recollect whether anything of that kind was said, that they had signed them?—A. Well, of course.  
 Q. And that they had better stick to what they signed. Anything of that; you mean you cannot remember it in that shape?—A. No.  
 Q. Can you remember it at all, I would like you to try to remember it for us, you have not heard the same kind of conversation spoken of yesterday among witnesses? That it was a document, it was the same as an oath and if they did not stick to that they might get into trouble?—A. No, sir, I did not.  
 Q. And you cannot say what conversation you did hear?—A. No.  
 Q. Do you say you did not hear any conversation about that subject?—A. I have not taken any part.  
 Q. I am not asking that, I am not accusing you, you are one of the most honest witnesses that came on the witness stand and that is why I am asking you. Mr. Dougherty, listen to me, do you say that you heard no conversation among the

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witnesses on the subject of the paper they signed being an oath?—A. No, I do not think I have.

Q. You do not think you have heard any conversation on the subject of the paper they signed being an oath?—A. Of saying that you had to stand by it?

Q. Well, perhaps that part you did not; did you hear anything on the subject of that document being like an oath, anything like that?—A. I do not think so.

Q. Well, you are sure you did not, evidently?—A. No.

Q. You are not sure, that is clear?—A. No.

Q. You say that you have not a good recollection for things like that?—A. Well, no, if I am not interested in a thing it goes like that—like the wind.

Witness discharged.

JAMES CLARK, No. 59, on the poll book, sworn.

*By Mr. Borden (Halifax):*

Q. You reside in Colborne, Mr. Clarke?—A. I do.

Q. You voted at the Dominion election on the 21st of February, 1899, for the west riding of Huron?—A. Yes, sir.

Q. Who was the returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. Donald Cummings?—A. Donald Cummings.

Q. Did you receive a ballot from him?—A. I did.

Q. For whom did you mark it?—A. For Mr. McLean.

Q. What kind of a mark did you put?—A. A good cross.

Q. A cross?—A. A good X.

Q. Was there any place opposite McLean's name for the purpose?—A. There was.

Q. What colour?—A. White.

Q. Do you remember the shape of it?—A. A circle.

Q. And you put your cross where?—A. In the centre.

Q. In the centre of this circular space?—A. I just did.

Q. And when you marked your ballot paper and folded it, what did you do with it?—A. Rolled it up and passed it to Cummings.

Q. Did you give him the same ballot paper you received from him?—A. I certainly did that, I had no other.

Q. Did you observe what he did with it?—A. Not particularly, I saw him put it in the ballot box, but what he did before there was some time passed.

Q. Some time passed?—A. Very little, but I saw him put what I supposed was the same ballot in the box.

Q. Did he tear anything off?—A. No.

Q. You did not observe him?—A. No.

Q. Did you observe him put his right hand in his pocket?—A. No.

Q. Where were you standing when he put it in the box?—A. Not quite in front but a little past.

Q. Did you go in front to give him your ballot?—A. I gave it to him, as I passed and went by.

*By Sir Louis Davies:*

Q. Did you know it was his duty to tear off the counterfoil?—A. I did not know that.

Q. Did you leave the counterfoil ready or fold the ballot close up?—A. No, I did not leave it, and the initial would be plain to be seen.

- Q. That was your idea, to bring the initials clear?—A. Yes.
- Q. You had no idea in your mind about tearing off the counterfoil?—A. No.
- Q. And he would have to open it up to get the counterfoil off?—A. That might be so.
- Q. Well, was he longer than it would take a man to open it and tear off the counterfoil?—A. No.
- Q. He was not?—A. A very short space.
- Q. There was not anything to raise suspicion?—A. No.
- Q. And he put in the ballot box the same paper you have him?—A. I am pretty positive of that.
- Q. Do you know how the names came in order on the ballot paper?—A. Oh! I do, McLean was the bottom one.
- Q. Did you remember that without looking at the ballot paper, what makes you remember it, have you any means?—A. The ballot.
- Q. Yes, any reasons?—A. I thought it was the nicest looking ballot I have seen, and the neatest and the easiest to mark, without making a mistake, and I admired it very much for that.
- Q. And you marked it well?—A. I marked it particularly well.

*By Mr. Russell:*

- Q. Do you know Beck?—A. I have seen him a great many times.

*By Sir Louis Davies:*

- Q. You made a statement afterwards, did you?—A. A statement?
- Q. To Mr. McLean?—A. Of what sort?
- Q. As to how you had voted?—A. No, I have seen Mr. McLean about once since.
- Q. Did any one come to you for the statement?—A. He did.
- Q. Well, I asked you did any one come to you, Mr. McLean or any one to give a statement how you voted?—A. With regard to my voting?
- Q. Who was it?—A. Mr. Johnston and Mr. McLean.
- Q. Where did they meet you?—A. At my place.
- Q. Did they produce a paper to sign?—A. Yes.
- Q. Did they produce a Bible?—A. No.
- Q. Were you told you were taking an oath?—A. No.
- Q. Anything equal to an oath?—A. A declaration, I declared.
- Q. Nothing was said about it being an oath or equal to an oath, or an affidavit or equal to an affidavit?—A. No.
- Q. It was ready for you to sign when they came there?—A. He filled in the date and my name; he had a blank form.
- Q. And you signed it?—A. Yes.

*By Mr. Borden:*

- Q. You understood that you were making a declaration that you had voted for Mr. McLean?—A. I did.
- Q. And you signed that declaration for that purpose. For the purpose of stating that you voted for McLean you signed that declaration to certify that you voted for McLean?—A. Certainly.

*By Mr. Britton:*

- Q. Have you seen Mr. Beck since you came down here?—A. Yes, I see him now.
- Q. You know him well?—A. Quite well.
- Q. You and he have been talking since you came down?—A. I guess we have.
- Q. Did he tell you it was an important matter in connection with that that it was a declaration?—A. He has not told me anything of the kind.

## Privileges and Elections Committee.

Q. Has he told others in your presence?—A. I never heard him say anything about it in my life.

Q. Nothing about the evidence you were to give?—A. No, not a soul.

Q. Did he talk with any other witnesses in your presence?—A. Not that I remember.

Q. Did he say anything to other witnesses in your presence?—A. I had no conversation with Mr. Beck.

Q. Did he say anything to the other witnesses in your presence in regard to the evidence?—A. To be given here?

Q. To be given anywhere?—A. No, not that I am aware of.

Q. You have something you are keeping back, haven't you? You might as well tell it out?—A. I have heard him speaking to them with regard to giving evidence, not to have anything to say, but to answer the question they are asked.

Q. When?—A. Several times.

Q. Where was this?—A. Since I have been in the city.

Q. And where? At the hotel, or here?—A. Here in this house.

Q. Then he has been talking with the witnesses how they were to give their evidence here?

Question objected to.

Q. What did he say?—A. When the witness came out and seemed to be pretty hard puzzled, he said "perhaps you said too much." I can't remember the words.

Q. What did he say when the witness came out as if he was puzzled?—A. That he needn't be puzzled if he only answered the questions that were asked him, or something like that.

Q. It was something like that?—A. Yes.

Q. And that was in this building?—A. It was in the hall outside.

Q. So that from time to time he has gone out into the hall to talk to the witnesses as to the evidence they would give?—A. I do not say it was from time to time. I have heard him do it once, I think.

Q. When did you hear him?—A. Yesterday.

Q. Have you been within the hearing of other witnesses yourself?—A. At the time?

Q. When they were giving their evidence have you been within hearing of them?—A. Not since the first day.

Q. Did you hear the evidence of the last witness?—A. Not a syllable, not one word.

Q. Who were the witnesses that were present when Mr. Beck gave this advice?—A. I was for one, but I can't tell who the rest were.

Q. There were several others there. Who were they?—A. I can't tell.

Q. Did he use the word "declaration"?—A. I don't think so.

Q. Or oath?—A. I think not—neither one nor the other.

Q. Nor as to anything that any witness had signed?—A. I heard nothing said about signing.

Q. Did you sign a declaration?—A. I did.

Q. Did you read it over yourself?—A. No.

Q. You read and write, do you?—A. Yes.

Q. You did not read it over yourself?—A. I saw it and saw it read over.

Q. Was it read all over?—A. I followed it when the man read it, with my own eyes.

Q. Did he read it quite loud?—A. As loud as you are talking now, and that is loud enough.

Q. And then you signed it?—A. I did.

*By Mr. Borden :*

Q. Mr. Clarke, you were asked whether you can read or write. You lived in England before you came to this country?—A. I have been in England.

Q. You are a nephew, I understand, of Sir Andrew Clarke, or Sir James Clarke?—A. Of Sir James Clarke.

- Q. You are a reading man, are you?—A. I am.
- Q. You are a fairly well educated man?—A. Yes, sir.
- Q. What you heard Mr. Beck say was to witnesses who had been on the stand and who had come out puzzled?—A. It was to the witnesses who were coming in.
- Q. It was to the witnesses who were coming in?—A. Yes.
- Q. Just state to me what he said?—A. He said it was good not to have too much to say.
- Q. Not to have too much to say? I think that is very good advice to give. He told them they were simply to answer the questions asked them?—A. That is it exactly.
- Q. And not to have anything to say outside of that?—A. Yes.
- Q. Do you think there was anything improper in that?—A. I do not.
- Q. You did not regard that as improper?—A. No.

*By Mr. Fraser :*

Q. I understand you to say that Mr. Beck said among other things, of course you can correct me if I am wrong, but he said among other things, they were to be cautious and if they got puzzled they would say too much. You heard him say that?—A. I did.

*By Mr. Russell :*

- Q. You don't remember which witness it was?—A. No, I do not.
- Q. Did it occur to more than one witness?—A. I can't say positively, but he said it to one.
- Q. Which witness did he say it to?—A. He said it to myself for one.
- Q. He didn't need to say it to you?—A. He thought so.
- Q. But he missed his mark that time?—A. Almost.
- Q. I am satisfied he was barking up the wrong tree, but you can't remember him saying that to any other witness but yourself? It was not yourself you had in mind?—A. No, there must have been one or two others there, but I don't remember.
- Q. You can't recollect what other witnesses you had in mind?—A. No, I do not.
- Q. How often do you recall that circumstance of his speaking to the witnesses that way?—A. It was very seldom, once or twice.
- Q. Was it in consequence of anything that was said to him by the witness, or not?—A. I won't swear to that, I think the witness spoke first.
- Q. You can't recollect which witness it was who spoke first to Beck?—A. No, I can't.
- Q. You think there was a witness who spoke to him first, that one or more spoke to him first when he made this remark to them, that they would not be puzzled if they would only stick to the questions and not make speeches?—A. Yes.
- Q. It was in response to a witness that was about to go on the stand he said this?—A. Yes.
- Q. And that occurred more than once outside of yourself?—A. It may have.
- Q. But you will not undertake to say what it was that called for that remark from Beck?—A. No, I do not know what he said. I can't give the words of the man because I was talking and took no particular notice of them.
- Q. I understand that perfectly. You are all right, as far as you are concerned, but it was in response to some remark of a witness that was about to go on the stand that Beck told him he needn't be scared if he only answered the questions that were going to be asked?—A. Yes.
- Q. It was some witness that was afraid he was going to be turned inside out on the stand?—A. Yes.
- Q. I have a great degree of curiosity to know who that witness was?—A. I can't remember.

## Privileges and Elections Committee.

*By Mr. Borden :*

Q. Were the witnesses talking about the cross haggling, as they call it, did you ever hear of that in your experience?—A. No, I dare say I have heard of it.

Q. And one of the witnesses spoke to Beck before he made that remark?—A. Yes.

Witness was discharged.

ARTHUR A. WILLIAMS called and sworn.

*By the Chairman :*

Q. Your name, please?—A. Arthur A. Williams.

*By Mr. Borden :*

Q. This witness is No. 50. You reside in the township of Colborne?—A. Yes.

Q. And you voted in the Dominion election for the West Riding of Huron on the 21st February, 1899?—A. I did.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Donald Cummings.

Q. Did you receive a ballot paper from him?—A. I did.

Q. For whom did you mark it?—A. For McLean.

Q. For Robert McLean?—A. Robert McLean.

Q. What kind of a mark did you put on it?—A. An "X."

Q. That is the same as a cross, you mean?—A. Cross, yes.

Q. Was there any place on the ballot opposite McLean's name for the purpose of putting your mark?—A. There was a white space.

Q. Do you remember the shape of it?—A. Round.

Q. A round white space. Where did you put your cross?—A. In this space.

Q. In this round white space. After marking the ballot and folding it what did you do with it?—A. I handed it to the deputy returning officer.

Q. Did you hand back to him the same paper which you received from him and which you marked?—A. Yes.

Q. Did you observe what he did with it?—A. He took it and put it, I fancy he put in the box.

Q. Did you stand there while he was putting it in?—A. I was watching him.

Q. Did you observe whether he tore anything off it?—A. He tore something off it and put it in his pocket, and put the other in the ballot box.

Q. How far were you away from him then?—A. As close as I am to this man.

Q. That is three or four feet?—A. Yes.

*By Sir Louis Davies :*

Q. You are quite sure you gave back to him the same paper you got?—A. I am certain.

Q. And he put the same paper into the box?—A. I thought so.

Q. You thought so. Had you any doubt about it when watching him?—A. No, no doubt of it.

Q. You were only three feet away from him?—A. Yes.

Q. When you were watching him he tore off the counterfoil and put it in the box?—A. I thought so.

Q. You were as sure of that as that you gave him the paper he gave you?—A. Yes.

Q. Not a shadow of doubt about it?—A. No.

Q. You have been accustomed to vote at elections?—A. Yes.

- Q. Know all about voting?—A. Yes.  
 Q. Were you canvassed before the election?—A. No.  
 Q. Not by anybody?—A. No.  
 Q. And nobody knew how you were going to vote?—A. No.  
 Q. You didn't tell them at any rate?—A. No.  
 Q. Well, you didn't tell any one?—A. No, I didn't tell anybody.  
 Q. You didn't tell them how you were going to vote?—A. No.  
 Q. They would have known, they may have surmised.—A. It would be supposition on their part.  
 Q. It would be supposition on their part? Did any person come to you afterwards and ask how you voted?—A. No.  
 Q. Did you tell anybody?—A. I don't remember doing so.  
 Q. Did you tell anybody?—A. I do not think so.  
 Q. Did anybody ask you until the time they came to you about the statement?  
 —A. Yes.  
 Q. Who came to you about that?—A. Robert McLean and M. O. Johnston.  
 Q. And how many weeks or days after the election?—A. I cannot say; they had a cutter.  
 Q. They had the papers all ready for you to sign, stating how you voted?—A. They had it prepared; I read it through first throughout and he read it to me.  
 Q. It was all ready prepared when he read it to you?—A. I am not certain, I think it was.  
 Q. It was on the road he met you?—A. No, I was working, and he came off the road. He drove in.  
 Q. He produced a paper; I just want the facts.—A. Yes, he produced a paper.  
 Q. And read it to you?—A. Yes.  
 Q. And that paper signed by you stated how you had marked your ballot?—  
 A. It declared how I had voted for McLean. He ask me to put my name at the bottom of it.  
 Q. Did he swear you or anything of that kind?—A. No.  
 Q. Nothing about that?—A. He said just to declare I had voted for McLean.  
 Q. Nothing else?—A. Nothing else.  
 Q. Of course you signed then and there?—A. Yes.

*By Mr. Britton :*

- Q. When did you first hear that it was a declaration who you voted for?—A. Well, I thought I was signing a declaration that I voted for McLean.  
 Q. When did you first hear the word "declaration" in connection with this matter?—A. What I signed was a declaration.  
 Q. How do you know?—A. Because he told me so.  
 Q. When, at the time?—A. At the time.  
 Q. And you are speaking from your recollection of what took place at that time?—A. Yes.  
 Q. Well, you have had conversation with Beck and Hays since you came here?  
 —A. I have spoken to them several times.  
 Q. And they, or either one of them, told you it was a declaration you signed?  
 A. No.  
 Q. Used the word declaration?—A. No, I don't remember the using the word.  
 Q. Will you swear they didn't?—A. Yes.  
 Q. Neither of them?—A. I do not remember them saying so.  
 Q. Have they talked about the evidence you will give?—A. No, I do not remember them talking to me personally.  
 Q. Talking to you personally? Have they talked to you through somebody else or with somebody else when you were present?—A. No.  
 Q. Has Mr. Beck said anything to you about your evidence or said anything to anybody in your presence about the evidence of witnesses. Well, what have you got to say?—A. I do not remember him saying anything.

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Q. It is not a question of remembering. What do you say?—A. I do not want to tell a story about it, I do not want to say yes or no.

Q. Do you mean to tell me Mr. Beck has not been talking to you in regard to the evidence you would give at this committee?—A. No, he has not been talking to me.

Q. To others in your presence and hearing?—A. I have heard him speaking to others.

Q. You have heard him speaking to others, when?—A. Just in a general way amongst the rest talking about things.

Q. You mean among the rest of the witnesses?—A. No just——

Q. Who do you mean "amongst the rest"?—A. Well any one that was——

Q. Well, go on, any one that was?—A. Well, I cannot name anybody.

Q. What do you mean? What was the rest of that sentence? He was talking to you and anyone else that was present at the time, talking to any one that was present on some occasion?—A. Everybody has been talking about the elections since I came to town.

Q. I want to know what Mr. Beck said in your presence?—A. I cannot say anything he said.

Q. Did you hear him talking to any witness as to what he said?—A. Every time I see him I suppose he was talking. I cannot say that he was talking about any particular——

Q. Was he not talking about the evidence?—A. I cannot say so.

Q. Was he talking about what you were to swear?—A. No, I didn't say so.

Q. What was it he was talking about?—A. I cannot tell you all he was saying.

Q. Tell me something he said. I don't want you to tell me all?—A. I cannot tell you. I said I had nothing to say. I do not remember any one subject he said.

Q. I am talking about only one subject, about the evidence you or any witness is to give here, and I want to know what he said in your presence?—A. I do not remember him saying anything.

Q. You do not remember him saying anything?—A. About the evidence?

Q. Well, about what?—A. About the evidence or declaration.

Q. What was he talking about?—A. I cannot remember of a subject.

Q. Nothing?—A. I do not remember of anyone thing.

Q. You do not remember of any one thing?—A. No.

Q. Where was this conversation you had with him?—A. I had no conversation with him.

Q. The conversation that was in your presence in the hall out here. Have you been out in the hall during the past few days?—A. Every day.

Q. Every day during time you were there was Beck out talking to these witnesses?—A. I think I have seen him talking to them.

Q. Did you hear him?—A. He was talking in a general way.

Q. Did you hear him?—A. I cannot say I did.

Q. Did you hear him say anything about how a witness was to act when he got in here or what he was to say?—A. I have nothing to tell.

Q. Did you hear him say whether the witness was to answer or not, or anything of that kind?—A. No, I do not remember.

Q. Did you hear him use the word puzzle?—A. No.

Q. Did you hear him use the words that they were only to answer questions that were asked?—A. No, I cannot say so.

Q. No, you cannot say so. What do you hesitate about? Why didn't you answer the question?—A. I didn't hesitate.

Q. You know he was talking about something or you would not hesitate?—A. I did not want to tell a story about it. That is all I will tell.

Q. What advice did he give the witnesses?—A. He didn't give me any advice.

Q. Tell us any advice he gave the others?—A. I cannot remember he gave any advice.

Q. Tell me please, I want you to tell me what Mr. Beck said to any one witness in your presence is a very simple thing?—A. I cannot tell you anything that I remember in particular.

Q. Tell me something you remember in general. Just tell me what he was talking about to the witnesses. There is something in your mind now?—A. I cannot tell you what I do not know.

Q. You do not remember what he said?—A. I cannot state.

Q. Was he giving advice to the witnesses as to how they were to act when they got in here?—A. I do not remember him doing it.

Q. Was he talking to the witnesses as to how they should answer and explaining how they should act?—A. I cannot remember.

Q. You cannot remember, that is as far as you will go?—A. I said I could not remember saying anything. I cannot remember Mr. Beck saying anything.

Q. Do you remember his using the word "declaration" that it was a declaration?—A. I cannot remember anything about it.

Q. Was there anything said with reference to a declaration, an oath? Were they mixed together in any way? Were these words "declaration" and "oath" used in the same sentence by Beck?—A. I have heard some body say that declaration and oath were not exactly the same.

Q. Declaration and oath were not exactly the same? When was that said?—A. I cannot remember.

Q. Was it in connection with what you did about your voting? Was it in that connection that you heard it?—(No answer.)

Q. You won't answer that? Now, then, as to Mr. Hays, did he have any talk with you?—A. About the declaration do you mean?

Q. What was said with regard to declaration and oath, their being the same or not the same?—A. He didn't say anything to me about the declaration or oath.

Q. Who did?—A. Nobody that I remember anything about.

Q. What did you mean when you told me a minute ago somebody did say something about a declaration not being the same as an oath?—A. I have heard people talking about a declaration and oath.

Q. Who?—A. I cannot name them.

Q. In connection with you voting or what you signed?—A. No, just talking over the thing.

Q. Where was it you heard the thing?—(No answer.)

*By Mr. Russell :*

Q. It was in connection with this document signed in this case?—A. Yes.

Q. That you heard this distinction made between a declaration and an oath. That is correct, was it?—A. Yes.

*By Mr. Britton :*

Q. Where was it that that took place?—A. Almost anybody you would meet would be talking about the elections.

Q. Almost anybody you would meet. Did you hear about it before you came here, or only anybody you would meet since you came here?—(No answer.)

*By Sir Louis Davies :*

Q. Answer one way or the other?—A. I have heard it ever since I signed it. People talking everywhere you went about McLean's and Johnston's declaration.

*By Mr. Britton :*

Q. You have heard it ever since you signed?—A. I have heard it in Goderich and Ottawa ever since I came here.

Q. And more about it since you came here among the witnesses?—A. I do not think I know any more about it than I did before.

Q. Now, then, did Mr. Hays say anything to you about it?—(No answer.)

Q. Did anybody in your presence?—A. I don't think so. I do not remember.

Q. And that is as far as you will go. Did you hear him talking to any witnesses since you came here?—A. He was talking to witnesses.

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Q. About the evidence they were to give?—A. He was not, not that I know.

Q. Neither at the hotel nor up here at the Parliament buildings?—A. No.

Q. Or whether the witnesses were to answer or not to answer?—A. I do not remember him saying anything.

Q. I suppose you read and write?—A. Yes.

*By Mr. Fraser (Guysboro) :*

Q. Your memory is bad, isn't it?—A. No, it is not.

Q. Have you a good memory?—A. Yes.

Q. You said you heard several conversations since you came here among the witnesses?—A. Yes.

Q. You have been talking again and again and again haven't you?—A. Yes.

Q. At the hotel and up here, haven't you?—A. Ever since we came to Ottawa.

Q. And do you remember a single word said in any of these conversations or a particular person that made a remark?—A. No, not particularly.

Q. And your memory is good?—A. Yes, sir.

Q. Were you talking about this matter yesterday?—A. I don't remember.

Q. Were you, or were you not? Say so, if your memory is good you can remember?—A. No, I can not.

Q. You were not; were you talking to-day?—A. I do not remember.

Q. Were you or were you not, if your memory is good you can remember what you were doing to-day, answer me if you spoke about the matter to-day, come now, did you speak about it to-day?—A. No.

Q. You did not, nor yesterday?—A. I might have been talking about it.

Q. Well, then, do you remember anything?—A. Not in particular.

Q. You do not remember what you said yesterday?—A. No.

Q. Nor the day before yesterday?—A. No.

Q. Nor the day before that?—A. No.

Q. Do you remember what you said or anything any one said since you came here?—A. I said I didn't think we would know anything more of it.

Q. To whom did you say that?—A. I suppose I said it to half a dozen or more.

Q. But whom?—A. I cannot remember.

Q. You cannot remember one person, now what was said to you before you said that by these half a dozen people?—(No answer.)

Q. Do you remember a single word one person said about this when you answer that?—A. I cannot tell—I cannot remember, positively.

Q. Well, then as near positively as possible, can you give me your recollection of it if you have any?—A. I do not remember.

Q. You do not remember a thing now, and your memory is good, you have sworn to that. Now I will divide into two; do you remember a single word before you came that was said to you or that you said except that you would not know more?—(No answer.)

Q. Do you remember a single word that you said or was said to you before you came to Ottawa?—(No answer.)

Q. Do you remember a single word you said that was said to you about the investigation before you came to Ottawa?—A. Not in particular.

Q. Not in particular, not one word?—A. I do not know.

Q. Do you remember one single word you said except what you have stated since you came to Ottawa or was said to you about this investigation, do you know?

Mr. Borden objected to the question on the ground that it would not convey any intelligent idea to the witness and he asked the ruling of the Chair on it.

*By Mr. Fraser (Guysboro) :*

Q. Now answer this question, do?—A. What question?

The question was read to the witness.

Q. Do you remember?—A. I cannot remember anything.

Q. Not one single word? Now I will ask you do you remember the general course of the conversation, we will keep away from words, do you remember the general scope conversations, what were they about?—(No answer.)

Q. Now a man with a good memory ought to have no trouble in answering that question?—A. I have nothing more to say on it.

Q. You will have something more to say, you will answer the question. Do you remember anything about the scope of the conversation you had with these witnesses, whether here or any where?—(No answer.)

Q. Can you tell me what the conversations you had or that took place in your presence were about, I put it in that way?—A. I can't remember anything in particular.

Q. I ask you do you remember what they were about, not anything you remember, we have gone away from that?—A. Oh, I can't think of anything.

Q. You can't think of what any of the conversations was about?—A. No, I can't.

Q. Now coming back to the question you did answer clearly that you said you would not know anything more about it than you did, how did you happen to remember that? Do you think you would know anything more about it in the afternoon?—A. No, I don't know.

Q. Would you not; now tell me then what was it brought out that answer you gave me when you said that you would not know more about it than you do now, or words to that effect?—(No answer.)

Q. What was the particular circumstance or conversation that brought that out?—A. I can't remember.

Q. Then the only thing you remember or you said were the words you have given since you came to Ottawa?—A. I would not say that, but I don't remember anything in particular.

Q. That is the only thing you remember?—A. Yes.

Q. You don't remember any single word that was said to you or you said except that answer?—A. Not in particular.

Q. What do you mean by "not in particular"?—A. Well, when a man is talking all the time.

Q. I ask you what do you mean by "not in particular"?—A. That is relating to the election declaration.

Q. I am not talking of the election declaration, I am talking about this examination and the whole evidence; have you up to this been thinking the questions related to the declarations; I want you to correct yourself, are you under the impression my questions related to the declarations and not to the investigation that is going on here?—(No answer.)

Q. Do you understand my question?—(No answer.)

Q. Do you understand that question?—(No answer.)

Q. Do you understand the question?—A. You are asking me so many I can't.

Q. Do you understand the questions I put to you were about that declaration you signed and not the investigation taking place here?—A. About the investigation, I suppose.

Q. About the investigation, then why did you mention the declaration?—A. Because I thought so at first when you spoke to me.

Q. You understand now I mean this investigation?—A. Yes.

Q. Do I understand you don't mind any words like that?—A. I can't recall any.

Q. And that refers to the whole investigation and not the declaration?—A. I can't recall any.

Q. Does it?—A. As far as I know.

Q. And that is all you know about it?—A. Yes.

Q. Now you said your memory was good; now not remembering a single word that was said before you came here or since you came by yourself or a single word that was said before you came here or since you came here to you, might you not be mistaken?—A. No.

Q. Or as to voting for McLean?—A. I voted for McLean.

Q. If you were mistaken before might you not be mistaken since?—A. No.

## Privileges and Elections Committee.

*By Mr. Borden (Halifax):*

Q. You are known to be a Conservative in politics, Mr. Williams?—A. Yes.

Q. There are 41 of you witnesses here altogether, a large number?—A. Yes.

Q. And since coming down you have talked matters over, discussed what was going on?—A. Occasionally.

Q. And you can't recollect anything that was said except what you have said to Mr. Fraser?—A. Not particularly.

Q. You didn't impress it on your mind?—A. No.

*By Mr. Russell:*

Q. Mr. Williams, this document you signed and that all of your friends signed for McLean and Johnston, there was a great deal of talk at Goderich and here about whether it was a declaration or oath, or what it was, that is as I understand it, is that right?—A. Yes.

Q. Was that conversation among the people that signed the papers as far as you know your friends, outsiders and others?—A. Oh, they all talked together everybody.

Q. Everybody including the people that signed them?—A. Yes.

Q. For instance, did you ever hear any people that signed these papers talking over the question whether it was a declaration or whether it was an oath?—A. I can't recollect any particular conversation, I have heard. It wasn't an oath, it was a declaration.

Q. You have heard it was not an oath and that it was a declaration? I am asking you whether you heard any people who signed that document talking that way about it?—A. I can't state particularly.

Q. You know the people that had signed, I suppose, pretty well?—A. Yes.

Q. Those people that were examined as witnesses and yourself and the other people? You would hear these people talking that way, whether it was a declaration or an oath?—A. I have heard them talking about it off and on.

Q. But those people have been examined here?—A. Not that I remember.

Q. But you do remember some of them talking whether it was a declaration or an oath?—A. Well, I heard them.

Q. Have you heard that kind of talk among the people who are here as witnesses either in Goderich or when they were here?—A. I can't say that for certain.

Q. Well, now, give us your best idea about it. What is your idea? Is it that some of these people may have been talking that way or not?—A. I cannot recollect any one person.

Q. You can't recollect any one person whether it was a witness or not? I would like you to remember if you can. Whether you heard any of that kind of talk? That is discussing the nature of this document amongst the people who signed these documents, whether you heard it at Goderich or whether you heard it here? Try and think if you can't be certain give us the best recollection you can about it?—A. I am not positive.

Q. Which way would your mind incline? Would it be that some of these witnesses talked that way or not?—A. Some of them say it was a declaration and some say it was not an oath unless it was sworn to.

Q. Who did you hear say that?—A. I can't remember.

Q. Among the people you heard talking that way or discussing that, were there any of these people you saw here as witnesses?—A. There might have been.

Q. And that would be, I suppose, they would be discussing whether they could be punished for it, if it was false or not, I suppose? That would be in view of the difference between an oath and a declaration—between an oath and a mere statement that is not an oath? The difference between the one and the other would be that a man might be punished if it turned out to be false, if he had taken an oath, that is what they were talking about, wasn't it?—A. I think so.

Q. Yes, it was on that subject, the conversation you speak of may have turned, what do you think?—A. I think, as far as I can remember, I would not be positive.

Q. You know Mr. Beck, of course?—A. Yes.

Q. He has had a good deal to do with the witnesses since they have been here? He has been at the Brunswick House with them, been with them a good part of the time?—A. Yes.

Q. Stopping at the same hotel with them?—A. Yes.

Q. He follows them up here from the hotel when they come up here, or goes ahead of them, and he is generally up here with them?—A. Yes, he is generally up here.

Q. And he is generally with them when they go back to the hotel?—A. I don't know.

Q. Is it a dry time with you?—A. Well, that's the trouble.

Q. That is the trouble, you don't get enough; you don't drink yourself, I suppose? Does anybody put up the drinks at all, or is it that they have nothing to drink at the hotels?—A. I suppose you can get it if you go in and buy it.

Q. He does treat around among the witnesses, does he?—A. If he does, I'm not there about that time.

Q. But you would be, I judge, by your last answer if you knew it was coming. I am going to ask you a rather curious question. Has any collection been taken up since you were at the hotel?—A. What for?

Q. I don't know. I am asking you. Has any collection been taken up since you were at the hotel?—A. There was a purse got up for Mr. Beck.

Q. Who got up the purse?—A. Mr. McManus.

Q. Who contributed to it? You fellows have a pretty soft snap down here. How much a day do you get as witnesses?—A. I haven't been paid yet.

Q. But you know what you are going to get?—A. I think I do.

Q. And what the others got?—A. Yes.

Q. The other fellows all contributed, did they?—A. I understand so.

Q. You haven't been asked yet, I suppose, because you have not got your money?  
A. I was asked.

Q. Well, you had no money to spare and didn't put it in yet?—A. I did.

Q. How many other witnesses contributed? Mr. Beck was here to coach you, wasn't he?—A. I don't understand it that way.

Q. How was it explained to you?—A. That it was just a present for him.

Q. For wasting so much of his time down here looking after you chaps, was that it?—A. I don't think so.

Q. You were just asked to subscribe for a purse to Mr. Beck and it wasn't explained what it was for?—A. I was just asked.

Q. Why doesn't McManus start a purse for you?—A. Well, I didn't ask him.

Q. The most of them contributed to the purse for Beck, you think?—A. I think so.

Q. Some didn't?—A. Very likely.

Q. Some refused?—A. Very likely.

Q. You can't tell us who refused?—A. Well, I didn't hear any one refuse.

Q. You were not present when any one refused?—A. No.

Q. How many do you happen to know, contributed?—A. I think pretty much all of them did, as far as I know.

Q. It was a pretty good snug purse he would get out of it? Doesn't it strike you as a good scheme to get a lot of fellows to come down and suck a lot of money from the Treasury and then get a divy up with Beck. It is a new way of sucking the Public Treasury, I must say.

*By Mr. Borden :*

Q. Did Mr. Beck ask you for any money himself or say anything to you about this purse?—A. He did not, he didn't know anything about it.

Q. It was a purse got up without his knowledge, as far as you understand?  
A. It was.

Q. Among the witnesses?—A. Yes.

Q. Were you aware that Mr. Beck's buildings were burned down some time during the past winter?—A. Yes.

Q. Did you know they had been burnt down while he was prosecuting an election petition? Did you understand that?—A. No.

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Q. Or did you know it?—A. No, I just merely heard that the building was burnt down.

Q. You didn't understand that at the time he was carrying on an election petition against a man by the name of Garrow?—A. No.

Q. You did not understand it, oh, well, never mind. Well, as far as you know, this purse was got up altogether without Mr. Beck's knowledge?—A. Without his knowledge, so far as I know.

Q. Now you have told Mr. Russell that you heard some discussion as to whether a declaration and an oath were the same?—A. Yes.

Q. And that matter was discussed by different people, some of whom were witnesses and some of whom were not witnesses, as I understand it?—A. Yes.

Q. You cannot recollect any particular person who discussed it?—A. Not in particular.

Q. Or generally what was said about it, or can you?—A. I don't remember anything.

Q. You just remember that there was some discussion about it?—A. Yes.

Mr. HAYS, recalled, stated:—I just wish to state I have not been speaking to witnesses at all about the evidence given here. I hope I know my duty better than that.

ELISHA MAW, SWORN.

By *Mr. Borden* :

Q. No. 68 on the poll book. Mr. Maw you reside in the township of Colborne?  
—A. Yes, sir.

Q. You voted at the Dominion election in West Huron on the 21st of February, 1899?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. Mr. ———?—A. Mr. Cummings.

Q. What is his first name?—A. Donald.

Q. Mr. Donald Cummings. Did you receive a ballot from him?—A. Yes, sir.

Q. Did you mark it?—A. Yes, sir.

Q. What did you put on it?—A. An "x."

Q. An "x" that is the same thing as a cross?—A. Yes.

Q. Opposite whose name did you put the cross?—A. Robert McLean.

Q. Was there any place opposite his name?—A. There was a round spot.

Q. A round——?—A. Spot.

Q. A white spot. Do you remember what the colour was?—A. It was white.

Q. A round white spot opposite his name, and you put your cross in that?—A. Yes, sir.

Q. After marking the ballot and I suppose you folded it?—A. Yes, sir.

Q. What did you do with it then?—A. I handed it to Donald Cummings.

Q. Did you hand back to him the same ballot paper which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. No, sir. I did not, I walked right on out. I just handed him the ballot paper.

Q. You handed him the ballot paper and passed right along?—A. Handed him the ballot paper and passed right along.

Q. And didn't observe what he did with it?—A. No, sir, I did not.

By *Sir Louis Davies* :

Q. Have you been accustomed to vote at elections?—A. Yes, sir.

Q. You knew what he had to do?—A. Oh, yes.

Q. What was it he had to do with it?—A. I thought you meant me.

Q. I asked you if you knew what the deputy returning officer had to do with the ballot you handed him?—A. Yes.

Q. Tell me what he had to do?—A. He had to tear off the counterfoil and fold it and put it in the ballot box.

Q. He had to tear off the counterfoil and fold it and put it in the ballot box, and did he do that?—A. I didn't notice him. I just handed it to him, and walked away.

Q. Did you leave the counterfoil open?—A. I just folded it up once and handed it to him.

Q. All ready to have the counterfoil torn off?—A. I guess so.

Q. Would he have to open it and take the counterfoil off?—A. I just put one fold, I don't know.

Q. You folded it so as to show the initials or did you pay any attention to that?—A. To show my mark?

Q. Do you remember any initials on the paper or not?—A. I do not remember.

Q. And you paid no attention to folding or to any initials?—A. I just folded it.

Q. And paid no attention to folding up the counterfoil?—A. I do not remember.

Q. You have been accustomed to vote at elections?—A. Yes, sir.

Q. You are a well known party man or are you?—A. A well known party man.

Q. And on this occasion you believe you voted for Mr. McLean?—A. Yes, sir.

Q. Who were standing around when you handed the ballot paper to him?—A. There was Donald Cummings, James McManus and Edward Shaw and Johnny Lawson and Dancy.

Q. These would be the scrutineers for the two candidates?—A. As for any others I did not notice.

Q. Why didn't you wait to see what became of your ballot?—A. I was in a hurry to get home.

Q. You were not standing about the polls?—A. No, sir.

Q. Or you didn't stand about afterwards?—A. No.

Q. You went right away?—A. Yes.

Q. And you were quite satisfied, you cannot tell if he put it in the box or not?—A. I don't know anything about it.

Q. You absolutely didn't look?—A. I didn't look.

Q. Did you tell the people there how you voted?—A. I did them around home.

Q. Did you tell them at the poll?—A. No, sir.

Q. Or on the road going home?—A. No, sir.

Q. Any outside parties?—A. No.

Q. Had you been canvassed beforehand?—A. No, sir.

Q. Nobody knew how you were going to vote?—A. Only about my own neighbours out at home.

Q. Did any outside parties know? Did you tell how you were going to vote that day?—A. No.

Q. You didn't, so if anybody formed any opinions it would be from mere suspicion?—A. Not from anything I said.

Q. Somebody came to you afterwards to make a statement?—A. Yes, sir.

Q. How long afterwards?—A. A month or so.

Q. A month or so afterwards, who came?—A. Robert McLean and M. O. Johnston.

Q. Had they a statement ready? Was the statement already filled up or will you state they filled it up after they came to you?—A. He wrote on it after he came to me.

Q. Didn't he read the document to you?—A. He read it to me and asked me to sign it, and I done so.

Q. Before you signed it had he filled anything in it?—A. Yes.

Q. Or afterwards?—A. Before.

Q. What did he fill in?—A. I cannot say what he filled in.

Q. Was it afterwards he read the document to you?—A. No, he didn't.

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- Q. Was it after he read the document to you that he filled in something?—  
A. Yes.  
Q. Oh, yes, he read the document to you first?—A. Yes, sir.  
Q. And then you signed it?—A. Yes, sir.  
Q. Is that correct?—A. Yes, sir.  
Q. And then he filled in something, I suppose. Did you see him sign it?—A.  
No, sir.  
Q. You did not see him sign it, but he filled in something?—A. When he read  
the document.  
Q. Had you told him before how you had voted?—A. Yes, sir.  
Q. You never told him before that?—A. No, sir, I never told him before that.  
Q. Did he swear you?—A. No, not on the Bible, he didn't.  
Q. On any other book?—A. No, not on any book.  
Q. In any other way?—A. He just read out a kind of declaration or something.  
Q. Did he swear you in any way?—A. Not that I know of.  
Q. Not that you know of?—A. No.  
Q. Did you believe you were taking an oath, sir?—A. Well, I did not know  
whether I was or not.  
Q. You did not know whether you were or not?—A. No, I did not.  
Q. I am not speaking of what you know now, Mr. Maw. You may be in that  
condition of mind now, but at the time you signed that document did you think you  
were doing anything more than signing a certificate of how you voted?—A. I just  
thought I was signing a paper to certify who I voted for.  
Q. You just thought you were signing a paper to certify who you voted for. Is  
that a full, frank declaration of the whole fact?—A. Yes, sir.  
Q. You have nothing to add to it?—A. As near as I can mind.  
Q. Was anything said to you that it was an oath?—A. No, sir.  
Q. Or an affidavit?—A. No.  
Q. Or anything of the kind?—A. No.

*By Mr. Borden :*

- Q. Did you read it yourself or was it read over to you?—A. It was read over  
to me.  
Q. It was read over to you and did you understand that it was of the same  
character as an affidavit or oath?—A. No, sir, I didn't understand.  
Q. You didn't understand that?—A. No, sir, I didn't understand that.  
Q. You told him before he read it to you that you had voted for McLean?—A.  
Yes, sir.  
Q. And then it was read over to you and you understood that you were declar-  
ing you had voted for McLean?—A. Yes, sir.  
Q. Do you know whether he filled anything in before he read it to you? Do  
you know whether he filled anything in it before he read it to you?—A. He read  
something but I do not know what he done.  
Q. You said he wrote something in after he read it to you?—A. Yes, sir.  
Q. Do you know if he filled anything in before he read it?—A. No, I do not  
remember.  
Q. You do not remember?—A. I do not remember.  
Q. Your neighbours I think you said knew how you had voted before this?—  
A. Oh, yes, yes.  
Q. That is between the election and the time that McLean and Johnston came  
to you with that statement of how you voted?—A. My neighbours knew how I  
voted, how I always vote.

*By Mr. Russell :*

- Q. Did you subscribe to the fund for Mr. Bæk?—A. I gave something to the  
boys.  
Q. Did you subscribe or put your name down? Did you pay any money in  
for it?—A. Yes.

Q. Why do you take so long? Did you put your name down?—A. Yes, sir.

Q. What difficulty had you then about saying whether you subscribed or not. I asked you about subscribing?—A. I did not know if it was to put money in or write my name.

Q. Did you understand when I meant by subscribing?—A. No, sir.

Q. You did put your name down to pay money to Beck?—A. Yes.

Q. And paid it?—A. Yes.

Q. And you didn't understand what I meant when I said you subscribed to the fund for Beck?—A. No, sir. I didn't understand you.

Q. Can you tell me then why you didn't answer without making me ask you three times?—A. No, sir, I cannot.

Q. Did you have any awkwardness about answering?—A. No, sir.

Q. Well, why didn't you answer it?—A. I didn't understand it hardly.

Q. Did you hear any conversation among the witnesses about the documents they had signed?—A. Which documents?

Q. The document they had signed stating they had voted for Mr. McLean?—A. No, sir, I didn't hear anything about it.

Q. You didn't hear any conversation about it?—A. No conversation with me.

Q. I didn't ask about conversation with you?—A. Oh.

Q. You know I didn't ask about conversation with you, why don't you answer my question. It is a very simple question whether you had heard any conversation with the witnesses about the document. That is what I asked you and you say there was no conversation with you?—A. I didn't understand that.

Q. Mr. Maw, I ask you now if you heard any conversation among the witnesses about that document?—A. No, sir.

Q. You didn't hear any conversation?—A. No, I didn't hear anything.

Q. You didn't hear any conversation?—A. No.

Q. Any conversation in the hall here about that document?—A. No, sir.

Q. Did you hear any conversation among the witnesses down at the hotel about that document?—A. No, sir.

Q. Any conversation about the document from anybody?—A. No, sir, I did not.

Q. You never heard anybody speak about that document at all?—A. Never heard nobody speak about it.

Q. Have you heard any discussion among the witnesses about the evidence they should give at the trial?—A. No, sir, I didn't.

Q. You didn't have any conversation with anybody?—A. No, sir.

*By Sir Louis Davies:*

Q. Has Beck talked to you about the evidence?—A. No, sir.

Q. That has been given here?—A. Nobody talked to me about it.

Q. Did you hear him talk to others about it?—A. No, sir.

Q. Or as to the evidence you were to give here?—A. The evidence?

Q. Did Mr. Beck speak to you with respect to the evidence you were to give here?—A. No, sir, he didn't.

Q. Or the evidence that the others had given or were to give?—A. No, sir.

*By Mr. Borden (Halifax):*

Q. Is John McEvoy staying at the same hotel with the other witnesses?—A. Yes, sir.

Q. Has he been talking to you or other witnesses?—A. No; I don't know the young man at all.

Q. He has been staying there and Lawson?—A. Yes.

Q. Has he ever spoken to you?—A. No, sir.

Q. Mr. Holmes has not spoken to you?—A. No, sir.

Q. You have not been talking to any one?—A. No, I don't say much to any one; I am very quiet myself.

Witness discharged.

## Privileges and Elections Committee.

CHARLES CAREY, No. 45 on the poll book, sworn.

*By Mr. Borden (Halifax):*

Q. You live in the township of Colborne, Mr. Carey?—A. Yes, sir.

Q. And you voted at the Dominion election on the 21st of February, 1899, for the west riding of Huron?—A. Yes.

Q. Who was the polling officer at the place where you voted, the deputy returning officer?—A. Donald Cummings.

Q. Did you get a ballot paper from Mr. Cummings?—A. Yes, sir.

Q. And did you mark it?—A. Yes, sir.

Q. What kind of a mark did you put on it?—A. I put an X on it.

Q. The same as a cross I suppose you mean?—A. Yes, sir, a cross.

Q. Opposite whose name?—A. On Robert McLean's.

Q. Do you remember whether there was a place opposite his name for the purpose?—A. Yes, sir, there was a round place.

Q. A round place?—A. Yes, sir.

Q. Where did you put your cross?—A. Right inside of that.

Q. Right inside of that, that is in the circular white disc opposite Mr. McLean's name?—A. Yes.

Q. Well, when you had marked and folded your ballot to whom did you give it?—A. To Mr. Cummings.

Q. Did you give him the same ballot paper which you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. No, sir.

Q. You didn't observe what he did with it?—A. No, sir.

Q. What did you do?—A. I gave it to him and passed along.

Q. Did you stay in the polling booth or go out?—A. I stayed in a while.

*By Sir Louis Davies:*

Q. Have you been talking over with your other witness friends the evidence?—A. No.

Q. Have you heard any conversations?—A. No, sir.

Q. The witnesses have not spoken out there in your presence, do you state that?—A. No.

Q. Do you state that?—A. Yes.

Q. That the witnesses have not referred to the evidence which has been given here?—A. No, sir.

Q. By any other witnesses?—A. No, sir.

Q. You have not heard anything about it?—A. No, sir.

Q. Nobody has spoken to you?—A. No, sir, not to my knowledge.

Q. Not to your knowledge?—A. No, sir.

Q. How many days have you been here from the time these men were first subpoenaed, eight or ten days?—A. Yes.

Q. And during all this time you have heard no reference at all made to this investigation, do I understand you to say that?—A. Yes, sir.

Q. That is correct is it?—(No answer.)

Q. Is that correct, witness, do you want that to go down as your statement?—A. Yes, sir.

Q. What?—A. Yes, sir.

Q. That during all this time you have heard no reference made to this investigation?—A. Well, I might have, I forget.

Q. What?—A. I am forgetful.

Q. You are forgetful?—A. Yes.

Q. You can't remember?—A. Yes.

Q. Do you wish to state that?—(No answer.)

Q. Come now, Mr. Carey, pull yourself together; are you prepared to state that you had no conversation about the evidence in this investigation?—A. Not as I remember.

Q. Not that you remember ; and no one has spoken to you about it ?—A. Not that I remember.

Q. No one has spoken to you about it that you remember ; no one has told you what the other witnesses have said ?—A. No, sir.

Q. Did any one ask you if you watched what Donald Cummings did with the ballots ?—A. No, sir.

Q. Nobody ever asked you that ?—A. No.

Q. Nobody ever asked you how you voted at all ?—A. No, sir.

Q. Nobody ever referred to the election at all since you came down here to Ottawa ?—A. Some one might have said something, but I don't remember.

Q. Is it that you have a bad memory, eh ? A little ?—A. Well, I have not got a good one.

Q. You have not got a good one ?—A. No

Q. Did you see the ballot papers since the election ?—A. Not until I came in here.

Q. Not until in this place ?—A. Not since the election.

Q. Not till shown you by Mr. Borden ?—A. No, sir.

Q. Well, could you tell whose name was first till you saw that ?—A. Yes.

Q. Whose was it ?—A. Mr. Holmes was on top.

Q. You remember that all right ?—A. Yes.

Q. Then you must have a good memory ; is it that you mean Holmes was on top because he got most votes ?—A. Rather.

Q. Could you have sworn when you came into this room which name was first on the ballot paper till you saw it ?—A. Yes.

Q. You never saw the ballot paper till you went to the election, did you ?—A. No.

Q. And your memory, you told me a little while ago, was bad, but you swear you can remember that ?—A. I can remember Holmes was on top.

Q. You can ?—A. Yes, sir.

Q. How many times did you see that ballot paper ?—A. I just seen it the once.

Q. The time you went in behind the screen was the only time you ever saw it ?—A. The only time I ever saw it.

Q. Have you been talking to any one about that paper since you came to Ottawa, or any one to you ?—A. Not that I remember of.

Q. Was Beck talking to you since you came to Ottawa ?—A. Well, he was talking to me.

Q. Did you subscribe to Mr. Beck's fund ?—A. Yes, sir.

Q. You did ?—A. Yes.

Q. When did you subscribe ?—A. Since I came down.

Q. Did the man who come to you to subscribe speak to you about the affair at all or the investigation at all ?—A. No.

Q. Perhaps you don't remember who it was ?—A. I do.

Q. Well, tell us ?—A. McManus.

Q. James McManus, the scrutineer ?—A. Yes.

Q. Had you been canvassed before the election for your vote ?—A. No.

Q. No one went near you ?—A. No.

Q. Did you tell any one before the election who you were going to vote for ?—A. No.

Q. No one knew ?—A. No.

Q. Did you tell them on the day of election ?—A. No.

Q. Did you tell any one going home ?—A. No.

Q. You afterwards saw Mr. McLean and Mr. Johnston, did you ?—A. Yes, sir.

Q. How long was that after the election ?—A. Well, I could not tell you exactly.

Q. Up to that time had you told any one who you had voted for ?—A. Not to my knowledge.

Q. What did they say to you ?—A. Well, Johnston asked me if I voted for Robert McLean and I said "yes."

Q. Did he produce a paper then ?—A. Yes.

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- Q. Read it to you?—A. Yes.
- Q. Was it all written up?—A. Well, I don't know whether it was or not.
- Q. Well, written or printed—was it writing or printing?—did he read it off to you?—A. He didn't read it all to me.
- Q. He didn't?—A. No, he only read a few words.
- Q. He only read a few words; did he produce a Bible?—A. No.
- Q. Did you take an oath?—A. I signed my name.
- Q. Did you make an oath?—A. Take the Bible?
- Q. Did you take the Bible?—A. No.
- Q. Raise your hand and swear?—A. No.
- Q. Did you do anything to indicate you were swearing?—A. No.
- Q. Did you believe you were making an oath then?—A. No, I didn't.
- Q. He read part of it to you?—A. Yes, he read a few words.
- Q. He read a few words; do you read and write?—A. Well, I can, a little.
- Q. You can read and write a little?—A. Yes.
- Q. Signed your own name did you?—A. Yes.
- Q. Do you know Donald Cummings?—A. Yes.
- Q. Did you know how to mark your ballot, had you been at previous elections and marked ballots?—A. I have been at elections.
- Q. One?—A. I could not tell.
- Q. Can you tell whether you had been at more than one?—A. Yes.
- Q. Your ballots were marked?—A. Yes.
- Q. But you can't tell how many?—A. No.
- Q. Well, when you got your ballot paper did you give your name to the polling clerk?—A. Yes, sir.
- Q. Did you see him write it?—A. Well, I wasn't taking notice.
- Q. You were not taking notice; you went behind the screen and marked it and came out?—A. Yes.
- Q. Was there a counterfoil on it, do you know a counterfoil?—A. No.
- Q. How did you fold up the paper?—A. I folded it with the name in.
- Q. You didn't pay any attention to the counterfoil; you didn't know that, did you; did you see anybody puts marks on the ballot papers besides your own?—A. No.
- Q. Did Cummings put any marks on the paper?—A. Well, no.
- Q. Before he gave it to you did he mark it?—A. I can't tell.
- Q. You came back and gave it to him?—A. Yes.
- Q. You know the parties that were there?—A. I know three or four.
- Q. You know what he was to do with that ballot paper?—(No answer.)
- Q. Do you know what Donald was to do with the ballot paper?—A. I suppose he was to put it in the box.
- Q. Suppose; don't you know; have you any doubt about it?—A. Yes, he was to put it in the box.
- Q. You know that was his duty?—A. Yes, sir.
- Q. You gave it to him for that purpose, didn't you?—A. Yes, sir.
- Q. Your memory does not enable you to say whether he took off the counterfoil or not?—A. I don't know, I didn't watch him.
- Q. Will you swear he didn't put it in the box?—A. No, I will not.
- Q. How long ago is it since you had a doubt in your mind, or had you ever a doubt?—A. No, sir, I never had.
- Q. You have no doubt in your mind now?—A. No, sir, I have no doubt at all.
- Q. Do you know Cummings yourself?—A. Yes, sir.
- Q. Intimately acquainted with him?—A. No, I am not particularly acquainted; I know him.
- Q. You know him when you see him?—A. Yes.
- Q. That is about all?—A. Yes.

*By Mr. Fraser (Guysboro') :*

- Q. You were not speaking about this investigation since dinner time?—A. No, sir.

- Q. Nor anybody speaking to you?—A. No.  
 Q. Before dinner, I mean?—A. No, sir.  
 Q. This morning before dinner?—A. No.  
 Q. And you heard no one speaking of it?—A. To my knowledge.  
 Q. Why do you say “to my knowledge”?—A. I don't remember.  
 Q. Well, you don't remember of anybody speaking?—A. No.  
 Q. You would remember if there was anything said?—A. I think I would.  
 Q. Well, now, was anything spoken by any parties since you came down about this investigation?—A. To my knowledge.  
 Q. Why do you say “to my knowledge;” do you mean you don't remember?—A. I don't remember.

*By Mr. Russell :*

- Q. Did you have any talk with any body about that paper you signed with Mr. McLean?—A. I might have said I signed it, or something like that.  
 Q. Do you know who you said that to?—A. No.  
 Q. You might have said you had signed it?—A. Yes.  
 Q. That is if somebody had asked you if you had signed it, you said “Yes”?—A. Yes.  
 Q. Did you have any talk with them about what it was you had signed?—(No answer.)  
 Q. Did you have any talk with them about what it was you had signed?—(No answer.)  
 Q. Were you talking about what sort of paper it was, or what was in it?—(No answer.)  
 Q. That is an easy answer, isn't it?—(No answer.)  
 Q. Can you answer it or not?—(No answer.)  
 Q. Come, Mr. Carey?—A. I don't remember.  
 Q. Did you have some talk with somebody about that paper, or did you not?—No answer.

Mr. RUSSELL.—Would you note the time it takes the witness to answer a question? The only way I see to get at this is to put a stop watch on him.

- Q. Don't look at them, they can't help you a bit. Did you have any talk with anybody about that paper you signed?—(No answer.)  
 Q. You know the paper, I refer to, I suppose?—(No answer.)  
 Q. You know the paper I am talking about?—A. The paper that—  
 Q. The paper you signed for McLean?—(No answer.)  
 Q. Who was with McLean when you signed it?—A. Johnston.  
 Q. About your having voted for McLean. I am speaking about that paper, if it was signed?—A. I expect I told somebody I had signed it.  
 Q. Do you remember who it was you had told you had signed it?—A. I told the Missus I had signed it.  
 Q. And what did you say to her that you had signed?  
 Mr. Bergeron objected to the question, as to what occurred between the witness and his wife.

*By Mr. Russell :*

- Q. Did you say to anybody what kind of a paper it was you had signed?—(No answer.)  
 Q. Did you say you hadn't sworn to it anyhow?—A. No, I didn't say anything of the kind.  
 Q. Did you ever say anything about the paper not being sworn to, to anybody?—A. No.  
 Q. What?—A. No.  
 Q. Never said anything about the paper not being sworn to?—A. No.  
 Q. Did you ever say anything to anybody about its not being an oath?—(No answer.)  
 Question repeated.

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A. Well, I said I didn't know it was.

Q. You said you didn't know it was an oath?—A. Yes.

Q. Who was it told you it was an oath?—(No answer.)

Q. Come, quickly now, because we have a lot to do. Who was it told you it was an oath?—(No answer.)

Q. Come, quick, quick?—(No answer.)

Q. Who was it told you it was not an oath?—A. That it was not an oath?

Q. My gracious, but you are the slowest man I ever came across. Who was it told you it was not an oath?—(No answer.)

Q. Who was it told you that it wasn't an oath that you had signed; that you had voted for McLean?—(No answer.)

Q. I wish you wouldn't look so pleasant, but that you would answer the question.

Mr. Borden objected to the question.

*By Mr. Russell:*

Q. Who was it told you it was an oath you had signed?—(No answer.)

Q. It is no harm in telling us that; it won't hurt anybody?—(No answer.)

Q. You said somebody thought you didn't know it was an oath?—A. Yes.

Q. I ask you then if anybody told you it was an oath?—A. No.

Q. Who was it to whom you said this, that you didn't know it was an oath who was it you said that to?—(No answer.)

Q. That you didn't know it was an oath you had taken?—(No answer.)

Q. Who was it you said that to—that you didn't know it was an oath you had taken?—(No answer.)

Q. Come, come, come?—A. I can't remember.

Q. You can't remember? It wasn't your wife?—A. No, it was somebody else.

Q. Somebody else was speaking about that and you told him you didn't know it was an oath you were taking? Whoever it was, had he said it was an oath?—A. I don't remember.

Q. You don't remember that? You don't remember what it was that called out your reply that you didn't know it was an oath you had taken?—(No answer.)

Q. Do you understand that question?—A. No.

Q. Somebody said something to you, in reply to which you said you didn't know it was an oath you had taken. Now, I want to know what it was that person said to you? Will you tell that?—A. I don't remember.

Q. Will you give us leave to guess. That is the best we can do, if you don't remember?—(No answer.)

Q. You can't remember either who it was?—(No answer.)

Q. Where was it this conversation occurred?—A. I don't remember.

Q. Oh! now, that's getting a little too much. Don't say that always. Where was it that conversation occurred? Was it here in this building. Try and remember that; that's easy. Was it up here in the hall?—A. No, sir.

Q. Was it in the hotel?—A. No.

Q. It wasn't in the hotel?—A. No.

Q. Was it since you came to Ottawa. You surely remember that?—(No answer.)

Q. This was since you came to Ottawa, was it not?—A. I don't know.

Q. Try, like a good fellow, you have no idea what a good opinion I would have of you, if you would tell us that?—(No answer.)

Q. That time you said you didn't know it was an oath you took; that occurred since you came to Ottawa, surely, wasn't it?—A. Yes, sir.

Q. I thought so. Would it be within the last two or three days? Was it this week or last week?—(No answer.)

Q. Was it since Sunday, or before Sunday?—(No answer.)

Q. It was this week, wasn't it, since Sunday, wasn't it?—(No answer.)

Q. You will find it a good deal easier to answer the question, I tell you on my word of honour it is a good deal easier to answer the question. It was this week—sometime this week—wasn't it?—(No answer.)

Q. Come now, Mr. Carey, if it wasn't this week, it was last week. You have only been here ten days. It was either this week or last. Which do you think it was—this week or last week?—(No answer.)

Q. It takes you a long time to answer that easy question. Perhaps you don't remember whether it was this week or last week?—(No answer.)

Q. Oh, come, come, come. You see you are keeping Mr. Borden, Mr. Powell, Mr. Beck and the Chairman and everybody else. Why don't you answer the question? When was it you said this? Was it last week or this week?—A. It was this week.

Q. The day before yesterday wasn't it?—(No answer.)

Q. Was it yesterday or the day before yesterday?—(No answer.)

Q. Say something—say you don't know, if you don't know; you know whether it was yesterday or the day before. Why do you take so long to refuse to answer a question? I can easily understand that it takes long to answer. Do you mean to say you won't answer, or that you can't answer?—A. I don't feel like answering.

Q. Is that because you don't know, or because you don't wish to answer?—A. I can't remember that.

Q. You can't remember that; whether it was yesterday or the day before?—(No answer.)

Q. Can you remember if it was this week or last week?—(No answer.)

Q. Now don't look at those people when they are talking. It's their business, now you attend to yours. Was it this week or last week that the conversation occurred?—A. What?

Q. Where you said you didn't know it was an oath you were taking. Look at me! Look at me! You won't tell me whether it was this week or last week it occurred? You don't feel like saying, is that it?—(No answer.)

Q. What objection have you to telling me whether it was this week or last. I won't have any fooling. You were brought here to tell the truth, the whole truth and nothing but the truth. Do you know whether it was this week or last week? You must answer that question or I will certainly insist upon having you put into jail. There is a tower to put refractory witnesses who won't answer questions.—(No answer.)

Q. Do you know I am asking you a question, and you must give an answer. Was it this week or last week this occurred?—A. It was this week.

Q. It was a long time to come to it. It won't take you very long time to tell me now whether it was yesterday or to-day?—A. To-day.

Q. Now, if it was to-day your memory is good enough to say who it was you were talking to?—(No answer.)

Q. The gentleman is here. Isn't he?—A. Yes.

Q. I knew that all the time. Now, who was it?—A. The gentleman over there.

Q. Which, the good-looking man? Which man was that?—A. The man that said that?

Q. Yes?—A. The man there

Q. Do you mean Mr. Beck?—A. No, sir.

Q. We are talking now about the time when you said you didn't know whether it was an oath or not, and you couldn't remember for a long time whether it was this week or last week, yesterday or the day before, or to-day, and now it turns out it was to-day; what time to-day was it?—A. Since I came in here.

Q. Was it since you came in here, on the stand here as a witness?—A. Yes, sir.

Q. Well, then, you have fooled me all along, I see; perhaps I can't understand how little you really remember. Do you know for whom you were voting that day?—A. Yes.

Q. Do you know whom you voted for?—A. Yes.

Q. Do you know how you marked your ballot?—A. Yes.

Q. You are not a strong-minded man?—A. No, sir, not very.

Q. I'm afraid you don't know who you voted for?—A. Robert McLean.

Q. How many times have you been told you voted for Robert McLean?—(No answer.)

Q. How many times have you been told you voted for Robert McLean? More than once, was it?—(No answer.)

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Q. More than twice, twice or more than twice? As near as you can remember that you voted for McLean?—(No answer.)

Q. Have you ever been told that you voted for Robert McLean?—A. Not to my knowledge.

Q. Not to your knowledge?—(No answer.)

Q. How do you know you voted for him?—A. I went to the polling place and marked my ballot.

Q. Do you read?—A. I can read some.

Q. You can read some, can you read that page there that you see on that book?—A. "Evidence."

Q. Yes, you know how to read first rate, you are a good reader. That will do. Is not that the way you knew you voted for McLean?—A. Yes, sir.

Q. You read. Now see if you cannot remember—you find a great deal of trouble to remember what took place this week even, do you see, and yet you can remember that away back in February four months or more, you voted for Robert McLean and which name do you say was on top?—A. Mr. Holmes.

Q. Mr. Holmes' names was on top? And you can remember that? Perhaps you can remember what the shape of the paper was?—(No answer.)

Q. You told me something about talking to somebody or other about this document that you signed, that it was an oath. I ask you what was the remark that led to your saying it was an oath, and you haven't yet told me what the remark was?—(No answer.)

Q. I am afraid we will have to come to the conclusion that you don't know very much?—(No answer.)

Q. I'm afraid you haven't got a very strong mind?—(No answer.)

*By Mr. Britton :*

Q. Will you look at me a moment? You said that you folded in the name?—(No answer.)

Q. You remember saying that you folded in the names before you took the ballot to give to the returning officer?—A. Yes.

Q. What name did you fold in?—A. The name on the ballot.

Q. That is what you mean?—A. Yes.

Q. What names were on the ballot?—A. Robert McLean and Mr. Holmes.

Q. And then what you mean is you folded these names in?—A. Yes.

Q. Now is it not true—I suppose you want to tell us just exactly what happened?—(No answer.)

Q. You don't favour one party more than the other do you?—A. No.

Q. You don't care who wins?—A. No.

Q. You want to tell the truth?—A. Yes.

Q. If you want to tell the truth is it true that it was talked over among the witnesses, either by one witness or another, or by some person to the witnesses?—(No answer.)

Q. Is it not true that some person said to you up there that when you came in you were to say you made an "X" in the disc?—A. No, sir.

Q. Nothing of that kind?—A. No, sir.

Q. Didn't you hear that among the witnesses that they were to say they made an "X"?—A. No, a cross.

Q. That is your own idea saying that?—A. Yes.

Q. Your own idea using the word "X" in that way? And do you say it was not talked over among the witnesses that this document was the same as an oath?—A. No, they didn't say anything to me about it.

Q. Nothing? You know what I am asking you and you know the answer. Just tell it truly, please. Was it not talked over in your hearing by somebody that this declaration was the same as an oath and that you were to say so?—(No answer.)

Q. When you came in here just now, is not that so, tell me if that is so?—A. Not to my knowledge.

Q. What do you mean by not to your knowledge? That you do not remember anything of the kind taking place?—A. I do not remember.

Q. You do not remember anything of the kind?—(No answer.)

Q. That you were to say that this is the same thing as an oath. Weren't you asked to say this?—A. No, I don't know.

Q. You weren't?—A. No.

Q. Was it just hinted to you that you should?—A. No.

Q. Nothing of that kind?—A. No.

Q. Can you read my writing?—(No answer.)

Q. Can you read that name?—(No answer.)

Q. Cannot you read that?—A. I cannot read writing at all.

Q. You cannot read writing at all? Then you cannot read that?—A. That is Robert Mc—

Q. Lean?—A. Robert McLean.

Q. And that is Robert Holmes?—A. That is right.

Q. Just suppose that is a ballot and you are going to vote, and will you mark it? Just mark that you are going to vote?

The witness marked the paper handed to him, and at the request of Mr. Borden it was filed and marked as Exhibit 11.

*By Mr. Borden :*

Q. Mr. Carey, you told this gentleman here, this gentleman who looked at you so pleasantly, that I had not been talking with you, that I hadn't been talking with you. Did I ever talk with you before you came in here?—A. No, I didn't understand—

Q. You didn't understand what he meant?—A. No.

Q. The first time you ever talked with me was to-day?—A. Yes.

Q. Did I ever speak to you before?—A. No, I do not think you did.

*By Mr. Russell :*

Q. What was it you thought I meant, Mr. Carey? Explain what you thought I meant?—A. I thought you asked me did I know it was an oath.

Q. What?—A. I thought you asked me did I know it was an oath.

Q. Now look, Mr. Carey, we get on very nicely up to a certain point. Let me see if you can remember how far we got. You told me you said to somebody this week that you didn't know that the thing you signed was an oath. That is correct, isn't it?—(No answer.)

Q. You told me a little while ago that you didn't know this paper you signed was an oath? That is so far?—(No answer.)

Q. Is that right?—(No answer.)

Q. You said to somebody—just you listen, listen to me. I will not take any offence if you don't want to look at me, because I know I am not pleasant to look upon. You told me a moment ago that some time or other, and you fixed it this week, you had said about that paper you didn't know it was an oath. You remember that, you remember saying that?—A. Yes, I said it was not an oath.

Q. What is that?—A. I said it was not an oath.

Q. Now, I ask you who it was you said that to. Who was it you said that to?—A. I do not remember.

Q. But some time this week you said that to somebody; and whoever it was you said that to, he had said something to you?—(No answer.)

Q. That person that you said this to had said something to you about that paper, had he not?—(No answer.)

Q. When you shake your head you mean yes, do you?—(No answer.)

Q. You had some conversation with somebody about this paper?—(No answer.)

Q. That is not correct?—(No answer.)

Q. You didn't have any conversation with anybody about that paper?—A. Not that I remember of.

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Q. But you told me that you told some person that you didn't know that was an oath on that paper, didn't you?—A. Yes.

Q. Did you not tell some person that you didn't know that it was an oath?—A. I told some person.

Q. And you don't know who that person was?—(No answer.)

Q. And you know that person said something to you about that paper, don't you?—(No answer.)

Q. Did that person not say something to you about that paper, listen, or rather, answer?—(No answer.)

Q. Who was the first person that spoke about the paper?—(No answer.)

Q. Who was the first person that you were talking to who made the first reference to the paper?—(No answer.)

Q. Who was the first person you were talking to?—A. The person I was talking to?

Q. The person you were talking to and what was it he said about the paper? Did he tell you that was an oath you had sworn to, Mr. Carey?—(No answer.)

Q. Did he say it was an oath you had sworn to?—(No answer.)

Q. Say, did he or did he not tell you that was an oath you had sworn to?—(No answer.)

Q. Do you mean you won't answer that question? Did he or did he not tell you that that was an oath you had sworn to?—A. He told me it was an oath.

Q. He told you it was an oath, and you replied you didn't know it was an oath you had sworn to?—(No answer.)

At this point in his examination the witness showed signs of faintness, and Mr. Russell said: "I will leave it to the Chairman to say whether we should go on with the examination."

The CHAIRMAN.—I think you should give him a rest.

The witness withdrew and was subsequently discharged.

ROLAND WILLIAMS, No. 78 on the poll book, sworn.

*By Mr. Borden (Halifax).*

Q. Mr. Williams, you reside in the township of Colborne?—A. Yes.

Q. You voted at the Dominion election on the 21st February last?—A. Yes.

Q. And who was the deputy returning officer at the poll at which you voted?—A. Donald Cummings.

Q. Donald Cummings was the deputy returning officer?—A. Donald was the deputy returning officer.

Q. Did you receive a ballot from him?—A. Yes, sir.

Q. Did you mark it?—A. Yes.

Q. For whom did you mark it?—A. For Mr. McLean.

Q. What kind of a mark did you put on it?—A. I put a cross with a pencil.

Q. Opposite whose name?—A. Opposite McLean's name.

Q. Was there any space?—A. There was a white disc for McLean and a blue one for Holmes.

Q. A blue one?—A. A white one for McLean and a blue one for Holmes.

Q. At all events you put your cross in a white disc?—A. Yes, sir, I put my mark.

Q. Opposite McLean's name?—A. Yes, sir.

Q. After you had marked your ballot and folded it what did you do with it?—A. Folded it and handed it to Cummings the deputy returning officer.

Q. Did you hand him the same ballot you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. No, I did not.

Q. Well, did you remain there or go on?—A. I handed the ballot to him and walked towards James McManus, the scrutineer, and spoke to him; I gave him the ballot up in that way, I didn't see what he did with it and I don't know what he did with it.

*By Mr. Russell :*

Q. You handed it to Cummings?—A. Yes.

Q. You didn't stop but a moment?—A. I didn't stop only a minute in the poll room.

Q. And had a talk with McManus?—A. Yes.

Q. And after the thing was over you made a statement?—A. About what? How I voted? I made no statement, I kept my mouth shut.

Q. I don't mean that, but some weeks after?—A. No, I wasn't away from home.

Q. We misunderstand each other; you signed a paper about the voting?—A. Oh, I see what you are coming to. Mr. McLean and Mr. Johnston they came to my brother's house—I was out in the yard cutting wood—and they called me in and I went into the sitting room. Mr. Johnston asked me if I had any objection to sign a document. I told him I hadn't; he said "sign this," I said "no, I won't sign it till you read it over," and when they read it over I signed it and walked out of the room.

Q. Pity there were not more like you?—A. Oh, I believe all my nephews signed it.

Q. You say Johnston came to you?—A. Yes.

Q. And said "I want you to sign this declaration?"—A. Yes.

Q. And you didn't swear to it?—A. Swear to it?

Q. You didn't swear to it?—A. I might have sworn to it and I might not.

Q. If you were asked you would have heard?—A. Yes.

Q. There was no Bible?—A. Oh, yes.

Q. But you didn't bring out the Bible?—A. No.

Q. He didn't ask you to swear?—A. I won't say he did or did not.

Q. I suppose you know now a lot of people were signing the same declaration?—A. I heard so.

Q. Did you have any talk afterwards with anybody as to whether this declaration was an oath or not?—A. No, I hadn't any further conversation and heard no more about it till I got this summons.

Q. And you have not had anything to do with Mr. Beck except pay part of his expenses?—A. Mr. Beck didn't say anything to me.

Q. No, but I say you didn't have anything to do except to pay part of his keep?—A. Well, I don't know what it was for, they came to me and I gave what they asked me.

*By Mr. McIsaac :*

Q. How much?—A. I don't know what it was for.

*By Mr. Russell :*

Q. You knew who it was for?—A. Of course I did, but I don't know what it was for.

Q. It was for Mr. Beck?—A. I do not know what it was for.

Q. You subscribe to anything that comes along without knowing what it is for?—A. They merely said "we are going to give Mr. Beck so much;" I put my hand in my pocket and gave it to him.

Q. You have not heard of course—I understand, Mr. Williams, that you have not meddled much with other people and vote to suit yourself, and go out and sign a declaration if it is true, and that is the end of the matter?—A. Yes, that is the end of the matter.

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*By Mr. Britton :*

- Q. You read and write?—A. Yes.
- Q. I understand you to say that the two discs were—Holmes' was what?—A. I think Holmes' was blue and that McLean's was white.
- Q. McLean's was white and Holmes' was blue, you think?—A. Yes.
- Q. That is the place where the mark was?—A. Yes, if you bring me the ballot I will show you my mark.
- Q. Perhaps I didn't understand, Holmes' was white and McLean's was blue?—A. No, Holmes' was blue and McLean's white.
- Q. Holmes' was blue and McLean's was white, eh? And you marked for McLean?—A. I did.
- Q. You spoke about your brother signing a declaration?—A. Yes.
- Q. What brother?—A. My brother Raby; no he didn't, he didn't vote, he wasn't able to go.
- Q. What did you say?—A. It was in my brother Raby's sitting room.
- Q. You said he signed?—A. No, I beg your pardon, it was my nephews.
- Q. Then you didn't say your brother made a declaration?—A. No, because he wasn't able to go.
- Q. Then you didn't say he made the declaration?—A. No, it was my nephews.
- Q. What nephews?—A. John, Scarlett, Robert and Arthur.
- Q. They are all nephews and of the same name?—A. The same surname but not christian name.
- Q. These four made declarations, were you there?—A. No.
- Q. How did you know?—A. They told me and I would take their words as much as their oath.
- Q. They told you?—A. Yes.
- Q. You were in the room?—A. No.
- Q. And were you there?—A. They were in the room when I was in the sitting room.

*By Mr. Fraser (Guysboro') :*

- Q. You cannot be mistaken about the ballot being white and blue?—A. No.

*By Sir Louis Davies :*

- Q. Then McLean's was blue?—A. No, white.

*By Mr. Fraser (Guysboro') :*

- Q. Holmes' was blue and McLean's was white, no mistake about that?—A. No, bring me the ballot and I will show you where I marked it.

Witness discharged.

ABNER MORRIS, No. 26 on the poll book, sworn.

*By Mr. Borden (Halifax) :*

- Q. Mr. Morris, you reside in the township of Colborne?—A. Yes, sir.
- Q. You voted at the Dominion election held on the 21st of February, 1899?—A. Yes, sir.
- Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.
- Q. What is his first name?—A. I don't know.
- Q. You don't know his first name?—A. No.
- Q. You have seen him here, it is this gentleman over here?—A. Yes.

- Q. Did you receive a ballot paper from him?—A. Yes, sir.  
 Q. And did you mark it?—A. Yes, sir.  
 Q. For whom did you mark it?—A. For Mr. McLean.  
 Q. Mr. Robert McLean?—A. Mr. Robert McLean.  
 Q. What kind of a mark did you put on it?—A. A cross.  
 Q. And was there any space opposite his name for the purpose of putting your mark?—A. Yes.  
 Q. What kind of a mark?—A. A round white.  
 Q. A round white place opposite his name?—A. Yes.  
 Q. Where did you put your cross?—A. There.  
 Q. Did you put it opposite Mr. McLean's name? I want to know whether it was in the white space or somewhere else?—A. I put it in the white space.  
 Q. After you had marked your ballot and folded it what did you do with it?—  
 A. I gave it to Mr. Cummings.  
 Q. Did you give back to him the same ballot paper you received from him and which you had marked?—A. I did.  
 Q. Did you observe what he did with it?—A. No, I handed it to him and walked out.  
 Q. You walked out?—A. Yes. I just turned around and saw that he was unfolding it differently to what I had folded it.  
 Q. Did you see him tear off the counterfoil?—A. No, I did not.  
 Q. Did you wait to see him put it in the box?—A. No, sir.  
 Q. Now, can you show me on this where you marked your ballot?—A. Yes.  
 Q. In this circular white space?—A. Yes.

*By Mr. Russell :*

- Q. You are acquainted with Mr. McLean of course?—A. Yes, sir.  
 Q. Did you have any talk with him or were you canvassed at all for the Dominion election, or was there any canvassing?—A. No.  
 Q. Did any of McLean's friends canvass you for your vote before the election?—  
 A. No, sir.  
 Q. After the election was over you met Mr. McLean of course, I mean to say about getting up a document, a certificate of the list of people that had voted for him?—A. It was M. O. Johnston asked me.  
 Q. And wasn't McLean with him?—A. Yes.  
 Q. I am referring to that time. Was it McLean asked you how you had voted or Johnston. Which asked you?—A. M. O. Johnston.  
 Q. McLean was with him. Did they come to your place or you go to them?—  
 A. They came to my place.  
 Q. To your house?—A. Yes.  
 Q. And Johnston was the first to speak and ask you if you had voted for McLean, or something like that. Was that it?—A. Yes.  
 Q. He asked you if you had voted for McLean and you said you had?—A.  
 Yes.  
 Q. Do you trade with Mr. McLean?—A. When I want to buy beef I buy off him.  
 Q. Have you considerable dealings with him?—A. No.  
 Q. Do you sell to him at all?—A. I never sold anything to him.  
 Q. You simply buy from him?—A. Yes.  
 Q. Do you buy for cash or credit?—A. Generally cash.  
 Q. Sometimes on credit?—A. Yes.  
 Q. McLean was with Johnston when he came to ask you how you voted?—A.  
 He didn't come into the house.  
 Q. Johnston came into the house and asked you how you voted? You had not given him any understanding as to how you had voted before?—A. Not before.  
 Q. Did they have any committee rooms in that place; any committee meetings? Election meetings—you know what I mean—canvassing committees?—A.  
 I don't understand.

## Privileges and Elections Committee.

Q. Had the Liberal or Conservative party in that part of the country any political meetings, to find out how people were going to vote? Had you any such meeting?—A. Yes, sir.

Q. Did you attend any of these committees?—A. There was two meetings on the Reform side.

Q. That is public meetings?—A. Yes.

Q. I mean any committee meetings?—A. I never attended any.

Q. Did you attend the public meetings and the Reform meetings?—A. Yes, sir.

Q. Did you attend any Conservative meetings?—A. I didn't attend them. I had too far to go.

Q. There were no Conservative meetings in the same place?—A. No, sir, not to my knowledge.

Q. The Reform meetings were the only convenient meetings to go to. Did not the Conservatives have meetings in the same place, too?—A. Not to my knowledge.

Q. The Reformers had two meetings in that place and the Conservatives did not have any?—A. Not to my knowledge.

Q. You attended two Reform meetings and you didn't attend any Conservative meetings. You didn't know of any you could have attended?—A. No, sir.

Q. Then you signed that paper. I don't think you told what the circumstances of signing it were? Was it read over to you or did you read it over to yourself?—A. M. O. Johnston read it over to me.

Q. After asking how you voted, he asked if you would have any objection to signing a paper to that effect?—A. Yes, sir.

Q. And you said you would have no objection to signing the paper?—A. Yes, sir.

Q. Did you see McLean?—A. No.

Q. How did you know he was there?—A. He was outside in the buggy.

Q. But how did you know he was there?—A. I knew he was there in the buggy.

Q. You signed the paper that you had voted for McLean?—A. Yes, sir.

Q. You didn't swear to it?—A. No, sir.

Q. There was no Bible brought out?—A. No, sir. They just read it to me.

Q. He read it and you signed it and that is all you know about it?—A. Yes, sir.

Q. You have been stopping at the same house with the other witnesses?—A. Yes, sir.

Q. And seen a good deal of them here?—A. Yes, sir.

Q. Have you heard any conversation between witnesses as to that paper they signed?—A. No, sir.

Q. Any conversation as to whether it was an oath or only a statement?—A. I never heard any.

Q. You never heard any conversation among the witnesses?—A. Not about the paper.

Q. About anything relating to the paper?—A. No, sir.

Q. You have heard some conversation with witnesses about this trial going on?—A. Yes.

Q. But no reference to the paper they had signed?—A. No, sir.

Q. And you had no conversation with anybody about the paper you had signed?—A. No, sir.

Q. You never heard the quality of the paper discussed as to whether it was binding like an oath or merely a written statement?—A. Not to my knowledge.

Q. Not to your knowledge, I suppose, means not to your recollection?—A. Not to my recollection.

Q. I would like you to think about that, Mr. Morris, because there is a good deal of talk about that conversation going on, perhaps you didn't mix up with the witnesses much, have you been with them since you have been here?—A. Yes, I have been with them all the time.

Q. And you have heard conversation about the trial?—A. Yes, they talk backwards and forwards.

Q. And you have no recollection about the conversation; about that document?—A. No, I have none.

Q. You are positive you didn't hear any or that you don't recollect?—A. I don't recollect.

Q. You would not be positive that you have heard conversation among the witnesses to the effect that that paper was not in the nature of an oath?—A. I don't recollect ever hearing of it.

Q. You have heard some conversation in the hall about some of the proceedings haven't you among the witnesses. By the way, did you ever hear Mr. Beck talking to any of the witnesses about the document?—A. No, I never did.

Q. You of course couldn't answer that without thinking a little while to be sure I suppose?—A. Well, I did not understand you at first.

Q. I thought that was a very easy answer I asked you, Mr. Morris, I guess your mind was wandering a little about something else. You are positive you never heard Mr. Beck make any reference as to the nature of that document?—A. No, I never did.

Q. Neither at the hotel or up here?—A. No, sir.

Q. And you never heard any of the witnesses or any body else either there, at the Brunswick hotel, or up here, or any where else?—A. No, sir.

Q. It would be talked about in Colborne wouldn't it?—A. I have heard it talked about there.

Q. That is as to whether it was an oath or not?—A. Yes, sir.

Q. Who did you hear talking about it there?—A. I don't recollect.

Q. You have heard it talked about a great deal there on that point whether it was an oath or not?—A. Yes.

Q. But you can't recollect a single person that you heard talking about it there?—A. I can't recollect.

Q. You can't single out anybody that you heard talking about it?—A. No.

Q. Can you think whether it was some of the people that had signed it or not that were speaking about it that way?—A. I can't say.

Q. Do you mean that it is because you do not know who signed it?—A. I know who signed it.

Q. Now, are you not satisfied you have heard some of those people who signed it talking whether it was an oath or not?—A. I think I have.

Q. You think you have heard. Your impression is that you did?—A. I think so.

Q. And you have heard a number of people discussing that question?—A. Yes.

Q. That is whether it was an oath or binding?—A. Yes.

Q. That is out in Colborne?—A. Yes.

Q. You haven't heard the question discussed since you came to Ottawa at all?—A. No, sir.

Q. Have you heard any witnesses discussing the question, since yesterday we will say?—A. No, sir.

Q. Have you heard any witnesses, we will say, either yesterday or to-day, discussing the question whether they had seen their ballots put in the box or not, or whether they had turned around and run away without waiting to see it go into the box?—A. No, sir.

Q. You haven't heard any discussion like that?—A. No, sir.

Q. You haven't heard Mr. Beck say to any witnesses that it would be just as well if they didn't remember whether they saw their ballots go into the box or not?—A. No, sir.

Q. You haven't heard anything like that take place?—A. No, sir.

Q. You haven't heard anybody make observations like that?—A. No, sir.

Q. Whether at the hotel or up here?—A. No, sir.

Q. As a matter of fact, you didn't wait to see your ballot go in?—A. No, sir.

Q. You just handed it to the presiding officer, you simply gave your ballot to Mr. Cummings, turned round, and went away and didn't wait to see whether it went into the box?—A. Yes, sir.

Q. Were you in a hurry?—A. I was going to town.

Q. You didn't wait to see it go into the box?—A. No.

Q. How long have you known Mr. Cummings?—A. I have known him a good few years.

## Privileges and Elections Committee.

- Q. How long do you mean?—A. Seven or eight years.  
Q. Have you lived long in the neighbourhood?—A. Yes, sir.  
Q. He has lived all his life there, I think?—A. I can't say.  
Q. How long have you lived in that place?—A. All my life.  
Q. How long have you known him?—A. Seven or eight years.  
Q. How far away from him do you live?—A. About three miles, I guess.  
Q. How did you vote at the last election, Mr. Morris, the provincial election?—  
A. For Mr. Beck.  
Q. Is he a Conservative?—A. A Conservative.  
Q. A Conservative, and the last Dominion election, you voted for McLean?—  
A. Yes, sir.  
Q. You have been a Conservative right along?—A. Yes, sir.

*By Mr. Borden :*

- Q. You have been in the hall here every day waiting to be examined?—A. Yes, sir.  
Q. With the other witnesses?—A. Yes, sir.  
Q. And you heard no such talk as has just been spoken about?—A. No, sir.

Witness discharged.

SAMUEL MORRIS (No. 73 on the poll book), sworn.

*By Mr. Borden :*

- Q. Mr. Morris, you live in the township of Colborne?—A. Yes, sir.  
Q. Are you hard of hearing?—A. Sir?  
Q. You live in the township of Colborne?—A. Yes.  
Q. Did you vote at the last Dominion election for the west riding of the county of Huron, held on the 21st of February, 1899?—A. Yes, sir.  
Q. Who was the deputy returning officer at the poll at which you voted?—A. I don't know, sir.  
Q. You don't know?—A. I only took notice to the returning officer. That is Mr. \_\_\_\_\_  
Q. Who was the returning officer at the poll at which you voted?—A. Mr. Cummings.  
Q. Did you get a ballot paper from him?—A. Yes, sir.  
Q. Did you mark it?—A. I did, sir.  
Q. What kind of a mark did you put on it?—A. A cross.  
Q. Opposite whose name?—A. Mr. \_\_\_\_\_the butcher; I forget his name.  
Q. Mr. McLean?—A. That is it, sir.  
Q. You put it opposite his name?—A. I did, sir.  
Q. Yes?—A. On the right of his name.  
Q. On the right of his name. Yes, did you put it in a white place or black?—  
A. In a white round place.  
Q. Yes, you put your cross there?—A. I did, sir.  
Q. After you put your cross there I suppose you folded the ballot up?—A. I did.  
Q. What did you do with it then?—A. I gave it to the deputy returning officer and he put it on the table and tore a little bit off the edge and put it in his pocket, and put the ballot in the box, and then I left.  
Q. Was the ballot which you handed to him the same one which he had given to you?—A. I cannot swear to that.  
Q. You cannot?—A. No, sir.  
Q. I do not think you understand me?—A. I do.  
Q. He gave you a paper?—A. Yes, sir.  
Q. And you put a mark on it?—A. I did.

Q. Did you give that identical paper back to him?—A. The same paper.

Q. That is what I was asking you, you know. You gave him the same paper which he had given you to mark?—A. Yes, sir, and I seen him put it in the box.

Q. Now, do you remember who the other candidate was?—A. I want a pair of spectacles.

Q. Have you got a pair?—A. I have got a pair in my pocket.

Q. You might put them on?—A. Yes, my spectacles is all gone to pieces.

Q. Have they?—A. Yes. Yes, sir, I have sat on my spectacles and broke them.

Q. I expect mine would not help you much?—A. Yours is too young, sir, I guess.

*By Mr. McIsaac :*

Q. Do you know Mr. Cummings, don't you?—A. Yes, sir, I know him.

Q. He is a man of pretty good reputation?—A. I never heard nothing against the man, sir.

Q. A very good man?—A. A good workman.

Q. A good workman?—A. A good carpenter.

Q. A good neighbour?—A. A good neighbour; yes, sir.

*By Sir Louis Davies :*

Q. I suppose you have known him a good many years?—A. A number of years.

Q. And you never heard a word against him in your life?—A. No, sir.

*By Mr. Borden :*

Q. A pretty strong politician, isn't he?—A. I do not know about that; I don't understand much about it.

*By Mr. Russell :*

Q. A good honest man?—A. Yes, I guess so. I never heard anything against the man.

The CHAIRMAN.—You are discharged. The WITNESS.—Good-by, sir.

JOSEPH THOMPSON, No. 28 on the poll book, sworn :

*By Mr. Borden :*

Q. You reside in the township of Colborne, Mr. Thompson?—A. Yes, sir.

Q. And you voted at the last Dominion election?—A. Yes, sir.

Q. In February?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. Mr. Donald Cummings?—A. Yes, sir.

Q. Did you get a ballot paper from him?—A. Yes, sir.

Q. Did you mark it?—A. Yes, sir.

Q. What kind of a mark did you put on it?—A. An "X."

Q. Opposite whose name?—A. Bob McLean's.

Q. And do you remember in what kind of a place you put your mark?—A. A round dot, a round "O."

Q. White or black?—A. White.

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- Q. And after you had marked the ballot you folded it, I suppose?—A. Yes, sir.  
Q. What did you do with it then?—A. I handed it to Mr. Cummings.  
Q. Did you hand him the same ballot which you had got from him?—A. Yes, sir.  
Q. And did you observe what he did with it?—A. No, sir.  
Q. What did you do?—A. I walked on up to the stove.  
Q. Handed him the ballot and walked on towards the stove?—A. Yes, sir.  
Q. Did you observe whether he tore off the counterfoil?—A. No, sir.

*By Sir Louis Davies :*

- Q. Have you had any conversation to-day or yesterday with respect to remembering whether he put your ballot in the box or not?—A. No, sir.  
Q. With nobody?—A. No, sir.  
Q. At any time?—A. No, sir.  
Q. Never heard anybody talking about it?—A. No, sir.  
Q. Did anybody talk to you about the election at all?—A. Oh, yes.  
Q. Since you came down here, you have been talking about the investigation?  
—A. A little, but now and then.  
Q. In the passage here?—A. Yes, sir.  
Q. What about?—A. Oh, about how you fellows, was keeping us down here mostly.  
Q. Why, we rather understood you were having a better time than we do. Were you a subscriber to the fund?—A. Yes, sir.  
Q. Nobody ever subscribed to a fund for us. And you paid your money like a man?—A. Yes, sir.  
Q. And I suppose had the drinks on it?—A. I do not know if I had drinks or not, I had a cigar.  
Q. Perhaps you are a teetotaler?—A. No, I can take a drink too.  
Q. You are none the worse of that?—A. No.  
Q. And I suppose the drinks were put up by somebody?—A. Yes, sir.  
Q. The drinks were put up by somebody?—A. I put some up myself.  
Q. You put up some yourself, and altogether are not having a bad time?  
—A. No.  
Q. You have not much to complain of?—A. I am not kicking.  
Q. You have been talking together about this investigation?—A. Not in particular.  
Q. And what the witnesses have been saying?—A. Not in particular.  
Q. Has Mr. Beck been talking about it?—A. Not to me.  
Q. Did you hear him talking to the others?—A. I heard him sitting talking around.  
Q. Did you hear him talking to the other witnesses?—A. Yes, I did.  
Q. About the ballots?—A. No, sir.  
Q. Did you hear him asking whether they saw the ballots put in the box?  
—A. No, sir, I cannot say I did.  
Q. You cannot say you did, can you swear you didn't?—A. I would not like to swear I didn't; I didn't pay no attention. I might accidentally hear him saying something, but I didn't pay any attention to him.  
Q. You might accidentally hear him saying something?—A. Yes.  
Q. They had been talking, I suppose, about what they remembered the witnesses?  
—A. No, not to my knowledge.  
Q. Did any say how they voted?—A. I heard some say how they voted.  
Q. And how they marked the ballot?—A. Some, oh, yes.  
Q. And where the names were?—A. I do not know that I heard any say where the names was.  
Q. Was there anything said about the ballots being supposed to have disappeared?—A. I do not know if there was or not.  
Q. Well, now, that is the most important point in the whole investigation?—  
(No answer.)  
Q. Will you answer that question?—A. I don't know whether I can or not.

Q You don't know whether you can or not. You don't know whether you can answer it or not. The question is a very plain one. Was anything said by any of these witnesses in your hearing about their ballots having disappeared?—A. I do not think that I heard a man saying any such a thing. I do not think I heard any such a man say any such a thing about his ballot disappearing.

Q. You were all satisfied your ballots were just as you put them in?—A. We didn't put them in.

Q. You didn't put them in?—A. No, sir.

Q. Oh, I see, who said that, that they didn't put them in, which of the witnesses said that?—A. I say I didn't put it in.

Q. Which of the witnesses?—A. I did not hear any of them say.

Q. What did you hear any of the witnesses say about these ballots?—A. I do not think I heard any of them saying anything about the ballots.

Q. Did you hear any of them saying anything after they came down?—A. Yes, they voted for Bob McLean.

Q. Anything else?—A. No.

Q. You heard them say that?—A. Yes.

Q. Did you hear more than one?—A. I do not know which one, I was not paying much attention.

Q. But you understood this, all they came for was to swear you voted for Bob McLean?—A. Yes.

Q. Nothing else?—A. No.

Q. And that is what you came for?—A. Yes, sir.

Q. Now, is your memory any clearer than it was a moment ago, are you prepared to say here you didn't hear any witnesses say anything with respect to the ballots they had marked and given to the returning officer?—A. Oh, I heard some of them say they had marked and given them to the deputy returning officer.

Q. Was anything said about putting the ballots in the box?—A. Some of them said they saw it put in and some didn't and went right out.

Q. Some of them said they saw them put in and some didn't?—A. Some of them said they saw it done and some didn't.

Q. Did they say anything else than that?—A. Not to my knowledge.

Q. You didn't hear any witnesses state that anything wrong had been done with the ballots?—A. No, sir.

Q. You didn't hear any witness say anything wrong or improper had been done with his ballot?—A. No, sir.

Q. You have voted at previous elections?—A. Yes.

Q. And you know all about the ballot, and I ask you now, which ballot was blue and which one white?

Mr. Powell objected to the question.

Q. If any one said one ballot was blue and one was white what would you have said?—A. I would have said both were white.

Mr. Borden (Halifax) objected that this was not evidence.

Q. You have been voting at previous elections?—A. Yes, sir.

Q. You had voted previously and knew how to vote?—A. Yes, sir.

Q. And a man that can read and write; now you got a ballot, went behind the screen, and brought it to the returning officer and knew where he put it?—A. Knew where he had to put it.

Q. And that was?—A. In the ballot box.

Q. What did you do?—A. Folded it up ready to put in the ballot box.

Q. Then you didn't know about the counterfoil?—A. He didn't tell me about the counterfoil.

Q. You didn't know and he didn't tell you and you folded it up without respect to the counterfoil so that the ballot would have to be opened to tear off the counterfoil?—A. Yes.

Q. Was the ballot initialled?—A. Yes.

Q. You saw him do that?—A. Yes.

Q. By pencil or pen?—A. I don't know.

Q. It was by one or other, you know?—A. Yes.

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- Q. You didn't see him tear off the counterfoil?—A. No.  
Q. You didn't wait to see, didn't try or care?—A. No, sir.  
Q. Did you watch other people vote?—A. No, sir.  
Q. You didn't?—A. No, sir.  
Q. Didn't you stay in the polling booth at all?—A. Not when I voted.  
Q. Why didn't you stay to see what became of your ballot, why didn't you wait?—A. I walked up to the stove where some of the boys were standing.  
Q. You know Cummings?—A. Yes.  
Q. Knew him to be an honest man?—A. Yes.  
Q. Never heard anything to the contrary?—A. No.  
Q. Was it because you had confidence that you didn't stop?—A. It was.  
Q. You had no doubt he would put that ballot in?—A. No, sir.  
Q. Did you tell people who you had voted for when you went down to the stove?  
—A. No, sir.  
Q. You didn't keep your own counsel?—A. Yes.  
Q. Did you tell anybody before the election who you were going to vote for?  
A. No, sir, I didn't.  
Q. Did you tell anybody after the election who you had voted for?—A. No, I don't think I did.  
Q. You recollect these gentlemen coming to get your statement?—A. Yes.  
Q. Up to that time had you told anybody?—A. Perhaps I might have been talking to some one.  
Q. But you might have?—A. Yes.  
Q. When these gentlemen came, Mr. McLean and who?—A. M. O. Johnston.  
Q. Where did they meet you?—A. On the road.  
Q. Did they stop to talk to you?—A. Yes.  
Q. Tell you their mission?—A. They had a paper and asked if I had any objection to sign.  
Q. Asked you if you had any objection to sign a paper; did they give it to you to read?—A. Yes.  
Q. Who read it?—A. Johnston.  
Q. Was it all ready?—A. Yes.  
Q. Nothing to do but sign it?—A. Yes.  
Q. All prepared and you did sign it?—A. Yes.  
Q. Then and there?—A. Yes.  
Q. Were you asked to take the Bible?—A. No.  
Q. Any oath?—A. No.  
Q. Nothing else about a Bible or affidavit or anything?—A. No.  
Q. You were asked to sign and you signed and there was the end of it?—A. Yes.

*By Mr. Russell:*

- Q. You had some doubt after you came from the polling both whether you had put the mark in the right place?—A. No, sir.  
Q. You expressed some doubt after you came out?—A. No, sir.  
Q. Think close now?—A. I am thinking.  
Q. You said to two or three persons you were afraid you had voted for Holmes instead of McLean?—A. No, sir.  
Q. You didn't say that at all?—A. Not after I came out.  
Q. Not after leaving the poll?—A. No.  
Q. It didn't take place before leaving the building, it took place inside the building?—A. No, sir.  
Q. You mean it didn't take place at all?—A. I said it that night after I left town when I heard how the returns came out.  
Q. You said it that night after you left town when you heard how the returns came out; you said you must have marked it wrong?—A. I said I must have voted for Holmes too.  
Q. To how many people?—A. Some of the boys were coddling around.  
Q. Some of the boys were coddling about it?—A. Yes, sir.

Q. And you said that you thought you must have been mistaken and voted for Holmes by mistake?—A. I said, I thought I must have voted for Holmes too, the way our polling place turned out.

Q. And you were sure you didn't vote for Holmes?—A. I was pretty sure.

Q. Only pretty sure?—A. No.

Q. You were making some inquiries in the course of that conversation which name was on top and which was on the bottom?—A. No, sir.

Q. Now, be careful?—A. I am careful.

Q. You didn't mention anything about whose name was on the top and whose on the bottom?—A. I heard some of them talking about where it was.

Q. And you asked about it?—A. I knew it was on the top.

Q. You had some doubt?—A. No, I don't say any such thing.

Q. When the document was produced that you signed you say you didn't have any book produced?—A. No, sir.

Q. Nor swore to it?—A. No, sir.

Q. Who were the persons that you were talking to about this?—A. About which?

Q. That you were codding with about this vote?—A. Oh, I can't tell you who they were; a lot of the boys I met in the town and they were making fun of me.

Q. About your mistake?—A. No, I was telling them what I was thinking of, when I came out.

Q. About you voting for Holmes?—A. They were all just talking about it.

*By Mr. Borden (Halifax):*

Q. What you said was the way the ballot turned out?—A. Yes.

Q. They were codding you because you said in view of the poll you must have voted for Holmes too?—A. Yes.

Q. Had you any doubt who you voted for?—A. None.

Q. Have you any doubt now?—A. No.

Q. Whose name was at the bottom?—A. Bob McLean's.

Q. And you put your mark there?—A. Yes.

Q. This conversation you have spoken of to Mr. Russell was chaffing?—A. Yes.

Q. Were you surprised at the way the vote turned out?—A. Yes, I was.

Q. And that is the way you came to make this remark?—A. Yes.

Witness discharged.

WILLIAM KERR, No. 21 on the poll book, sworn.

*By Mr. Borden (Halifax):*

Q. You reside in the township of Colborne, Mr. Kerr?—A. Yes, sir.

Q. Did you vote at the Dominion election which was held in February last for the west riding of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Donald Cummings, sir.

Q. Did you receive a ballot paper from him?—A. Yes.

Q. Did you put a mark on it?—A. Yes.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name?—A. Robert McLean's.

Q. What kind of a place was it?—A. Just like an O place.

Q. A round place?—A. I can't say it was exactly round it seems to me it was an O. I put on my glasses and marked the ballot opposite his name.

Q. Was it white or what kind of a space?—A. It seems to me to be white.

Q. Where did you put your cross?—A. In the centre of the O.

## Privileges and Elections Committee.

Q. In the space, in the white space?—A. Yes. I think I can tell my ballot if I saw it.

Q. Show me on this ballot?—A. That is the place I put my mark.

Q. That is certainly the space beside McLean's name?—A. Yes, sir.

Q. After you had put your cross in that place I suppose you folded the ballot?—A. I folded it very carefully.

Q. And what did you do with it then?—A. I handed it to the deputy returning officer.

Q. To Mr. Cummings?—A. Yes, sir.

Q. Did you hand to him the same paper which you received from him?—A. Yes, sir, I handed him the same paper I received from him. I had no other.

Q. Did you observe what he did with it?—A. Yes, sir.

Q. What did he do with it?—A. He opened it out partly, very carefully, and took something off it, and then folded it up; I don't think he made a better job of it than I had and put it in the box.

Q. He opened it up and tore something off it?—A. Yes.

Q. And put it in the box?—A. Yes.

Q. Did you notice what he did with the piece he tore of it?—A. I may say I think he put it in his pocket. I had never before had my ballot opened like that, and I have voted a good many times, but never as I say had it opened before, it amused me some, and I just happened to stand by to see what he was doing with it, and what he opened it for. Of course he folded it up again and I saw him put it into the box.

Q. And you went away?—A. I went away home, I was with my son-in-law.

*By Sir Louis Davies :*

Q. I suppose you had voted at other elections?—A. Yes.

Q. Perhaps you were not aware that the law required that the counterfoil should be torn off?—A. No, I was not aware of it.

Q. So it was perfectly right for him to take it off to tear off the counterfoil?—A. Yes.

Q. He had opened it out and folded it back pretty well?—A. Pretty well, but not as well as I had.

Q. You kept your eye on him pretty closely?—A. Yes.

Q. And he put your ballot in the box?—A. Certainly.

Q. Are you in business?—A. I have been in business for a good many years, but I am retired now and living with my son-in-law.

Q. And you can't remember just now what the ballots were like?—A. Oh, no.

Q. You didn't take any particular notice of it?—A. I didn't take any notice of it, but I marked my ballot and came away and drove back home.

Q. Have these witnesses been talking about the ballots?—A. Not to me, sir.

Q. Or in your presence?—A. Not to me.

Q. So that not having heard them talk you wouldn't have known about the ballots?—A. Not a single thing about it.

Q. And couldn't have told the committee anything about it?—A. No, sir.

Q. The fact is you didn't keep it in your mind and had no memory about it?—A. No particular memory.

Q. The fact of the matter is to the best of your knowledge. You do not know whether this is the ballot you marked or not, of course this isn't the one you had, I will be honest with you?—A. No. I would have known my mark if this was the ballot.

Q. I would not be deceiving you, this pad of ballots was not in Colborne at all?—A. No, I don't think so. These were printed up in that neighbourhood.

Q. Why would you think that?—A. Oh, because of the marks on them.

Q. Perhaps they are not like the ones you had up there?—A. No, they are not like the ones we had up there, I can see that.

Q. Just put on your spectacles and see. These are different, quite different, are they?—A. Yes, these differ a great deal. The others were a little larger ballots. I would not say from memory, but it seems to me that they were.

Q. The ones you had were larger?—A. They were larger in every way as far as my memory goes.

Q. And you would not pretend to recollect?—A. No.

Q. You would not pretend to tell the colour or anything else of it?—A. No.

Q. There was a ballot—I would just like you to look at that one now?—A. Well, that is Holmes and McLean.

Q. I am only asking you to look at it, the general look of it? Now, would it not be larger than that also?—A. I think it would be larger than that.

Q. Larger than this?—A. Some larger, much larger.

Q. Take this paper and show me about the size you would say it was?—A. It wasn't as large as this envelope, it seems to me as far as I can remember; I am not speaking positively.

Q. You were perhaps a little excited?—A. No, I was quite calm.

Q. There was no noise or fuss about the polling booth there?—A. No.

Q. You know Mr. Cummings pretty well?—A. I have known him over forty years.

Q. And as far as you know he is a good neighbour?—A. I never heard anything wrong of him.

Q. And you had no suspicion of him?—A. No, I had no suspicion that he was doing anything wrong.

Q. Did you ever hear anything against him?—A. I never heard anything against him.

Q. All the years you have lived there?—A. All the time I have been there.

Q. As a matter of fact all these forty years you have known him well, and never knew anything against him?—A. No, sir.

Q. And they came to you to ask you to certify that you had voted for him?—A. They came to me with a declaration.

Q. You had not told anybody who you had voted for?—A. Yes, driving home with my son-in-law he said "how did you vote."

Q. When was it?—A. On the 21st of February.

Q. Was that afterwards?—A. I think it was coming home from the poll and he asked me how I voted, and I said I promised McLean to support him.

Q. When did you promise Mr. McLean?—A. I was in town and in an office and McLean came in and commenced talking election, and I said: are you going to run at the next election, and he said he was, and I said you can depend on me, that is all that happened.

Q. It was businesslike, short and prompt?—A. Yes, sir; I am a business man.

Q. And then you told your son-in-law?—A. Yes.

Q. Who is he?—A. John W. Hunter.

Q. Is he one of the voters?—A. Yes, sir.

Q. Is he here?—A. He went away last night.

Q. They came along to you with the statement, or was it written out already?—A. It was ready for me to sign.

Q. And you signed it then and there?—A. I took it up to the house and signed it.

Q. Was there anybody there with you?—A. Mr. Johnston was there.

Q. Was there any Bible used? Did you take any oath?—A. No, sir. It seemed to me, reading it over, that it was as binding as an oath.

Q. Who was saying that?—A. It seemed to me it was.

Q. But have you been talking it over with anybody since whether it was or not?—A. Oh, no, sir.

Q. You have not heard anybody say that since you came down here?—A. No, no.

Q. Nobody would dare to say anything of that kind?—A. They could do so if they wished to.

Q. Did anybody living ever suggest to you that this was like an oath, or anything of that kind?—A. No. I could judge for myself.

Q. I didn't ask you on that point, I know quite well you are an intelligent man, but did anybody else say it, Mr. Johnston or Beck, or anybody else?—A. No, I read the declaration over and signed it.

## Privileges and Elections Committee.

Q. And Mr. Johnston didn't say one word to you about it?—A. Not one word.

Q. By the way, did you subscribe to the fund?—A. Which fund?

Q. The fund you are getting up for Mr. Beck?—A. What fund?

Q. The fund for Mr. Beck, you know about it?—A. Yes, I gave 50 cents to it.

Q. What did you get this fund up for?—A. I deemed it very kind of Mr. Beck, he was taking us around the city and everything else.

Q. It was very kind of him to take the witnesses all around the city and do his utmost to make it pleasant for you?—A. Well he had been in the city before and he knew more about the place than we did, it was very kind of him.

Q. It was very kind of him, he was kind of in charge of the witnesses wasn't he?—A. No, not in charge, he was like a leader, a person needs somebody going into a strange place.

Q. You all chipped in?—A. Yes.

Q. And some of the boys had a drink, eh?—A. I didn't see any of it.

Q. No, nor you wouldn't be a party to it, anything like that?—A. No.

*By Mr. Britton:*

Q. Did you yourself say anything?—A. No, sir.

Q. You did not hear my question you know. What I was going to ask you is did you yourself say anything to any of the witnesses about this oath business?—A. No.

Q. There was no talk at all?—A. Not to my knowledge.

Q. You would know if you had?—A. No; I told —.

Q. Who did you tell?—A. I didn't tell it to anybody, if I had said it to anybody I would say so.

Q. Did you talk to anybody about it in the hall?—A. No.

Q. Could you help talking?—A. It is a fault of my nature, I can't help talking.

Q. You think you didn't talk to the witness in the hall, and did not tell them about this declaration being just the same as an oath?—A. No, sir, I did not, I am too Scotch to do anything of that kind.

Q. You are too canny?—A. I am too canny. Is there anything further gentlemen?

*By Mr. Borden:*

Q. Just one moment, you understood that this document was the same as an oath?—A. Yes.

Q. With respect to the size of the ballot that is only an impression, it seemed to me?—A. That is my impression.

Q. Sir Louis Davies spoke to you about not recollecting how you marked the ballot. Do you remember?—A. Certainly I do, I put my spectacles on and made a distinct cross.

Q. Opposite whose name?—A. Opposite Robert McLean's.

*By Mr. Powell:*

Q. Wasn't Mr. Holmes very attentive to you when you came here?—A. He offered to be very attentive, but my son-in-law was taken a little sick after coming here and I wasn't going to leave him and go with Mr. Holmes.

Q. And Mr. Holmes wanted to take you about the city, did he?—A. Yes.

Q. And he wanted to take you to Victoria Park?—A. Yes.

Q. And he would pay all the shot?—A. Yes, he did; but he didn't do it for me.

*By Sir Louis Davies:*

Q. Did he offer to pay your fare?—A. Well, he said—

Q. But did he or did he not?—A. We were all standing, and he came up and offered his services to take us all around.

Q. Why didn't you make up a memorial subscription for him?—A. He didn't do as much for us as Mr. Beck did.

*By Mr. Borden :*

Q. If Mr. Holmes had done as much for you as Mr. Beck had done you would have got up a subscription for him, would you?—A. Certainly.

Q. Would you have given him any more than fifty cents?—A. No, we wouldn't.

JOHN CANTWELL, called and sworn.

*By Mr. Borden :*

This witness is No. 27.

Q. You reside in the township of Colborne, Mr. Cantwell?—A. Yes, sir.

Q. You voted at the Dominion election in February last for the west riding of Huron?—A. Yes, sir.

Q. Who was deputy returning officer at the poll where you voted?—A. Mr. Cummings.

Q. Mr. Donald Cummings?—A. Yes, sir.

Q. And you received a ballot paper from him?—A. Yes, sir.

Q. Did you make any mark on it?—A. Yes, sir, I marked.

Q. What kind of a mark?—A. A cross, sir.

Q. Opposite whose name did you make the cross?—A. Robert McLean's.

Q. Any place on the ballot, for making a cross for putting a cross?—A. Yes, sir.

Q. What kind of a place was it?—A. A circle, sir.

Q. What colour was the circle?—A. White.

Q. A white circle?—A. Yes, sir.

Q. And where did you put your cross?—A. On that white disc.

Q. On that white circle?—A. On that white disc.

Q. Well, after you had marked your ballot, you folded it, I suppose?—A. Sir.

Q. After you had marked your ballot, did you fold it?—A. Yes, sir.

Q. What did you do with it?—A. I returned it to Mr. Cummings.

Q. Did you return to him the same ballot paper which you had received from him?—A. Yes, sir.

Q. Did you observe what he did with it?—A. No, sir, I handed it to him and turned away.

Q. Where did you go?—A. I went and sat down for a few minutes and then went out.

Q. You went out. Did you observe him tear anything off your ballot after you gave it to him?—A. No, sir.

Q. You didn't observe that?—A. No, I didn't observe it.

*By Mr. Russell :*

Q. You signed a paper about it afterwards?—A. Yes, sir.

Q. How did you come to sign the paper?—A. Well Mr. McLean and Mr. Johnston came round.

Q. Mr. McLean and Mr. Johnston came round with the paper?—A. Yes, sir.

Q. What did they say?—A. They came for the purpose of finding out who voted for McLean. That is what I understand.

Q. That is correct, and who opened the conversation?—A. Sir?

Q. Who opened the conversation?—A. Mr. Johnston.

Q. What did he say?—A. He asked me if I had any objection to signing this paper and I said "no."

## Privileges and Elections Committee.

- Q. Did he tell you what the paper was before he asked that?—A. He read it over.
- Q. He read it over to you first?—A. Yes, sir.
- Q. Was McLean with him when he read it over to you?—A. Yes, sir, he was present.
- Q. You know McLean?—A. Yes, sir.
- Q. You know McLean?—A. Yes, sir.
- Q. Did you see Mr. McLean before the election and did he ask you how you were going to vote?—A. No, sir.
- Q. Or any of his friends?—A. No, sir.
- Q. You had no conversation about your vote before the election?—A. No, sir.
- Q. And after the election the first thing that happened about it was this paper brought you by Johnston and, —A. Yes, sir.
- Q. And he read it to you?—A. Yes, sir.
- Q. And asked if you had any objection to signing it?—A. Yes, sir.
- Q. And said it was a statement that you voted for McLean?—A. Yes, sir.
- Q. And you had no objection?—A. No, sir.
- Q. And you did sign?—A. Yes, sir.
- Q. Do you have any dealings with McLean?—A. No, sir.
- Q. You don't deal with him at all?—A. No, sir, I do not.
- Q. You don't buy or sell?—A. No, sir.
- Q. You hadn't had any deals with him?—A. I had some three or four years ago.
- Q. But not these three or four years past?—A. No, sir.
- Q. Since you have been in Ottawa you have been staying at the Brunswick Hotel?—A. Yes, sir.
- Q. Did you hear any of the witnesses talking about this document that they signed?—A. No, not particularly as I know of.
- Q. Have you talked about it yourself?—A. Not as I remember of.
- Q. Did you have any talk about it when you were up there in Colborne?—A. In Colborne?
- Q. Never had any talk about it there after you came to Ottawa?—A. No, sir.
- Q. When you were in Colborne you didn't have any talk with anybody about it?—A. No, sir.
- Q. Some witnesses told us a great deal about this paper, about this declaration, whether it was an oath or something else than an oath. Did you hear any talk like that?—A. Not that I remember of.
- Q. Since you came down you must have heard something about it I suppose?—A. No, sir.
- Q. The witnesses at the hotel, haven't they been talking about that document?—A. Not as I know of.
- Q. You haven't heard any of them talking about its effect?—A. No, sir.
- Q. To what effect have you heard them talking about it?—A. I haven't heard them talking.
- Q. You say not to that effect. Does that mean you heard them talking to some other effect. Do you mean that or not?—A. I mean I didn't hear them talking about it.
- Q. About the thing at all?—A. No, sir.
- Q. About the documents signed by the witnesses?—A. No, sir.
- Q. To say they had voted for McLean. Do you mean that you never heard any of these people down at the hotel talking about this?—A. No, sir.
- Q. And you never heard Mr. Beck?—A. No, sir, I never heard Beck.
- Q. And you never heard anybody talk about it?—A. No, sir.
- Q. And you heard talk that the witnesses would get on well if they only answered questions and didn't make speeches?—A. No, I did not, not that I remember of.
- Q. You did hear that, didn't you?—A. Not as I remember.
- Q. But you were not so sure of that as you are about the rest of what you have been saying?—A. I wasn't much in Beck's company.

Q. But you are not so sure you didn't hear him say that they had better make short answers?—A. Not that I remember of.

Q. But you are not sure about it at all or what he did say about the best way to answer the questions and not get puzzled?—A. That I cannot—

Q. Why can't you?—A. Because I do not remember anything he did say. I won't swear to it.

Q. You were going to tell me he didn't say anything in your hearing to any of the witnesses. Were some of the witnesses frightened to come in here?—A. Yes, sir.

Q. And were you not one of them that were a little afraid?—A. No, sir.

Q. You never had any scare at all?—A. No, sir. I am not scared to come in.

Q. You are not scared now, but weren't you when you came in?—A. No, sir.

Q. You didn't tremble a little bit when you began to answer questions to Mr. Borden?—A. Tremble, I don't think so.

Q. Try and think now if you cannot tell me who you think were frightened to come in? First of all though, it was to those that were frightened to come in, frightened about what they would say, that Beck said to answer questions?—A. I do not know of any person that was frightened.

Q. You told me some were?—A. I do not know of any that was frightened except Mr. Carey.

Q. You said there were, sir, didn't you? I ask you if some of the witnesses were not afraid to come in here to give evidence and you said yes, they were, was that correct?—A. Yes, sir.

Q. That was correct?—A. That is correct.

Q. That was not correct if it was only Mr. Carey you were talking about. You surely were speaking of more than one person when you said "they were frightened to come in"?—A. Yes, sir.

Q. Which ones were you referring to?—A. I cannot name them at all.

Q. There were several?—A. I cannot name them over.

Q. There were several of them afraid to come in here?—A. People is in the habit of joking so among themselves over things. If you told me several of them were frightened to come in here. Did you say that two minutes ago?

Q. Yes, sir. Do you mean they were joking?—A. They might be joking.

Q. Do you really mean to tell me they were joking when they said they were frightened to come in here? Do you mean that now? Let us be rational?—A. I do not know anything about that whether they were joking or not or in earnest.

Q. If you thought they were afraid to come in here and were consulting Beck about the way to answer questions do you think they were joking?—A. I do not know, sir.

Q. I am asking you what you thought about them?—A. I answer I do not know, sir.

Mr. BORDEN—I take formal objections to asking what he thinks about such subjects as that.

*By Mr. Russell:*

Q. How many would you think, how many have you got the impression were afraid to come in here?—A. I did not get the impression of what quantity.

Q. You got the impression there were several afraid to come in here and whom Beck advised to answer briefly?—A. I did not say Beck was advising any to answer briefly.

Q. Mr. Beck was advising some persons to answer the questions asked them was he not, in your hearing? Was he not?—A. Not to my knowledge.

Q. But didn't you tell us a while ago that he was advising some of the witnesses who were afraid to come in here they would be all right if they just answered the questions put to them? Is not that correct?—(No answer.)

Q. Is not that what you told me a little while ago?—No answer.

Q. Why don't you answer that question?—(No answer.)

Q. What objection have you to answering that question?—(No answer.)

Q. You heard Mr. Beck advising some witnesses how to conduct themselves in here, didn't you?—A. Not to my knowledge, sir.

## Privileges and Elections Committee.

Q. Does that mean you don't remember?—(No answer.)

Q. You remembered that ten minutes ago, how is it you don't remember it now?

Mr. BORDEN.—I object to his asking that question. The witness did not make that statement.

*By Mr. Russell :*

Q. We will get back again. It seems I got a little ahead of you. You do know that several witnesses were afraid to come in here?—(No answer.)

Q. Don't you know you said that?—A. Not that I am aware of.

Q. You didn't agree with me that several witnesses were afraid to come in here. Some of the witnesses you said at all events were afraid to come in here to give evidence?—A. Yes, sir.

Q. And Mr. Beck was telling them was he not that they would be all right if they would just answer the questions put to them?—A. Not to my knowledge.

Q. And you didn't tell me a moment ago that that was so?—A. I did not.

Q. Well now, Mr. Cantwell, you yourself would just as soon not be here as be here? Is not that correct?—A. Yes, sir. I did not want to come here in the first place if I could have got out of it.

Q. Of course you get good fees for coming here I suppose? You got enough to be able to subscribe to the fund for Mr. Beck?—A. I would be better at home than here.

Q. You did subscribe to the fund for Mr. Beck of course. That is so, is it not?  
A. Yes, sir.

Q. Then you left the impression on the minds of some persons in Colborne that you voted for Holmes?—A. No, sir, I do not.

Q. You never spoke of having voted for Mr. Holmes?—A. No, sir.

Q. Were you canvassed for Mr. Holmes or not?—A. No, sir.

Q. You were not canvassed by either side?—A. No, sir.

Q. And you have not had any dealings with Mr. McLean, you say, for four years?—A. No, sir.

Q. I don't remember now whether I asked you about this paper you signed, whether you had any doubt about whether it was an oath or not?—A. Any doubt?

Q. Yes?—A. No, sir, I didn't pay no more attention.

Q. Did you have any talk with anybody about whether it was an oath or not?  
—A. Well, I looked at it in this way that it was kind of binding.

Q. And that you would not like to go back on it, was that it?—A. Yes, sir.

Q. But what I was asking you was different from that; I asked, did you hear anybody say that?—A. Not as I remember.

Q. You are not sure you didn't have some talk with somebody whether this was an oath or not?—A. Not that I remember of.

Q. I wish you to try to remember; you heard some other people talking whether it was an oath or not?—A. I heard some people talking about it.

Q. About whether it was an oath or not, you mean?—A. Yes.

Q. And you had some talk like that yourself?—A. Not as an oath.

Q. Not as an oath, just explain what you mean by that answer, for I don't understand it; I am asking you now whether you didn't have some of the same kind of talk?—A. I signed the paper and thought there would be no more about it.

Q. You signed the paper and thought there would be nothing more about it?—  
A. Would not amount to anything more.

Q. And if you thought there was going to be anything more you would have thought twice about it?—A. I don't know whether I would.

Q. You signed it under the impression there would be no more?—A. Yes.

Q. And as soon as you heard there would be more you heard people arguing about whether it was like an oath or not?—A. I didn't hear people arguing the point.

Q. You didn't?—A. Because I am a man when at home I am not often out in gatherings.

Q. I understood you to say you had heard people talking about it being like an oath, you did hear some people talking about this, after these things were signed you heard some people talking about whether they were oaths or not, that is correct; tell me quickly?—A. No, sir.

Q. You didn't hear anybody talking about that document and discussing whether it was an oath or not, you didn't hear anybody talking like that?—A. I signed the paper and didn't pay any more attention.

Q. I know, and don't expect anything more to come of it, but I asked you some time ago if you didn't hear some people talking about that being like an oath?—A. I might have but I don't remember.

Q. Did you not remember ten minutes ago. Didn't you tell me ten minutes ago you had heard people talking about whether it was like an oath or not; try to think?—A. I don't remember.

Q. You don't remember now, very well, the record will speak for itself. Now I ask you again did you not yourself have some talk after you left Colborne as to this document you had signed, whether it was equal to an oath or not?—A. Not that I remember of.

Q. Not that you remember of?—A. No, sir.

Q. Didn't you have some talk down in the Brunswick Hotel about the document that you signed?—A. Not that I remember of.

Q. And didn't you have some talk about the document you signed?—A. Not that I remember of.

Q. Will you say you didn't have?—A. Not that I remember of.

Q. You will not undertake to say you didn't have that conversation?—A. I don't remember of holding any such conversation with any person.

Q. Well, you won't say you didn't have that conversation?—A. No, sir, I don't remember of holding any such conversation.

Q. Now, wasn't it a fact after you had signed that paper——?—A. I signed that paper.

Q. —that made you a little bit afraid to come in and swear?—A. No, sir.

Q. Wasn't it a fact that you thought that paper was as good as an oath?—(No answer.)

Q. Were you not given to understand lately that that paper was just as good as an oath?—(No answer.)

*By Mr. Borden (Halifax):*

Q. You told Mr. Russell that you have not any recollection of holding any such conversation as he mentions?—A. Yes, sir.

Q. As a matter of fact you were asked, I suppose—I don't know—how you voted before you signed this declaration, by Mr. Johnston or Mr. McLean?—(No answer.)

Q. Before you signed the declaration did they ask you how you voted?—A. No, sir, not before I signed the declaration.

Q. They didn't?—A. Mr. Johnston and Mr. McLean came round and I asked them what was up, and the two gentlemen told me they were going around to find who had voted for McLean.

Q. And then you told him?—A. Yes.

Q. And then this declaration was produced?—A. Yes, the declaration was introduced then.

Q. And you signed it?—A. Yes.

Q. You have always been a Conservative?—A. Yes.

Q. And your politics are well known?—A. Yes.

Q. You have spoken about some of the witnesses being frightened coming in, being nervous?—A. Yes.

Q. Frightened at what, about being cross-examined?—A. Yes, I guess so.

## Privileges and Elections Committee.

Q. About being kept here three-quarters of an hour and asked a lot of questions?—A. That is it, I think.

Q. They knew there were a thousand lawyers in here ready to devour them?—A. I guess that was it.

Q. This man Carey, is he strong physically?—A. No, sir.

Q. He is not?—A. He is a weak, nervous man.

Q. Is he a nervous man?—A. Yes, sir, to the best of my knowledge he is weak and nervous.

Q. Not a man of strong, robust frame?—A. No, sir.

Q. You said that you signed this declaration thinking there would be no more about it?—A. Yes, sir.

Q. Well, was the declaration you signed true or false, was it a true declaration you signed that you voted for Robert McLean?—A. Yes, sir.

Q. It was true?—A. Yes.

Q. And have you any doubt in your mind that you voted for Robert McLean at that election?—A. I have not.

*By Sir Louis Davies :*

Q. Practically this man Carey is an imbecile, is he not?—A. As to that I can't tell.

Q. What is your opinion?—(No answer.)

Witness discharged.

The Committee adjourned until Friday, 28th instant, at 11 a.m.

COMMITTEE ROOM,  
HOUSE OF COMMONS,  
Friday, 28th July, 1899.

The Committee met, Mr. Fortin, the chairman, presiding.

Inquiry *re* last Dominion election for the west riding of the county of Huron, resumed.

THOMAS CULBERT, No. 18 on the poll book, sworn.

*By Mr. Borden :*

- Q. Mr. Culbert, you reside in the township of Colborne?—A. Yes, sir.  
Q. You voted at the Dominion election for the west riding of Huron in the month of February?—A. Yes.  
Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.  
Q. Donald Cummings?—A. Yes.  
Q. Did you receive a ballot paper from Mr. Cummings?—A. Yes, sir.  
Q. Did you put a mark on it?—A. Yes.  
Q. What kind of a mark?—A. Made an "X" for Robert McLean.  
Q. Opposite whose name did you put the "X"?—A. Opposite Robert McLean's.  
Q. Was there any place there for the purpose?—A. Yes.  
Q. What kind of a place?—A. A round white place.  
Q. And you put your cross where?—A. In that round white spot.  
Q. After folding your ballot what did you do with it?—A. I took it down and gave it to Donald Cummings, the deputy returning officer.  
Q. Did you give back to him the same ballot paper which you had received from him and which you had marked?—A. Yes.  
Q. The same one?—A. Yes.  
Q. Did you observe what he did with it?—A. I handed it to him and as I was going out I noticed he had it partly unfolded and he folded it again and he put it in the box; I didn't remain in the poll.  
Q. Did you observe him tearing anything off it?—A. No.  
Q. You observed he had it partly unfolded and folded it up again?—A. Yes.  
Q. And you went out?—A. Yes.

*By Sir Louis Davies :*

- Q. Did you know the counterfoil, the counterfoil which had to be taken off, did you know?—A. No, I didn't.  
Q. And you marked your ballot and folded it up?—A. Yes.  
Q. How many times?—A. I don't know.  
Q. What I want to get at is, if he wanted to tear the counterfoil off it he would have to unfold it?—A. Yes, I suppose; I didn't understand the unfolding part.  
Q. Did you notice whether he had written his name?—A. No.  
Q. Do you mean to say he didn't, or you don't remember?—A. I don't remember.  
Q. I suppose you didn't look particularly one way or the other?—A. No, I only looked to see where to mark it?  
Q. Have you been accustomed to voting at elections?—A. Not much.  
Q. And you have not seen many ballots?—A. No, not much.  
Q. How many elections have you voted at?—A. Three.  
Q. Counting Ontario and this?—A. Yes.

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Q. You went behind and you got a ballot, you don't remember whether he put his initials on it, and you took it behind the screen and marked where you thought was McLean?—A. Yes.

Q. You marked for McLean?—A. Yes.

Q. And took it back, folding it up, and went out?—A. Yes.

Q. You didn't see any mark of initials?—A. No.

Q. You remember the form in which the names came?—A. Yes.

Q. Have you seen it since?—A. No.

Q. Have you talked to anybody about voting?—A. Not that I know, but some of them coming along asked if I voted but didn't ask how.

Q. But was anybody asking you how you would vote?—A. No.

Q. And after the election no one asked how you had voted?—A. No.

Q. No one knew but you?—A. No.

Q. And you kept it a profound secret?—A. Yes.

Q. Up there no one seems to have canvassed any one?—A. Well, I don't know.

Q. No one canvassed you?—A. No.

Q. And no one could have known?—A. No, of course if they asked I wasn't ashamed to tell them?

Q. But as a matter of fact they didn't ask?—A. No.

Q. When you handed Cummings your ballot he partly unfolded it?—A. Yes.

Q. Had he time to take a piece off?—A. I don't know, I passed fast.

Q. But you saw him put that in the ballot box?—A. Yes.

Q. You watched it go?—A. Yes.

Q. All the scrutineers were there?—A. James McManus was, I didn't stay to see.

Q. All these were looking on at your voting?—A. Yes.

Q. Afterwards some one came to get a statement?—A. Yes.

Q. How long after?—A. About the middle of April.

Q. That was whom?—A. McLean and Johnston.

Q. To where, to your house?—A. To Sheppardton store.

Q. Are you a shop keeper?—A. No, a farmer.

Q. They came to Sheppardton store, that is a village?—A. Yes.

Q. And what did they do?—A. Mr. McLean asked if I had any objection to sign a declaration and I said "no."

Q. They had it ready?—A. Yes.

Q. Did you read it?—A. No.

Q. They read it to you?—A. Yes.

Q. You don't remember anything about it?—A. No.

Q. But whatever they read you signed?—A. Yes.

Q. Was a Bible produced?—A. No.

Q. Nothing said about oaths or affidavits?—A. No; they just read it over to me and I signed it.

Q. And that is the sum and substance of what took place, nothing said about oaths or a Bible or anything else?—A. No.

Q. Did you ever sign a declaration before?—A. No.

Q. What did you suppose this was then you were signing at the time?—A. I supposed it was a binding statement that I voted for Robert McLean.

Q. What do you mean by binding statement?—A. I signed my name there.

Q. Anything you sign your name to would be binding, you consider?—A. Yes.

Q. Is that what you mean by binding, binding upon you in every manner?—A. Yes.

Q. That you signed the statement and therefore considered it binding?—A. Exactly.

Q. I suppose other people may have made declarations under the same idea?—A. I don't know anything about it.

Q. Do you think it is possible other people could make a mistake?—A. No. I don't think there is anyway of making a mistake.

Q. Do you think that under the circumstances, when a man is called upon to vote, receiving a ballot paper and going behind the screen, that it is possible for him to make a mistake?

Mr. Borden, (Halifax) submitted that the opinion of the witness as to whether other people could make a mistake could not by any theory apply to this case.

*By Sir Louis Davies :*

Q. I ask whether other people could make a mistake ; one thing Thomas Culbert would not ?—A. No, I didn't.

Q. And could not ?—A. I read it over carefully before I marked my ballot.

Q. Precisely ; you could not ?—A. No.

Q. Were you quite sure about the shape and size and everything of the ballot ?  
—A. Well, I didn't pay much attention, I was in a kind of hurry.

Q. You were anxious to get away ?—A. Yes.

Q. And didn't take any time over it at all ?—A. No.

Q. But notwithstanding all that you have a pretty solid conviction that there could be no possibility of mistake occurring on your part ?—A. No, I could not.

Q. Were you a committee man, mixed up in the committee ?—A. That is what committee ?

Q. Committees for promoting the election, to run the election ?—A. No.

Q. And are you a subscriber to the Beck memorial fund, the fund got up for Mr. Beck that we have heard so much here ?—(No answer.)

Q. Since you came to Ottawa did you live at the Brunswick Hotel ?—A. Yes.

Q. Did you subscribe to the fund for Mr. Beck ?—A. Yes

Q. Have you heard any conversation among the witnesses — ?—A. No, sir.

Q. Now you see you answer before I put the question. How could you answer, you didn't know what I was going to ask you ?—A. Go on then.

Q. Why did you answer ?—A. Well, I thought you had it asked.

Q. Did you know what I was going to ask you before — ?—A. Yes.

Q. What was I going to ask you about ?—(No answer.)

Q. Come now, sir, tell me.—A. You asked me if I answered the same way, I forget now how you fetched it in.

Q. What did you think I was going to ask you about when you answered before I put the question ?—A. I just forget the words you fetched in.

Q. You say you knew what I was going to ask you about before I put the question, how did you know what I was going to ask you before I put the question ?  
—A. I suppose you meant conversations with witnesses about this here business here.

Q. How could you know what I was going to ask you about this business here, how could you suppose it ?—(No answer.)

Q. Can you answer me that ?—A. Well, I suppose I would be asking some of these or talking to them about it.

Q. And that is the reason that you knew beforehand what I was going to ask you ?—A. Yes, sir, I thought you had it all out.

Q. Did anybody tell you you were going to be asked about this ?—A. No, sir.

Q. And still, although you were not told by any one you were going to be asked about it, you knew before I had asked the question ?—A. No, sir.

Q. Then why do you answer before I put the question ?—A. I thought you were going to ask whether I had any conversation about this.

Q. Did you have anybody intimate to you you would be asked about that ?—  
A. No.

Q. Did anybody speak to you about this question being probably asked you ?  
—A. No.

Q. Nobody did ?—(No answer.)

Q. You thought it might arise, did you ?—A. No, I didn't expect ; I wasn't talking to anybody about it ; I came up to swear the truth.

Q. I didn't ask you—who suggested you were not telling the truth—answer the question ; did you have any conversation with any of the witnesses since you came to Ottawa ?—A. No, not on this affair.

Q. Then you didn't speak to any of the witnesses since you came to Ottawa ?—  
A. Oh, I spoke about other things, but not this.

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Q. There was no conversation about voting?—A. No.

Q. There was no conversation about having signed the certificate?—A. No, sir.

Q. There was no conversation about having signed the certificate; I won't take a shake of the head, I want an answer so that the reporter can take it down?—

A. You mean I had no conversation about it after we came down here.

Q. You understand perfectly what I mean, you told me you had just now. Do you state now that you have had no conversation with any witness since you came down here with respect to having signed that certificate for Mr. McLean?—A. No, sir.

Q. Or about their having signed certificates?—A. No, sir.

Q. Or about any certificates having been signed at all?—A. No.

Q. You state that positively?—A. Yes.

Q. Or about a declaration?—A. I had no conversation about these things at all.

Q. Or about the evidence given in this investigation?—A. No.

Q. Or about what any of the witnesses have said?—A. No.

Q. Or about what any of them should say?—A. No.

Q. Any conversation about this investigation that you have heard or have had?  
—A. No, sir.

Q. Or relating to this investigation or what was signed?—A. No, sir.

Q. Then what have you been talking about?—A. Talking about places and looking around.

Q. Do I understand you to say that not only you had no conversation with the others but that you absolutely did not hear any of these subjects discussed?—A. No, sir.

*By Mr. Britton:*

Q. Do I understand you to say that you voted twice before?—A. I voted three times, including the last election, this was the third.

Q. When did you vote the first time?—A. For Mr. Beck, I voted twice for Mr. Beck.

Q. When?—A. I think the last one was this winter.

Q. This winter, that is once?—A. Yes, sir.

Q. The elections we are talking about was on the 21st of February, last year, was it not?—A. Yes, sir.

Q. Was it last year?—A. No, it would be this year.

Q. That one of Beck's would also be this year?—A. I wouldn't be sure.

*By Mr. Borden:*

Q. He said it was last winter?—A. I guess it would be.

*By Mr. Britton:*

Q. When was the other one?—A. It was the winter before last.

Q. Well, what election was the winter before last? It was the local election you mean?—A. Yes.

Q. When Beck and Garrow were running?—A. Yes, sir.

Q. That is the time you refer to?—A. Yes, sir.

Q. You never voted at a Dominion election except this once?—A. That is all.

Q. This has been your first?—A. Yes, sir.

Q. Did you notice the ballots were the same?—A. They are a little different, I think.

Q. In what respect?—A. One of them had a round, white spot and the other, I don't think, had any round spot at all.

Q. No round spot at all?—A. I don't remember exactly.

Q. What was this one like that you voted on?—A. It was a round white spot where you put your mark.

Q. What was the other like?—A. The one I voted before?

Q. No, the other one when you didn't vote for Holmes?—A. I think it was the same.

Q. And what was the colour of the ballot?—A. I can't just state the colour. I didn't pay much attention to it.

Q. You don't know whether Holmes was the same colour as McLean or not?  
A. No, sir.

Q. And in voting for Beck were the names in the same colour?—A. The names?

Q. Yes, the printed names?—A. I think so.

Q. I understand you are not sure whether Holmes and McLean's name were printed in the same colour or not?—A. No.

Q. And Beck and Garrow, were they in the same colour?—A. I am not sure.

*By Mr. Russell :*

Q. How many different rooms have you been in in the Brunswick hotel; you are stopping there, aren't you?—A. Yes.

Q. You have your own room there, haven't you?—A. It is the sitting room.

Q. I mean your sleeping room?—A. It is the sitting room. There are little cots in it.

Q. You have been in the sitting room with these little cots; how many are sleeping in that room?—A. There were seven or eight right straight along until last night, and there are only two now.

Q. What floor is the sitting room on—down stairs?—A. Up stairs.

Q. On the second floor?—A. Yes.

Q. You have been in that room?—A. Yes.

Q. What other rooms have you been in?—A. No other rooms to sleep in.

Q. Where did you get your dinner?—A. In the dining room.

Q. Is there another room you have been in?—A. The bar room.

Q. Well, I don't want to ask you about that. Is there any other room you have been in?—A. We went into another kind of room.

Q. What room was that?—A. I don't know what you call it. I went in to wash my feet.

Q. The bath room, I suppose, you mean?—The bath room I think you call it.

Q. There is no room you have been in except the sitting room where you slept and the dining room, the bath room, and the bar room?—A. Yes, sir.

Q. That is the only part of the hotel you know?—A. Yes, sir.

Q. And you were in the sitting room when seven or eight of you were there sleeping?—A. Yes, sir.

Q. Who were there in that room with you?—A. Nixon Doherty, Mr. Gliddon, Henry Zoellner, Sam Morris, Lige Maw, and Jack Ryan has been in there too.

Q. Did you have any talk with Gliddon?—A. No, sir.

Q. Did you ever hear Gliddon talk about the paper he signed?—A. No, sir. We passed jokes amongst ourselves, but not about these things.

Q. Did you hear Mr. Zoellner say anything about that paper?—A. No, sir.

Q. About the evidence he was going to give?—A. No, sir, he said he was kind of anxious to get away on account of the way you fellows had been keeping him.

Q. He didn't say anything about the evidence he had given or was going to give?—A. No.

Q. And Gliddon did not?—A. No, sir.

Q. Morris?—A. No.

Q. Doherty?—A. No.

Q. Did Ryan?—A. No.

Q. Did you see Mr. Beck in that room at any time?—A. In the sitting room?

Q. Yes.—A. No, sir.

Q. He was never there while you were there?—A. No, sir.

Q. Have you seen him coming out of the room when you were outside?—A. No, sir.

Q. Did you hear any of them say that Mr. Beck had been in there?—A. No, sir, they did not.

Q. Are you one of the people Mr. Beck told it would be well to answer only the questions you were asked?—A. No, he didn't say anything of that kind.

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Q. I am asking you whether you are one of these people Mr. Beck said that it would be well for you to only answer the question you were asked?—A. No, sir.

Q. You heard him say that to some of the witnesses?—A. No, I did not. I did not have any conversation, I came up here to tell my own story and to let everybody else do the same.

Q. And so you kept your ears sealed?—A. Yes, I did.

Q. You made up your mind not to hear anything about it?—A. Yes, I had my own story to tell and wanted everybody else to do the same.

Q. And you did not want to hear what he said at all?—A. Yes.

Q. Perhaps you were told it would be just as well for you to hear just as little as possible?—A. Yes, sir.

Q. Being an honest man and wanting to tell the truth, it was best not to say too much. It was suggested to you that the less you heard about what was said the better?—A. Yes, sir.

Q. Who suggested that?—A. I don't mind who it was.

Q. Just think who it was that suggested it to you, that the less you heard of the matter the less you would be able to tell? What was it that was said to you? That the less you heard about the matter the better?—A. I don't know who it was.

Q. No, no, but what was it that was said?—A. Somebody told us that the less we knew about the other ones the better for ourselves.

Q. Why?—A. Because we wouldn't get mixed up and we would have to tell the truth.

Q. They knew if you came here you would have to tell just exactly what was in your mind?—A. Yes, sir.

Q. And therefore if they knew about each other they would not be the kind of men that was safest to have here?—A. Yes.

Q. And for that reason you guarded yourself against hearing what was going on?—A. Yes.

Q. And you guarded against hearing what Mr. Beck said to the witnesses?—A. Yes, sir.

Q. And you kept out of the way because if you heard it and being an honest fellow they would be sure to get it out of you?

Mr. Bergeron objected to the question.

*By Mr. Borden :*

Q. Did any one, Mr. Beck or any one else, influence you or attempt to influence you in any way as to what you would say on the stand?—A. No, sir.

Sir Louis Davies objected to the question.

*By Mr. Borden :*

Q. Did Mr. Beck talk with you at all about what your evidence should be here?—A. No, sir.

Q. Did any one else talk to you as to what your evidence should be here?—A. No, sir.

Q. When you first arrived here do you remember seeing Mr. Holmes?—A. Yes, sir. I mind seeing him but I don't mind whether it was the first day or not.

Q. Was it down at the hotel?—A. Yes, sir.

Q. Was he talking with the witnesses?—A. Oh, he was talking among them, like any one else would be to be sociable.

Q. He was very pleasant?—A. Yes, sir.

Q. Very pleasant in his manner, I suppose?—A. Yes, sir.

Q. And he made himself very agreeable?—A. Yes, sir.

Q. Do you remember his inviting the witnesses to go out to Victoria Park?—A. Yes, sir.

Q. You thought that was very kind of him didn't you?—A. Yes, sir.

Q. Do you remember his also inviting the witnesses to go over to Eddy's paper mill and go through it?—A. Yes, sir.

Q. That seemed even kinder than the other didn't it?—A. Yes, sir.

Q. You didn't go to Victoria Park with him?—A. Yes, sir.

Q. No, you went out yourselves?—A. We went out with Mr. Beck.

Q. You went out with Mr. Beck?—A. Yes, sir.

Q. And you gave some money towards a testimonial towards Mr. Beck?—A. Yes, sir.

Q. How much did you give?—A. Half a dollar.

Q. I suppose if Mr. Holmes had taken you to Victoria Park and Eddy's mills you would have been quite willing to give something towards a testimonial for him?—A. If he wanted a little help I suppose we would not see him stuck.

Q. Did he take you out for a drive or not with the witnesses at the British?—A. Who?

Q. Mr. Holmes.—A. No, sir. Do you mean for a drive in a rig?

Q. Yes or in the cars?—A. He took us in the cars right around the town.

Q. Who paid the fare?—A. I suppose he paid it.

Q. Who?—A. Mr. Holmes.

Q. You didn't pay?—A. No, sir.

Q. You thought that was very kind? Did you?—A. Yes, sir.

*By Sir Louis Davies :*

Q. And after the ride in the cars you didn't get up early this morning?—A. No, sir.

*By Mr. Russell :*

Q. Did Holmes say anything to you about your evidence or to any of the other witnesses?—A. No, sir.

*By Mr. Powell :*

Q. Mr. Holmes asked you to go to Eddy's establishment?—A. Yes, sir.

Q. Didn't he tell you he was a man of influence and could get you through and nobody else could?—A. Yes, sir. He said he would try and get us through.

*By Sir Louis Davies :*

Q. One thing I want to ask you about, an answer to a question put by that gentleman over there. You are very positive of all but one thing. You cannot tell the colour of those ballots?—A. No.

Q. No, were they blue? One of them blue?—A. They were blue, round where we marked our mark.

Q. No red ones?—A. No, sir.

Q. You cannot tell what colour, you said one was McLean's colour and one was Holmes' colour?

Mr. BORDEN.—He did not say that.

The WITNESS.—No, I did not say anything of the kind.

*By Sir Louis Davies :*

Q. Mr. Borden says you didn't and I say you did. You said you could not tell whether the Holmes' part had the same colour as McLean or not?—A. I didn't just look over the ballot and I don't remember.

Q. I only want you to make a statement and say whether you adhere to what you said or withdraw it?—A. Which?

Q. The statement I have just read to you.—A. About being the same all the way through?

Q. Nothing about being the same all the way through and you mean that you cannot tell whether they were of the same colour or not, the two ballots. Did you state or did you not state that you cannot remember as to the colour of the ballots, whether Holmes' was the same colour as McLean's or not? Will you answer that question?

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Mr. Borden objected to the question on the ground that no reference was made to two ballots one for McLean and one for Holmes. He said that what Mr. Britton had asked about was the colour of the disc opposite the two names.

The witness retired, and after discussion the chairman ruled as follows :

It seems to me we are losing time. It seems to me I heard this witness state distinctly on two occasions that he thought he couldn't tell whether they were the same colour or not.

Witness discharged.

WILLIAM VROOMAN (No. 69 on the poll book) sworn.

*By Mr. Borden :*

Q. Mr. Vrooman, you reside in the township of Colborne?—A. I do.

Q. You voted at the Dominion election for the west riding of the county of Huron in February last?—A. I did.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. Donald Cummings?—A. Yes, sir.

Q. Did you receive a ballot paper from him?—A. I did.

Q. Did you put any mark on the ballot paper?—A. Certainly I went back and put my mark on it.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name?—A. Robert McLean's.

Q. Did you notice any place on the ballot for the purpose of putting your cross?—A. I did.

Q. What kind of a place was it?—A. Well it was a disc.

Q. A round space?—A. A round disc.

Q. Do you remember what colour it was?—A. Well it was of a dark colour around and of course white inside.

Q. Where did you put your cross?—A. On the inside of the disc.

Q. In the white space?—A. Yes, the bull's eye you might call it.

Q. You hit the bull's eye when you put it there?—A. That is what I tried to do.

Q. After folding the ballot what did you do with it?—A. I returned it back to the deputy returning officer.

Q. Did you give it to him, did you give back to him the same paper which you had received from him and which you had marked?—A. I did, sir.

Q. Did you observe what he did with it?—A. Yes, sir.

Q. Tell us what he did with it?—A. I gave it to him in his hand. Of course he tore the stub off and then any further I cannot simply say what he did with my ballot. He put the ballot into the box of course. He tore the disc off like this and of course I watched that. I had never saw anybody put the stubs in his pocket and of course I was watching that from curiosity and of course I lost sight of my ballot there. Of course he put the ballot into the box.

Q. Well you saw him tear off the stub or counterfoil?—A. Yes.

Q. And put it in his pocket?—A. I did.

Q. That you say attracted your attention?—A. Yes.

Q. Because you never saw it done before?—A. Because I never saw it done before.

Q. And after Cummings did what?—A. Well, my eyes were off, I wasn't watching to see what was done with that.

Q. That is the right hand?—A. Yes.

Q. Did you remain in the polling room for any length of time?—A. Well, sir, I think I wasn't, at the outside, ten minutes.

Q. Where were you, sitting at the stove or standing?—A. While I stayed there?

Q. Yes?—A. Well, of course, I was standing, I never sat down because I had a man with me.

*By Sir Louis Davies:*

Q. When he put the stub in his pocket he was nearer to you than I am now?—A. Yes, sir.

Q. And I fancy I can see that paper you have in your hands if you put your hands to your side?—A. Yes.

Q. No difficulty about that?—A. No.

Q. You didn't—? A. Of course I watched that hand and—

Q. There was no turning of the head; I see you without turning my head in the slightest?—A. You mightn't, my eyes turned around towards him.

Q. Now see here, if I was tearing that off—there now, I don't think you would have had to turn. Now there is your ballot, you are standing within two or three feet, he tears that off, where is the difficulty, where were your eyes?—A. That is the way I stood and turned my head.

Q. You didn't turn your head to watch me?—A. No, you are right straight in front of me.

Q. Were you not right straight in front of him?—A. No.

Q. Well, tell me exactly?—A. He was there and I was here, and I walked along—

Q. Well, place yourself?—A. Well the hall-way coming from there—

Q. Never mind the hallway, tell me where you were with reference to him?—A. Well he would be sitting like this gentleman.

Q. Now show me where you stood?—A. Where I am.

Q. And that is the presiding officer?—A. Yes, sir.

Q. Were you near to him?—A. Well, I guess something like that.

Q. That would be about two or three feet apart?—A. About.

Q. Where would be the box now?—A. The box would be here.

Q. The box would be like that?—A. Yes.

Q. The box was right there on the table?—A. Yes.

Q. Did you put out your hand with the ballot?—A. I came up like that and handed it to him like that.

Q. Had it to be unfolded to take the counterfoil off?—A. Well, of course he—

Q. It was a box like that (sample ballot box produced); show us where you were; that is the kind of a box?—A. That is the kind of box certainly.

Q. The same as that?—A. Yes, the same as that.

Q. Now, then, you handed him the ballot paper two or three feet from you?—A. Yes.

Q. He took it in his left hand?—A. Yes.

Q. He tore off the counterfoil?—A. Yes.

Q. The ballot remained in his left and he had the counterfoil in his right?—A. Yes.

Q. He brought his hand back to the ballot and folded it up?—A. Yes.

Q. And then put it before your eyes in the box?—A. Yes.

Q. It didn't take a second?—A. Yes.

Q. You had no doubt it was your ballot?—A. I didn't think anything because I thought everything was all right; I never saw anything but was all right; I don't know to-day but it was all right.

Q. And you were watching him from the fact that you never saw the hand putting the ballot in the pocket before, you were watching all the time?—A. Yes, I was.

Q. So you have no doubt about what you have stated, you have told us the exact truth of what took place with the ballot?—A. Yes, sir, I have.

Q. Were you canvassed before the election?—A. No, sir, I was not.

Q. Didn't tell any one how you were going to vote?—A. No.

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- Q. Didn't tell anybody after how you had voted?—A. No.  
Q. Didn't attend any committee meetings?—A. No, I didn't.  
Q. And nobody knew?—A. Because I did not tell them.  
Q. And how did they know?—A. They knew by suspicion.  
Q. Did anybody know how you voted?—A. No. \*  
Q. When did you tell them about it?—A. Well, I could not just say—  
Q. Did anybody come to you about a declaration or certificate?—A. They did.  
Q. Up to that time had you told anybody?—A. Well, I don't think I did; when

I do a thing—

- Q. Was it McLean and Johnston came?—A. Yes.  
Q. Did they come to your house?—A. They came to my barn.  
Q. Had they the certificate or paper with them?—A. Yes.  
Q. Did they give it to you to read or read it?—A. They gave it to me; in fact

I had my mittens on doing my barn.

- Q. They read it?—A. Yes.  
Q. They read the whole of it?—A. I suppose.  
Q. And you signed it?—A. Yes.  
Q. Anything more said or done?—A. Well, we began to talk about selling a

horse.

Q. We don't want to know about the horse trade, keep to the election business; did they say anything else other than sign the papers?—A. No.

Q. They didn't ask you to go into the house and swear on the Bible?—A. No.

Q. Nothing said about oaths or affidavits?—A. No, sir, there was not.

Q. Nothing said about it being like an oath or anything of that kind?—A. No, sir, there was not.

*By Mr. Borden (Halifax):*

Q. When they came to you to get this declaration did you tell them how you had voted, McLean and Johnston?—A. Well, I did in a way; he asked me "did you vote for me, Vrooman," I said I did.

Q. Then he asked you if you would have any objection to make a declaration?—A. Yes.

Q. And you said that you would not have any?—A. I said no; I asked what it was for and he said "I want to see how many voted for me there" and I suppose that was all.

Q. And you understood you were making a declaration that you voted for McLean?—A. Yes.

Q. Your politics are pretty well known?—A. Well, they ought to be.

Q. You have always been a Conservative?—A. Yes.

*By Sir Louis Davies:*

Q. Have you had any conversation with the witnesses since you came down about this matter?—A. Not particularly.

Q. You have been mixing up together?—A. Yes.

Q. And naturally must have been talking about how others gave their declaration?—A. No.

Q. I suppose the others signed a declaration like you did?—A. I suppose they did.

Q. Don't you know?—A. I don't know.

Q. Have you not heard from them?—A. I don't know beyond the statements they made; I am simply a man that attends to my own business.

Q. Did you hear these people talking of the nature of the paper?—A. I heard them taking through one another.

Q. Did you hear what they said?—A. Well, no.

Q. Did you hear them say anything of the kind of paper, what was the nature of it?—A. I didn't hear anything there about it; of course I knew the nature of the paper I had signed.

Q. Did you hear them say the nature of it?—A. No, not to my knowledge.

Q. Did anybody, since you came to Ottawa, say that before you?—A. Nobody.

Q. Nobody has told you the nature of the paper you signed?—A. No. They have never said a thing to me because I knew what I was signing.

Q. That wasn't the question I asked; did anybody tell you since you came to Ottawa or said to you or say in your presence what the nature was?—A. Not that I remember of.

Q. Did you hear it said to other witnesses what the nature of the paper was?—A. No, I didn't; I heard them talking to one another; I didn't pay any attention.

Q. What was the kind of talk?—A. Well, a good many of us were from the same place and we had our own talk.

Q. I want to know what sort of talk it was?—A. We were not talking about this, we were talking about our own affairs at home.

Q. You say you heard talk about these declarations, what was it?—A. They were not talking to me.

Q. No, but they possibly talked in your presence?—A. I heard some of it but I didn't pay attention.

Q. Then you state positively you did not hear?—A. No.

Q. That you didn't hear what they said?—A. I didn't bother.

Q. And did you hear any talk about giving evidence in this committee?—A. No.

Q. About what anybody said, or how they should give their evidence?—A. No, I didn't; I didn't bother myself; candidly I knew I ought to keep free.

Q. Did you have a conversation with Mr. Beck about coming here?—A. No, I didn't know Mr. Beck was coming until I got to the station.

Q. But you contributed to his fund?—A. To what fund?

Q. Mr. Beck's fund?—A. I don't know anything about Mr. Beck's fund, if he has a fund I suppose it is himself.

Q. You don't know; then you didn't give a contribution?—A. To what fund?

Q. I ask you did you or did you not contribute?—A. I gave the contribution, but when I gave it I gave it this way, a man asked me, a friend, would I give it, but I didn't know who it was going to at all.

Q. You didn't know who it was for?—A. I didn't at the time I gave it; I knew it was going to some one amongst us; he said, "are you going to give a little to this here fund." I said, "what fund is that." He said "one of our friends who has been so good."

Q. You didn't know who it was for?—A. Well, I had an idea but further than that I could not say.

Q. What was your own idea when you gave the money?—A. Well, my own idea was it was going to help somebody.

Q. Who did you think he was going to give it to?—A. I thought probably it was going to Beck, but I didn't know at the time, they said "friend."

*By Mr. Bergeron :*

Q. Now, Mr. Vrooman, Sir Louis Davies a few moments ago asked you about coming into the poll and voting and told the whole history, and you simply said "yes" and "no." Now I want you to come in here as you did in the poll and take a ballot from the returning officer and then show how you came in from where you made your mark and gave it back. Just do like you did in the poll. Mr. Cummings, you take a seat here in front of the ballot box. Now, Vrooman, you imagine you go and make your mark on that paper and come back here and give your ballot to Mr. Cummings.

The witness did so and Mr. Cummings went through the operations of tearing off the counterfoil, folding the ballot, and putting it in the ballot box.

Q. Is that the way it was done?—A. That is the way.

*By Mr. Russell :*

Q. Did you see what Cummings did with that piece of paper just now?—A. I watched him there and he handed it back to me.

## Privileges and Elections Committee.

Q. You saw everything he did with the paper?—A. I think I did.

Q. And he did with this paper just the same as he did with your ballot?—A. Yes.

Q. You said you could follow it?—A. No, I didn't.

Q. Didn't you have your eye on that?—A. I think I had.

Q. And didn't you follow this one too?—A. I did not.

Q. Did you not tell me five minutes ago that you saw everything that Cummings did with this piece of paper just now?—(No answer.)

Q. Mr. Vrooman, didn't you tell me a while ago in answer to my question that you saw just now what Cummings did with that paper?—A. Of course I did.

Witness discharged.

JOHN RYAN, called and sworn.

*By Mr. Borden :*

Q. This witness is No. 98 on the poll book. You reside in the township of Colborne?—A. Yes, sir.

Q. You voted at the Dominion elections held in the month of February for the west riding of the county of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. Donald Cummings?—A. Yes, sir.

Q. Did you receive a ballot from him?—A. Yes, sir.

Q. Did you put any mark on it?—A. Yes, sir.

Q. For whom did you mark it?—A. For Mr. McLean.

Q. Robert McLean?—A. Robert McLean.

Q. Do you remember who the other candidate was?—A. Mr. Holmes.

Q. Was there any place opposite Mr. McLean's name, opposite the names of the candidates for the purpose of marking the ballots?—A. Yes, sir.

Q. What shape was it?—A. It was a round disc.

Q. And what colour?—A. White.

Q. And where did you put your cross?—A. In the disc.

Q. After marking your ballot you folded it and what did you do with it?—A. I brought it out and gave it to Donald Cummings, the returning officer.

Q. Did you give to him the same ballot paper which you received from him?—A. Yes, sir.

Q. And which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. Well, he put it in the box as far as I can remember.

Q. Did you stand there until he put it in the box, or did you pass along?—A. I stayed there.

Q. Did you notice whether he tore anything off it?—A. I don't remember.

Q. Did you observe whether he put his hand in his pocket?—A. I don't remember that either.

Q. Your impression is he put your ballot in the box?—A. I saw him put the ballot in the box.

Q. You don't remember any other things?—A. I do not.

*By Sir Louis Davies :*

Q. You gave him the ballot?—A. Yes, sir.

Q. He took it in his hands?—A. Yes, sir.

Q. And as far as you know, it was the same paper he put in the box?—A. As far as I know, it was.

Q. Have you any reason to think it was not?—A. No.

- Q. Can you suggest whether it was not?—A. No.
- Q. Have you and anybody been talking about this business?—A. No.
- Q. Have you any reason at all to suggest that the paper you gave him was not the paper he put in the box?—A. No, I do not.
- Q. Have you been in the habit of voting at elections?—A. Yes, sir.
- Q. Had you been canvassed before this election took place?—A. No, sir.
- Q. Did you talk at all to anybody how you were going to vote.—A. No, not that I minded.
- Q. Nobody canvassed you, and you didn't tell anybody, as far as you recollect?—A. Not in particular.
- Q. As far as you recollect?—A. No.
- Q. So that you went to vote without anybody knowing who you were going to vote for?—A. As far as I knew nobody was very sure what way I voted.
- Q. And you didn't tell anybody, so that when you went there you were a pretty free and independent elector?—A. That's the way I go there, generally.
- Q. As a matter of fact was your name called out when you went in?—A. To vote?
- Q. Yes.—A. Yes, sir.
- Q. You got a paper?—A. Yes, sir.
- Q. Did he write anything on the paper?—A. I do not remember whether he did or not.
- Q. Did you remember whether the returning officer put his initials on the paper or not?—A. I don't remember, because I was the last one in to vote and I hadn't much time to vote. I was in a hurry.
- Q. You were hurrying up?—A. Yes.
- Q. You wanted to get through?—A. Yes, sir.
- Q. You went behind the screen, you marked the paper and brought it out afterwards?—A. Yes, sir.
- Q. And was it the same paper?—A. Yes, it never went out of my hands.
- Q. It couldn't be a different paper?—A. No, I don't think.
- Q. When you gave it to him you wouldn't be sure he tore the counterfoil off or not?—A. I don't know. I can't say whether there was a counterfoil on or not.
- Q. Did you see any mark at all on the paper?—A. What kind of marks have you reference to?
- Q. The initials of persons?—A. Yes, sir.
- Q. When did you see it?—A. When I was marking my ballot.
- Q. On the face of the ballot, or what marks do you refer to?—A. McLean's and Holmes' names.
- Q. I am not speaking of the front of the ballot?—A. There were no other marks I saw.
- Q. I mean on the back of the ballot?—A. I did not turn it over.
- Q. You didn't notice any?—A. I did not.
- Q. How did you fold it up?—A. I just doubled it up and gave it to him.
- Q. Were you shown how to fold it?—A. No, nobody showed me anything about it.
- Q. It was folded when he gave it to you?—A. Yes, I think it was.
- Q. Did you fold it up close when you handed it back to him?—A. Yes, middling close.
- Q. So that it would have to be opened up to tear the counterfoil off?—A. I can't say that.
- Q. You were in a great hurry and didn't notice how you folded it?—A. I did not, I was in a hurry.
- Q. In a great hurry to get the work through. It didn't take many seconds to do it. Made a slap-dash at it?—A. I took time enough to know where I put my mark.
- Q. Have you had any conversation with witnesses down here about voting? About the way they voted?—A. No, sir.
- Q. Not with anybody?—A. No, not in particular.

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Q. I didn't say in particular or in general. Did you have any conversation with witnesses about your vote, sir? You understood the question plainly enough?—A. I understand it. I don't know but I might have said to somebody how I voted.

Q. And the way you marked your ballot?—A. Maybe I did.

Q. And you were comparing notes as to how you marked your ballot?—A. I was not paying particular attention to what was going on.

Q. Did any of them tell you how they marked their ballots?—A. I can't say.

Q. Did you hear them telling each other?—A. I can't say.

Q. Or how they voted?—A. I heard some of them say they voted for McLean.

Q. Did you hear them say how they gave their ballots to the deputy returning officer on the day of the election? Were they talking that over—of the manner of voting?—A. I haven't done it.

Q. Did you hear them talk about it?—A. I don't know as I have.

Q. Do I understand you to say you don't recollect?—A. I didn't talk about it.

Q. Do I understand you to say that you don't recollect or that you don't want to say, which is it?—A. If I had heard them I would say so.

Q. Did you hear them?—A. I told you I didn't pay any particular attention to them and don't know whether they did or not.

Q. Have you had a conversation with Mr. Beck about it?—A. About the election?

Q. Yes, about the elections?—A. No, I haven't.

Q. Or about voting?—A. I don't know as I have.

Q. You are quite sure on that subject?—A. Yes, sir.

Q. What was it you talked to Beck about?—A. I haven't been talking to him very much about anything.

Q. What did you talk to him about?—A. I don't remember. I am afraid I didn't take any particular notes of it.

Q. I didn't say anything about notes. I want to see if you remember?—A. Oh, I might talk to a man and ten minutes after I couldn't tell you, perhaps, what I was saying.

Q. Do you remember anything about the elections?—A. No.

Q. You have talked to Beck about the elections?—A. I might have spoken to him something about them.

Q. And how you voted?—A. I don't think so.

Q. You are a little vague about that?—A. He never mentioned to me about how I voted and I never said anything to him about how I voted. I am sure of that.

Q. Did you tell him about giving a declaration or a certificate how you voted?—A. Did I tell him? No.

Q. Did you hear any witnesses talking about it to Beck?—A. I do not think I did, to Beck. I heard many other.

Q. You heard many others about what?—A. About giving an affidavit how they voted.

Q. What was the nature of the talk? That they had given affidavits?—A. Yes, sir.

Q. About the evidence?—A. Yes.

Q. And that they were liable for penalties if they broke them?—A. That was what I understood anyway.

Q. You understood they had given affidavits and if they swore differently from that they would be liable to penalties? That is what you understood, is it?—A. That is what I understood, yes, sir.

Q. When did you hear that statement?—A. I cannot say.

Q. This last few days?—A. No, I suppose.

Q. How many days have you been here?—A. Pretty near two weeks.

Q. Within the last two weeks?—A. I do not know but I have.

Q. Within the last two weeks, you heard the statement?—A. Yes, sir.

Q. And I suppose within the last four or five days?—A. No, I do not think I have.

Q. You do not think you have heard it, within the last four or five days?—A. No.

Q. You are not so certain about the exact time?—A. Well, we have been here so long, we have quit bothering about it at all.

Q. But before you quit bothering about it, this was talked over?—A. Oh, I might have heard it mentioned once in two days.

Q. But you had heard it mentioned several times?—A. I do not know I have.

Q. I want to know what you will say?—A. I would not say that I have heard it.

Q. You have sworn it. Do you want to withdraw what you have said?—A. I will not withdraw anything I have said.

Q. And that you said you heard?—A. I do not know.

Q. In the hall here or at the Brunswick House?—A. I do not remember.

Q. You do not remember where you were?—A. No, I do not know.

Q. You are a good forgetter?—A. No, I do not think so.

Q. Can you remember where it was?—A. I tell you I do not remember whether it was in the hall or at the Brunswick or out on the street.

Q. Can you tell which witness you heard?—A. No, I cannot.

Q. After the election, did you tell anybody how you voted?—A. After the election?

Q. Yes, right after?—A. I do not know as I did.

Q. Can you recollect and tell me positively, one way or the other, if your memory will serve you?—A. I do not remember if I told anybody.

Q. Do you remember telling anybody how you voted after the election?—A. I do not remember.

Q. You do not remember if you told anybody? Do you remember McLean coming to you to get a statement from you?—A. He never came to me.

Q. Where did you give the statement?—A. In M. O. Johnston's office.

Q. Did you go there to give it?—A. I was in Goderich, and he met me in the street and he asked me if I would mind signing a paper, and I said "No, sir."

Q. What did he say to you?—A. I cannot remember exactly what he said.

Q. This paper—had he that on the street?—A. He mentioned the affidavit.

Q. Just use the words he used?—A. I cannot use the words, because I do not remember all the words.

Q. Are you prepared to state here, or do you wish to state here, that he called that an affidavit?—A. Or a declaration—that is what he called it.

Q. Why did you say an affidavit?—A. I thought it was the same.

Q. When did you think so?—A. I think it is the same yet.

Q. I did not ask you what you think now?—A. No.

Q. Have you not heard what it was since you came here?—A. I have heard it called both.

Q. Have you not heard it was equal to an oath since then?—A. I heard it.

Q. Have you heard it since then?—A. Yes, I have heard it since then.

Q. That day in the street, did Johnston state to you that it was an oath?—A. He called it a declaration that day.

Q. What were the words he used, as nearly as possible?—A. Yes.

Q. What are the words?—A. He asked me if I would sign this declaration that I voted for McLean and took me in and wrote it out and I signed it.

Q. What did he say the thing was?—A. Of the same nature as an oath.

Q. And he told you at the time it was equal to an oath?—A. Yes, sir, that is just what he told me.

Q. Did he take the Bible out and swear you to it?—A. No, sir, he did not.

Q. Was anybody present and heard that besides yourself?—A. Nobody was present except him and I in the office.

Q. Was Dawson present?—A. No, sir.

Q. Is he down here?—A. Not that I know of.

Q. Will you state that Johnston told you at the time that this was a declaration equal to an oath?—A. Yes, that is what he told me.

Q. You are sure of that?—A. Yes, I am sure of it.

Q. But nobody was present when you signed it?—A. Yes, I signed it.

Q. And you have heard witnesses since you came down here say the same thing,—that it was equal to an oath?—A. Yes, sir.

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Q. Talking among themselves?—A. Yes.

Q. And if they went different from that they would be liable to be punished?  
—A. They should be.

Q. Did you hear them say that?—A. I have heard them say that.

Q. You understood that?—A. I understood that myself, of course.

Q. You understood clearly that you would be liable to be punished?—A. I should think so.

*By Mr. Russell :*

Q. What time was it you first came up to the polling booth? Do you live near the place?—A. About three miles away from it.

Q. When did you come to the polling place?—A. To poll my vote?

Q. Yes?—A. I had not any time myself, but they told me it was just one minute to five when I got there.

Q. That was the first time you came up?—A. Yes, sir, that was the first time I got there and the only time.

*By Mr. Borden :*

Q. Did you see a man there by the name of Dancy?—A. I saw a man there who was a stranger to me and I did ask some of them who he was and he said it was Dancy from town.

Q. Did you hear anything said about his going in when the ballots were being counted?—A. The only thing I heard about it. I sat down by the stove after I had voted and I heard a dispute back where they were counting the ballots, but who they were I cannot swear to.

Q. Can you swear what it was about?—A. It was about somebody being in there at the counting of the ballots that should not have been in there.

Q. You could hear it where you were at the stove?—A. I could hear it.

Q. Were the voices loud?—A. They were loud enough for me to hear and tell what they were saying.

Q. Voices in behind the curtain or screen?—A. Yes.

*By Mr. Russell :*

Q. You did not know whose voice it was?—A. I would not swear whose voice it was.

Q. But you heard some one make a remark to some other person and the reply to that?—A. There was quite a bit of jangling in there.

Q. About this same thing?—A. Yes.

Q. Perhaps you can tell what it was that was said?—A. I have told you as near as I can.

Q. What was it McManus said?—A. I cannot tell you it was McManus or who it was saying it, something about this man being in there when they were counting the ballots.

Q. He said something about that?—A. Yes.

Q. And the other man said something?—A. Yes. They had quite an argument about his being in there between these two, but who it was I cannot swear to because I did not see them.

Q. I misunderstood a part of what you said to Sir Louis Davies. I dare say a while ago. Did you tell him you had heard any conversation among the witnesses here, in the last fortnight?—A. Which is that?

Q. That you had heard any conversation among the witnesses here in the last fortnight about this document?—A. I said I heard some of them speak about it.

Q. And about the nature of it, whether it was an oath or not?—A. Yes, I heard some of them speak of it.

Q. And of course you would speak up and say Mr. Johnston told you and so far as you were concerned it was an oath?—A. I haven't much to say about elections.

Q. But you did say Johnston told you it was an oath?—A. No, sir, I did not.

Q. That yours was an oath?—A. Not that I remember.

Q. How did they come to be discussing whether it was an oath or not?—A. I cannot tell you that.

Q. Was there anything in that conversation to lead up to it?—A. I do not see any use trying to tell something I do not mind.

Q. All you can remember is that you heard these conversations going on?—A. I cannot say I heard conversations going on.

Q. One; there would be more than one?—A. There might be.

Q. There might be conversations, or only one?—A. Yes.

Q. Whatever it was, it was with regard to this document, and whether it was in the nature of an oath or not a binding oath?—A. Yes, I think I heard that mentioned.

Q. And whether they would be punished for speaking against it?—A. That was my understanding about it.

Q. About the conversation?—A. I cannot tell you that. They might not think the same as I did.

Q. We are talking about what they said about the thing, conversation among them you see. You understand me now, I think?—A. Well, I think—

Q. It was about this document. Whether it was an oath or whether it was equal to an oath, and if it was an oath what would be the consequence of speaking against it. That was what they were talking about, was it?—A. I heard them mention something about it.

Q. That was what they were mentioning?—A. My own opinion, I can give you, but not the opinion of others.

Q. Now, who was present at any of these conversations?—A. I cannot tell you that.

Q. You recollect a number of conversations but not one who was present?—A. I did not take notice of any one. I have been with so many since I have been here I could not say.

Q. I understand that these conversations were here or at the Brunswick Hotel?—A. I do not remember, I cannot tell, I might remember a thing being mentioned but where it was I cannot tell you.

Q. You do not remember hearing it at the hotel?—A. I cannot say.

Q. And you cannot remember a name of those that took part?—A. I cannot.

Q. Were you in the group or not?—A. I might have been sitting around there or standing around.

Q. Among them?—A. I might have been standing to one side.

Q. Very near at all events and you heard the conversation?—A. I would have to be near enough to hear that, sure thing.

Q. But you did not take part yourself in the conversation?—A. I cannot say, I do not remember.

Q. No part at all?—A. No, I won't say I did.

Q. You did not mention about Johnston telling you that yours was an oath?—A. I don't think so. Because I thought it their duty to know that themselves.

Q. Exactly. But you knew it was the same and they didn't?—A. I do not know if they did or not. They probably knew about it at the time.

Q. You made no mention about this conversation? You were the last on the list to vote?—A. Yes, sir.

*By Mr. Borden :*

Q. Mr. Donald Cummings is staying at the same hotel as you are?—A. Yes, sir.

Q. Sitting around with the rest of the witnesses?—A. Yes, sir.

Q. Joining in these conversations, was he, or do you know?—A. I cannot say whether he was or not, I am sure.

Witness discharged.

## Privileges and Elections Committee.

Mr. WILLIAM BURROWS, No. 72 on the poll book, sworn.

*By Mr. Borden :*

Q. Mr. Burrows, you reside in the township of Colborne?—A. Yes, sir.

Q. You voted at the Dominion election in the west riding of the county of Huron, in February last?—A. Yes, sir.

Q. Who was the returning officer at the poll at which you voted?—A. Donald Cummings.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. Robert McLean.

Q. What mark did you put on it?—A. I put an "X" on it.

Q. Where did you put this "X" or cross?—A. In the centre of the disc.

Q. Do you remember what colour the disc was?—A. White.

Q. You marked it in the centre of the white disc, opposite McLean's name?—A. Yes, sir.

Q. After folding the ballot paper what did you do with it?—A. I folded it up and handed it to the deputy returning officer.

Q. Did you hand back to him the same ballot paper which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. No, sir.

Q. Well, why didn't you observe that; how did it happen you didn't observe it?—A. Well, he was placed there for the purpose of putting the ballot where it belonged to.

Q. Well, I mean did you stand there?—A. No, I handed him the ballot and walked out.

Q. You say you understood it to be his duty to put it in the ballot box?—A. Yes.

Q. And on that account you didn't wait?—A. Certainly.

*By Mr. Russell :*

Q. You made a statement afterwards, I suppose, about the vote?—A. I beg pardon?

Q. You signed a statement afterwards how you had voted?—A. A declaration.

Q. Whatever it was?—A. Yes.

Q. How did you come to sign that?—A. It was fetched around.

Q. Who brought it?—A. Robert McLean and Mr. Johnston.

Q. Did they tell you beforehand they would bring it?—A. No, not till the time they fetched it.

Q. Who brought it?—A. M. O. Johnston gave it to me.

Q. And did they read it over?—A. I read it myself.

Q. And that was a statement you had voted for Mr. McLean?—A. Yes.

Q. I suppose you had dealings with Mr. McLean?—A. No, sir.

Q. Never any dealings with him one way or the other?—A. No, sir, never.

Q. And Mr. McLean was there with Mr. Johnston?—A. Yes, sir.

Q. And you say they read it over?—A. I read it myself.

Q. And you signed it; of course you didn't swear to it?—A. No.

Q. There was no oath taken or book or anything like that?—A. No.

Q. In Goderich there was a great deal of talk afterwards?—A. Probably, I don't mix much in politics at all.

Q. You don't take any part in politics?—A. No, sir.

Q. Never go to meetings?—A. I never attended a meeting in my life.

Q. Never went to meetings and heard speeches?—A. No, sir, I was born a Conservative.

Q. Well then, you were not an active politician?—A. No, sir.

Q. And there was not much canvassing going on in the neighbourhood?—A. No, sir.

Q. You saw very little canvassing in No. 4 division?—A. No, sir.

Q. You didn't see them going around making up lists and asking people how they would vote?—A. I didn't see.

Q. At all events they didn't ask you?—A. No.

Q. So it was a very quiet and peaceable election there and every one was allowed to vote as they wanted to.—A. As far as I was concerned.

Q. No pulling and hauling of voters to vote; so they voted according to their judgment largely?—A. I think so.

Q. You voted at the 1896 election, the general election, did you vote at that election?—A. Who were the candidates at that time?

Q. That was the great big election when the government was upset.—A. No, I didn't.

Q. You did not vote?—A. No.

Q. There were three candidates?—A. I didn't vote at all.

Q. You were living in Colborne?—A. No.

Q. You were not living there?—A. No.

Q. Your vote was in Colborne, but you were not living there to get to it?—A. No.

Q. When did you leave Colborne?—A. 1892.

Q. When did you go back?—A. The fall of 1897.

Q. You didn't know in the meantime there was a break-up in the Conservative party, and they had an independent candidate running?—A. It is something I never interfere in, politics.

Q. You voted when Beck and Garrow were running?—A. Yes.

Q. Conservative, of course?—A. Yes.

Q. You have been among these witnesses, or have you been keeping your own counsel since you came to Ottawa?—A. Oh, I have been sitting around.

Q. Among the witnesses?—A. Sometimes.

Q. Have you ever heard the witnesses talk about these papers or declarations?—A. No, sir.

Q. Then you heard them discussing this trial?—A. Yes, but nothing else since I come here.

Q. You never heard of them taking about these declarations?—A. No, sir.

Q. You never heard them talking about these declarations?—A. No.

Q. Never heard anybody talking about whether the declaration was an oath or not?—A. No.

Q. Never heard anybody talking about the form of them?—A. No.

Q. You have heard talk about the trial, what sort of talk?—A. About the length of the trial.

Q. And they talked that as long as the trial itself?—A. They talked, too, of things of no consequence.

Q. They didn't talk about this trial?—A. Well, that took up the biggest part of the time.

Q. The biggest part was talk about this trial?—A. Yes.

Q. And during all that time you never heard any conversation about that declaration?—A. No, sir.

Q. Never heard any of these witnesses talk about the nature of that declaration that was signed?—A. No, sir.

Q. And you never talked yourself?—A. No.

Q. And could you tell me one single remark made about the trial except that it was taking a long time?—A. Well, I didn't pay much attention to remarks, they were discussing the men that was on the committee here the biggest part of the time.

Q. They had some very flattering things to say of some, and very derogatory to others?—A. They had.

Q. I suppose it was those that had come through and got through the ordeal, they had their views about the men who had been talking to them?—A. Yes. Some of them were outside.

Q. Some of them were out there and didn't get in?—A. They saw the papers though.

## Privileges and Elections Committee.

Q. They could not know very much about the people on the committee in the papers?—A. No, but we saw you going back and forward and got acquainted with you.

Q. But that is all they were talking about, the kind of people on the committee?—A. Yes.

Q. And all that time you never heard anything from Mr. Beck or these witnesses, not one single word as to the nature of that declaration?—A. No.

Q. Or the making of that paper they signed?—A. No.

Q. Nothing?—A. No.

Q. Did you ever hear Beck tell witnesses the best way to answer questions?—A. No.

Q. You didn't hear that?—A. I don't know anything about it.

Q. You didn't hear him tell some witnesses to give short answers?—A. No.

Q. You didn't hear Beck conversing with them?—A. I heard him talking different times, but not about this case.

Q. You never heard Beck say anything about this case?—A. No.

Q. You stop at the hotel with the other witnesses?—A. Yes.

Q. Do you have a separate room?—A. No.

Q. Are there many in your room?—A. There were four last night.

Q. And more than that since?—A. Four till last night, and now two.

Q. And you have never heard any of these four say anything of this trial except the kind of thing you have spoken of?—A. No.

Q. Has Beck been in there?—A. No.

Q. Is there a room in the hotel where Beck meets the witnesses once in a while to talk over the trial?—A. No, sir, I don't know.

Q. You were never in the room?—A. No.

Q. You have not talked to Beck?—A. No, I don't talk much with any one.

Q. And anything you ever heard was by accident?—A. Yes.

Q. And in a casual way?—A. Yes.

Q. Did you subscribe to the fund for Mr. Beck?—A. Yes.

*By Mr. Borden (Halifax):*

Q. Fifty cents, I suppose?—A. Yes.

Q. You know that fifty cents has taken up about \$250 worth of time so far? Now do you remember Mr. Holmes being at the hotel while the witnesses were there when you first came?—A. He called around once, I think.

Q. Was that the time that he wanted you to go up to the park?—A. Probably it was.

Q. You remember that occasion when he invited you?—A. Yes.

Q. Were you there when he invited you to go to Eddy's mill?—A. No, sir.

Q. Did you understand that this declaration you were making was binding the same as an affidavit when you read it over?—A. I suppose it was just a declaration that I had voted for this man.

Q. Well, did you understand that it had any force?—A. No.

Q. You did not understand that it had any force?—A. No.

Q. Did you read the whole of it yourself?—A. Yes.

Q. Don't you remember the part in it, the printed part, which said it had the same force as an affidavit?—A. No.

Q. That is your signature, Mr. Burrows?—A. Yes.

Q. Well, this is the document you read and I want you to look at this part of it: "I make this solemn declaration, conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act, 1893"?—A. Well, if you want me to take an oath I will take the oath I voted for that man.

Q. But I want to know if you remember reading that part?—A. No, not three months ago.

Q. But the whole document was handed to you and you read it?—A. Yes.

Q. It is well known that you are a Conservative, Mr. Burrows?—A. Yes, sir.

Q. You live about eight miles from Goderich?—A. Between nine and ten.

*By Mr. Russell :*

Q. The impression it made on your mind at the time was purely you didn't understand it had any binding force?—A. No.

Q. And you didn't understand it was like an oath?—A. No, sir.

Witness discharged.

JOHN H. SIMPSON, called and sworn.

*By Mr. Borden :*

Q. This witness is No. 46 on the poll book. Mr. Simpson, you reside in the township of Colborne?—A. Yes, sir, at the time of voting.

Q. And you voted at the Dominion election for the west riding of Huron in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Cummings.

Q. What is his first name?—A. Donald Cummings.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. I marked it for Mr. McLean.

Q. What kind of a mark did you put on it?—A. A cross.

Q. Opposite whose name?—A. Mr. McLean's.

Q. Was there any place opposite Mr. McLean's name for the purpose?—A. There was a circle.

Q. What colour?—A. As near as I can remember it was black.

Q. On the outside or inside?—A. Well, the circular ring was black and the inside was white.

Q. A white circular space surrounded by black?—A. Yes.

Q. And you put your mark there?—A. Opposite McLean's name.

Q. But with reference to this circle?—A. I put it inside the circle.

Q. After marking your paper, I suppose you folded it?—A. Yes, sir.

Q. And what did you do with it then?—A. I handed it to Mr. Cummings.

Q. Did you hand back to him the same paper you received from him and had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. Yes, sir.

Q. What did he do with it?—A. He tore off the counterfoil and put the ballot in the ballot box.

Q. What did he do with the counterfoil?—A. I didn't notice particularly.

Q. You didn't notice what he did with the counterfoil?—A. No.

*By Sir Louis Davies :*

Q. When you went up to vote, Mr. Cummings gave you a ballot paper?—A. Yes, sir.

Q. Did you see him mark his name or initials on it?—A. I noticed him mark it.

Q. Do you recollect seeing him mark it?—A. Yes, he marked it.

Q. With a pen or a pencil?—A. With a pencil, I think.

Q. Are you certain of that?—A. I am pretty certain.

Q. You can't recollect the circumstances yourself?—A. No.

Q. You are only speaking vaguely and generally?—A. Yes.

Q. And wouldn't swear one way or the other?—A. Well, he marked it.

Q. As a matter of fact he marked it somewhere?—A. Yes.

Q. Did you know there was such a thing as a counterfoil to the ballot?—A. I didn't at that time.

Q. You didn't know that the counterfoil had to be torn off?—A. No, I didn't.

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Q. When you gave it to him, you had—not knowing there was a counterfoil—folded the paper right up?—A. Yes.

Q. And didn't know it had to be opened to take the counterfoil off?—A. No.

Q. You remember his taking the counterfoil off?—A. Yes.

Q. And where he put the ballot?—A. He put it in the box.

Q. You made, I suppose, the usual statement to Mr. McLean afterwards, the same as the rest?—A. Yes, sir.

Q. How long was it before you were asked to give this statement?—A. I don't recollect.

Q. Some weeks, was it?—A. I think so.

Q. Had you, meantime, stated who you voted for?—A. I guess I said who I was going to vote for, and I guess I said who I voted for.

Q. Had you been canvassed?—A. No.

Q. Did Mr. McLean ask you?—A. Yes, before the election, he said, "I suppose you will give me a lift," and I said, "yes."

Q. You intimated to him in that way that you would vote for him?—A. Yes.

Q. And afterwards he came to you about that declaration or whatever it is?—A. Yes.

Q. Who was with him?—A. Mr. Johnston.

Q. Did they read it to you?—A. Yes, sir.

Q. And you signed it?—A. Yes, sir.

Q. Was there any affidavit?—A. No, I told them I voted for him and I was prepared to swear to it.

Q. Nothing more about it, other than that you were not asked to swear?—A. No.

Q. This was a mere statement you were giving them?—A. No, I suppose—

Q. That is I am only asking you, it was only a mere statement. It was not an oath or affidavit as you understood it?—A. I understood it was just the same if I signed it, I might just as well take an oath, or I would be prepared to take an oath if I signed it.

Q. But as a matter of fact there was no affidavit or oath put to you?—A. No, not at that time.

Q. Nor did you understand that you were making an oath or affidavit?—A. No.

*By Mr. Borden :*

Q. You understand it was the same effect as an oath?—A. Yes.

*By Sir Louis Davies :*

Q. When did you understand that?—A. At the time I signed it.

Q. How did you understand it? I may be all wrong, but I understood that there was nothing said to you about an oath or affidavit or anything of the kind?—A. When Johnston read the paper to me I understood that it was, well, the same as an oath.

*By Mr. Russell :*

Q. I have no doubt you did understand it because you read the document yourself. It is of the same nature as an oath?—A. Yes.

Q. I suppose there were some others who doubted whether it was or not?—A. I don't know.

Q. You have heard some one who suggested that?—A. No, I can't say that I did.

Q. You heard some conversation about it since it was brought up?—A. No, I haven't.

Q. Some conversation and disputes whether it was of the same binding force as an oath or not?—A. No, I haven't.

Q. You have not paid much attention or been with the other witnesses much?—A. No.

Witness discharged.

Committee adjourned until 3 o'clock.

COMMITTEE ROOM,  
HOUSE OF COMMONS,  
FRIDAY, 28th July, 1899.

The Committee met at 3 o'clock, p.m.

Inquiry *re* Dominion election in the west riding of the county of Huron resumed.

PATRICK KELLY, No. 89 on the poll book, sworn.

*By Mr. Borden :*

- Q. You reside in the township of Colborne?—Yes, sir.
- Q. And you voted at the Dominion election in February last for the west riding of the county of Huron?—A. The election between McLean and Holmes?
- Q. Who was deputy returning officer at the place where you voted?—Donald Cummings.
- Q. Did you receive a ballot paper from him?—A. Yes, sir.
- Q. Did you put any mark on it?—A. Yes, sir.
- Q. For whom did you mark it?—A. For Robert McLean.
- Q. Was there any place opposite McLean's name for putting your mark?—A. I do not know of any particular place, sir; there was no one told me.
- Q. Did you notice?—A. Sir?
- Q. Did you put your mark on a white place or a black place?—A. I cannot say whether it was black or white. No one told me there was a particular place to put it.
- Q. Opposite whose name did you put your mark?—A. McLean.
- Q. Opposite McLean's name?—A. Yes, sir.
- Q. On the right hand side or left hand side?—A. On the right, sir, as well as I can remember.
- Q. On the right hand?—A. I marked it with the right hand and put it on the right hand side.
- Q. Was that the kind of paper it was, do you remember?—A. I do not remember that, sir.
- Q. You don't remember that?—A. I don't remember that.
- Q. Do you remember if the names of the two candidates were on it?—A. Yes, sir, I remember that.
- Q. Holmes and McLean?—A. Yes, sir.
- Q. And you put your name opposite which name?—A. Opposite McLean's.
- Q. Opposite McLean's name?—A. Yes.
- Q. After you had marked your ballot you folded it up, I suppose?—A. Yes, I folded it.
- Q. And what did you do with it then?—A. I brought it out and handed it to the returning officer.
- Q. Did you hand back to him the same ballot paper which he had given you and which you marked?—A. Yes, certainly I did that, sir.
- Q. Did you observe what he did with it?—A. Well, yes, I think I did. I stood there, and he laid it on the table or board, I would not say for certain which; but he laid it down and put one hand on it and tore some of it off, and then he folded it and put it in the ballot box.
- Q. Do you read and write, Mr. Kelly?—A. No, sir.
- Q. Do not either read or write?—A. No, sir.
- Q. Cannot read any writing or print?—A. No, sir.
- Q. So you could not tell by looking at a ballot whose name was on it?—A. Not if it was writing, sir, but if it was print.

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Q. You can read print?—A. Yes, or spell it, sir.

Q. Can you take any ordinary print like that and read it?—A. I can't see very well.

Q. Have you your glasses with you?—A. No, I haven't.

Q. You had glasses at the election, had you?—A. No, I had not.

Q. Without your glasses, can you read print?—A. My eyes are a little dim to-day, sir.

Q. Can you read any of that print on that page?—A. Well, I will see. "Election," isn't it.

Q. Very near to it. "Elections." Yes, that is right. What is that word?—A. "Committee" is it.

Q. Yes.—A. "West Huron."

Q. Yes.—A. "Election."

Q. You can make out some of the words, at any rate?—A. Oh, yes. My eyes are a little dim.

Q. You don't as a rule read, are you able to take the newspaper and read?—A. Oh, no, not very well, sir.

Q. But you can spell out certain words and make out what they are?—A. Oh, yes, yes.

*By Mr. Borden :*

Q. You read the Bible, I suppose?—A. Yes, I read the Bible some, sir. I do not read much of anything else.

*By Sir Louis Davies :*

Q. You read that regularly, I have no doubt?—A. I read it middling regularly. Well, I am suffering from the effects of indigestion and biliousness, and I feel very nervous.

Q. Oh, I will treat you nicely.—A. I am thankful to you.

Q. You need not be afraid.—A. Oh, I am not afraid of anything.

Q. This man, Mr. Beck, do you know him pretty well?—A. Oh, yes, I am well acquainted with Mr. Beck.

Q. You are staying at the same hotel down here with him?—A. Yes.

Q. You have seen him down here several times?—A. Yes.

Q. You went with him to the room?—A. Well, I do not remember going to the room with him.

Q. Didn't you go to a room with him? Just think for a moment?—A. I don't remember, sir, I do not remember if I did.

Q. You do not remember?—A. Not with him alone.

Q. Who was with you?—A. I do not remember, sir, going to any room with Mr. Beck, sir. I do not remember it, sir.

Q. You do not remember whether you went to a room with him or not and somebody else with you?—A. No, sir, I did not.

Q. Not this morning?—A. No. Oh, let me see.

Q. I think it is well to see?—A. This morning.

Q. Oh, well now, this morning, yes?—A. And some party else.

Q. Did you go to a room in the hotel with Mr. Beck this morning?—A. And some one, you mean along with us.

Q. Who was the person along with you?—A. There was no other person that I remember.

Q. That is what I said. You are alone then?—A. Going to the room, we were alone, as far as I remember.

Q. Going to the room, you were alone?—A. Yes.

Q. But you couldn't remember just now at all?—A. Sir?

Q. You could not remember just now at all. I rather gathered?—A. I did not.

Q. You could not remember just now having gone to the room at all?—A. I did not first, sir. No, I did not first.

Q. But you remember now quite well?—A. Oh yes, I remember now I did.

- Q. You went up all a'one?—A. Yes, him and I.  
 Q. And you went into the room and the door was shut?—A. I disremember whether the door was shut or not.  
 Q. Was anybody else in the room?—A. The room we went into?  
 Q. Yes. Was there anybody there?—A. I do not remember.  
 Q. There was no other room but the room you went into?—A. I do not want to deny anything, sir, that I know.  
 Q. Well, tell me that?—A. I do not really understand.  
 Q. You don't understand the question?—A. No.  
 Q. You don't understand the question whether anybody else was in the room that you and Beck went into the Brunswick Hotel this morning?—A. I disremember. Oh, yes, I remember. There was a man there.  
 Q. What do you remember?—A. There was a man there.  
 Q. A man there in the room when you went in?—A. Yes.  
 Q. Or he went in with you?—A. No, the man was in the room.  
 Q. Who was he?—A. It was a doctor. I forget, now, what doctor it was.  
 Q. Did he come down with you from Huron?—A. No, sir.  
 Q. Do you remember his name?—A. I heard his name, but I forget.

*By Dr. Borden :*

- Q. Dr. Sproule, wasn't it?—A. I think that was the name.

*By Sir Louis Davies :*

- Q. You are quite sure it was Sproule?—A. Yes.  
 Q. Did you talk about the evidence?—A. No, I said nothing to him.  
 Q. What did he take you there for?—A. I felt very nervous, and I was discouraged in giving my witness, sir, and I went in to have his opinion.  
 Q. And did he give you his opinion?—A. Yes, sir.  
 Q. And what was his opinion?—A. Oh, well, he told me he thought I could stand it, they would not be very hard on me, and to take a little liquor and that would strengthen up my nerves, sir.  
 Q. And how were you to tell your evidence?—A. I don't understand.  
 Q. How did he tell you you were to give your evidence?—A. Neither him or I—He didn't mention evidence to me or I to him.  
 Q. I understood you to say you did?—A. Oh, if I told that, I must have made a mistake.  
 Q. You must have made a mistake? Just read the questions to him.  
 (Questions read as follows)  
 "Q. Did you talk about the evidence?—A. No, I said nothing to him.  
 "Q. What did he take you there for?—A. I felt very nervous and I was discouraged in giving my witness, sir, and I went in to have his opinion.  
 "Q. And did he give you his opinion?—A. Yes, sir.  
 "Q. And what was his opinion?—A. Oh, well, he told me he thought I could stand it, they would not be very hard on me, and to take a little liquor and that would strengthen up my nerves, sir."  
 Q. So you did say that?—A. Sir?  
 Q. What he has read to you. Did you say all that?—A. Read it again, if you please, sir.  
 (Questions re-read to witness as follows)  
 "Q. Did you talk about the evidence?—A. No, I said nothing to him.  
 "Q. What did he take you there for?—A. I felt very nervous and I was discouraged in giving my witness, sir, and I went in to have his opinion.  
 "Q. And did he give you his opinion?—A. Yes, sir.  
 "Q. And what was his opinion?—A. Oh, well, he told me he thought I could stand it, they would not be very hard on me and to take a little liquor and that would strengthen up my nerves, sir."  
 Q. Surely you understand; that is read to you as your evidence; did you say that?—A. Oh, —.

## Privileges and Elections Committee.

Q. Did you state that as your evidence just now?—A. Yes.

Q. Then you asked him to give you an opinion about your witness?—A. No, sir, he said nothing to me about my witness nor me to him.

Q. Did you want him to direct you?—A. No, sir, I made a mistake, I made a mistake.

Q. Then what did you say?—A. That is why Mr. Beck took me there; I felt very nervous, I told him I didn't feel able to give my evidence, I felt so weak and nervous, and he told me he would bring me to the doctor, and the doctor told me that if I took a little liquor—he told me I wasn't as weak as I thought and he advised me to take a little liquor to strengthen up my nerves.

Q. And what more was said about the witness and the evidence?—A. I don't remember anything.

Q. Did you talk over what the witness was to be?—A. No.

Q. Did you say what you were nervous about?—A. Oh, it was not about the witness, sir; I didn't say, sir, it was about the concern of the witness.

Q. That is what you said?—A. I must have made a mistake, sir, I must have made a mistake.

Q. Did you say, did you not seek out this man Beck and ask him to go into a room or did he ask you to go into the room?—A. I asked him, I told him I felt like as if I would like to have an advice from a doctor.

Q. Didn't you say just now that you were nervous about giving your witness?—A. If I did I made a mistake.

Q. Well, what is the story now again, in your own way?—A. Well, sir, I will try to swear as honest and as sober as I can. I felt terrible nervous from indigestion and biliousness for some time and I thought it was best to have the opinion of a doctor and Mr. Beck took me to him, said there was a doctor up stairs and he took me up to him. I said I felt very weak and nervous, that I didn't think I would be able to give my evidence in a correct way, sir.

Q. You did not think you would be able to give your evidence in a correct way?—A. No, I felt very nervous.

Q. Did you say to Beck at any time or did you talk over the evidence you were to give or what evidence you were to give?—A. No, sir, not that I remember.

Q. And you talked to Beck more than once about this?—A. About what?

Q. About the evidence.—A. Well, I don't remember talking to him more than that about the evidence.

Q. Did you talk to the other witnesses about the evidence, that you were nervous about giving it correct?—A. I don't remember I did.

Q. Would you swear, you did not?—A. No, sir, I would not.

Q. Were you talking about the declaration you signed?—A. Well, I disremember whether we talked much about that or not.

Q. Do you remember whether you talked about this being binding or an oath?—A. Well, not particular.

Q. Who talked about it, about its being binding or an oath?—A. I could not say exact, I could not say positively.

Q. Was there more than one?—A. Yes.

Q. And they were discussing it?—A. Well, some said it was.

Q. And others said what?—A. Well, they didn't say that it wasn't, sir.

Q. What did they say?—A. Well, I disremember.

Q. What did you say?—A. I can't say positively.

Q. You can't say positively what you said?—A. No.

Q. What was your opinion, that it was binding?—A. I consider it was binding to an honest man.

Q. Any honest man would be bound—?—A. I think a man who would not keep his word sir, I don't—I would not depend much on him, he would keep his oath.

Q. Any statement signed by an honest man would be binding?—A. Yes, sir, it would be, I think it is.

Q. Did you sign the statement in writing?—A. No, sir, I don't write.

Q. Where was it signed?—A. In my own house.

- Q. Who read it to you?—A. I understand it was Mr. Johnston.
- Q. Was he alone?—A. No.
- Q. Who was with him?—A. Bob McLean was with him.
- Q. Bob McLean was with him?—A. Yes.
- Q. Did they swear you on the Bible?—A. No, sir.
- Q. Or any other way?—A. None.
- Q. There was no oath about it?—A. No, sir.
- Q. Did they tell you whether it was an oath?—A. I disremember, I would not say positive.
- Q. Did they say anything to you about an oath?—A. Did they?
- Q. Did they tell you at that time that you were signing an oath or not?—A. I disremember, I cannot say positively whether they did or not.
- Q. Did anybody canvass you before the elections?—A. You mean ask me to vote?
- Q. You know what canvass is, don't you?—A. Well, isn't that it?
- Q. I guess so.—A. No, not that I remember of.
- Q. But you said nothing about how you were going to vote?—A. No.
- Q. Who drove you to the poll?—A. A neighbour, Crosbie.
- Q. But Crosbie didn't ask you?—A. No, Crosbie didn't ask and I didn't tell him; he told me he would drive me down but he didn't ask me to vote for any one and I didn't tell him and he didn't ask me.
- Q. After the poll did you say who you voted for?—A. No, sir, not that I remember.
- Q. And no one asked you till McLean and Johnston came?—A. Well, Mr. McLean asked me for my vote some time before the elections, sir.
- Q. He did?—A. Yes.
- Q. I thought you told me no one asked you how you were going to vote?—A. Well, that wasn't asking me how I was going to vote was it, sir?
- Q. Wasn't it?—A. I think it was different, sir.
- Q. What did you say to McLean?—A. I could not say.
- Q. You don't know?—A. No.
- Q. You have a bad memory?—A. Yes.
- Q. You have?—A. A very poor memory indeed.
- Q. Do you remember voting at all on this occasion different from other elections?—A. How different?
- Q. Can you remember this particular time different from the time you voted in the Ontario election?—A. No I don't, sir.
- Q. I mean can you recollect any circumstances different from the other?—A. Oh, no, sir. I could not.
- Q. You can tell how the names were on the ballot, of course?—A. Oh, no, sir, I could not.
- Q. Could not tell which was top and which bottom?—A. No, sir.
- Q. Could you tell whether the returning officer put his initial on the back of the ballot?—A. Well, I could not, sir.
- Q. You could not tell whether his initials were on the back of the ballot?—No, sir, I didn't think it was my business.
- Q. You didn't see him making a mark on it?—A. No, I don't remember.
- Q. You don't remember whether there was a counterfoil or not?—A. No.
- Q. Don't remember whether it was torn off?—A. Before he put it in?
- Q. Yes.—A. He tore something off but I don't remember.
- Q. What did he do with the paper you gave him?—A. As far as I could see or understood he put it in the box.

*By Mr. Borden (Halifax):*

- Q. Mr. Kelly how old are you?—A. I am about 65.
- Q. About 65?—A. Yes, I am not giving my age; I don't know exactly my age, but I think about that age.
- Q. You are not a very strong man?—A. No, sir.

## Privileges and Elections Committee.

Q. And you have been sick in this way you speak of since you came down?—  
A. Oh, not so bad all the time, sir; I lost my rest coming down and I could not rest; I don't get good rest where I sleep, the noise of the cars annoys me, so I can't sleep and I got quite weak, sir, nervous and weak for the want of rest.

Q. Have you been taking medicine?—A. Yes, sir.

Q. For several days?—A. I have brought medicine from home, here is the medicine I brought.

Q. Now you felt this morning—was it this morning you saw the doctor?—A. Yes, sir, this morning.

Q. You felt weak and nervous?—A. Yes, sir, I felt weak and nervous.

Q. And you asked Mr Beck to take you to a doctor?—A. Yes, sir, that I would like to have—

Q. The advice of a doctor?—A. —the advice of a doctor and he said there was one up stairs and he took me up to the doctor.

Q. And the doctor talked with you about your health?—A. Yes.

Q. And as to whether you were fit to be examined, to give evidence?—A. That is what I wanted to know from him.

Q. That is what he talked to you about?—A. Yes, sir.

Q. And that is all the talk you had with the doctor this morning?—A. That all, sir, that I remember.

Q. Now you can read your Bible, and you do read your Bible you told me?—A. Yes, sir, I do read the Bible.

Q. Can you read this name here? (handing the witness a blank ballot.)—A. McLean.

Q. And can you read this one up here?—A. Holmes.

Q. And you marked your ballot, as I understand you, with a cross opposite the name of McLean?—A. Yes, I mean there (pointing to the disc.)

Q. There, on the right hand side?—A. Yes, sir.

Witness discharged.

JAMES CAMPBELL, No. , on the poll book, sworn.

*By Mr. Borden (Halifax):*

Q. Mr. Campbell, you reside in the township of Colborne?—A. Yes.

Q. Did you vote at the last Dominion election in February for the west riding of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll where you voted?—A. Mr. Donald Cummings.

Q. Did you receive a ballot paper from him?—A. Yes.

Q. For whom did you mark it?—A. Robert McLean.

Q. What kind of a mark did you put on it?—A. An "X."

Q. Did you notice any place opposite Mr. McLean's name for the purpose of marking your cross?—A. Yes, sir.

Q. What shape was it?—A. Round.

Q. What colour?—A. Black, as far as I can remember.

Q. You mean it was black on?—A. It was dark, I can't swear to the colour, you understand.

Q. What do you mean, was it black outside or in the place where you put your cross?—A. No, it was white where the cross was put, and surrounded with black.

Q. So it was a round white space surrounded with black?—A. Yes.

Q. And you made your cross where?—A. In the white space.

Q. What did you do with the ballot after you had marked and folded?—A. I handed it to Mr. Cummings.

Q. Did you hand back to him the same ballot which you had received from him?—A. Yes, sir, the same ballot.

Q. Did you observe what he did with it?—A. He tore a piece off the bottom part of it, folded it up and put it in the box, I think.

Q. Put what?—A. The ballot.

Q. Did you observe what he did with the piece he tore off?—A. Yes, sir, he put it in his pocket.

Q. And as far as you observed he put the ballot in the box?—A. Yes, sir.

*By Sir Louis Davies :*

Q. You stood right before him at the time?—A. No, I was sideways to him. He was sitting at the end of the table and I went alongside the table.

Q. Exactly, you were within two or three feet of him at the time?—A. I think so, no farther than that.

Q. You saw everything that was done clearly, you could see everything that was done clearly?—A. Oh, I suppose I did as far as I noticed.

Q. You had no doubt you saw him take the ballot and tear off the piece?—A. I think so.

Q. He put the pieces in his pocket?—A. Yes.

Q. He put the ballot in the ballot box?—A. As far as I know.

Q. That is as far as you know with regard to the whole proceedings?—A. That is as far as I know.

Q. And your knowledge was from eyesight, from what you saw at the time?—A. Yes.

Q. So far as your eyesight enables you to see, he put your ballot in the ballot box?—A. Yes.

Q. You have no doubt that unless your eyesight deceives you, that is what took place?—A. That is what took place.

Q. Have you been down with the witnesses on this long trip?—A. Yes, I have.

Q. Did you subscribe to this fund with the rest?—A. Which fund?

Q. Beck's fund, the boss man?—A. Have you reference to the present we made him?

Q. Yes, if you like to call it that?—A. Oh, yes, I subscribed to the fund which we got up to make him a present when we thought he was going home.

Q. Had he been talking to you and the other witnesses about the evidence?—A. I can't say what he has been doing to the others, but not to me.

Q. Not to you?—A. Not about my evidence.

Q. But about the others' evidence?—A. Well, to the ones who were sworn do you mean?

Q. Yes?—A. He might have mentioned some words, in fact, I have been asking some of them myself so that he might have mentioned it, although at the present time I can't recollect any one particular thing.

Q. But generally what was your desire to be informed upon?—A. I can't say at the present time.

Q. But I mean what was your curiosity about?—A. My curiosity was by hearing some say there was such terrible simple questions asked, and I was anxious to know what I might expect when my own time came.

Q. And you wanted Mr. Beck to tell you what they were?—A. I can't say I asked him, I might have.

Q. What were these simple questions about?—A. Some were with regard to this fund.

Q. Some in regard to this subscription fund to Beck which seem to have been very simple?—A. I didn't expect to have them brought up here.

Q. Yes, well what were the others talking about, about these declarations?—A. I can't say exactly what it was.

Q. That is a very simple question and I would like to have a simple answer. Was it about the declaration and McLean?—A. I may have asked.

Q. Would it be a simple question to ask about the declarations?—A. No, it would not be to ask about that. I can't swear whether it was or not about that.

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Q. Was there any talk about these declarations among the witnesses as to whether it was binding as an oath or not?—A. Oh, yes, that was talked about.

Q. What was talked about that?—A. Some said they were asked if they considered it was an oath, that was about what it amounted to.

Q. Did some witnesses say they had?—A. I did not hear any of them say they had. There was more than I talked about it. They said they considered it as an oath.

Q. All you heard talk about it said that, and if anybody said different from what they had stated in the certificate they would be guilty of perjury?—A. I didn't hear them say that.

Q. That would be the result wouldn't it?—A. I didn't hear that.

Q. Did you understand that to be so?—A. What.

Q. That if they made oath to what was not true they would be committing perjury?—A. Oh, I suppose they would.

Q. That's what you understood them to be talking about whether it was a declaration, or an oath, or what?—A. No. But that they had been asked by some gentleman did they consider it an oath, that is what I had reference to?

Q. You mean in the evidence that was given here?—A. Yes.

Q. Who were the witnesses you were talking to about that?—A. I can't say who they were.

Q. Was that one of the questions you thought were so simple?—A. Yes, I thought that when they were making an oath that it was an oath and some of you gentlemen was making out it wasn't an oath.

Q. Who told you that?—A. I can't say, there was so much talk, and there were so many there, lots of others would be talking besides our own people. We have been here a good while.

Q. What were they saying?—A. I can't say.

Q. About this declaration?—A. Some were saying it was an oath and others that it was not exactly an oath.

Q. Some were saying it was and others that it wasn't?—A. Some say it was not just exactly an oath and some said it was.

Q. And the witnesses were discussing among themselves whether it was or not?—A. I don't know that it was discussed or not.

Q. They talked over it?—A. They were asked here if they considered it an oath when they signed it?

Q. And so you went over what had been said in here more or less to find out what had been said?—A. I think—I suppose more or less we did some.

Q. And what is your own opinion on that matter whether it was an oath or not?—A. My opinion was that it was an oath.

Q. You never had any doubt about it?—A. I do not.

Q. And whatever was said there would be equivalent to an oath and no man would be justified in going back on that?—A. I would consider it was.

Q. Were you told it was an oath when you were asked to sign it?—A. No, I was not.

Q. Or were you told it was an affidavit?—A. No, I don't know.

Q. Were you sworn on the Bible or went through any form?—A. No, I was simply told it was a declaration.

Q. And nothing more?—A. No.

Q. Nothing else was said to you?—A. No.

Q. And you came to the conclusion it was equal to an oath?—A. Before signing it I considered it to be an oath, that if I signed it I would be signing an oath.

Q. You did?—A. Yes.

Q. From what you heard read?—A. Yes.

Q. Who read it to you?—A. Me and Johnston read it.

Q. When you went in to poll your vote on that occasion you can't remember whether the deputy returning officer signed his initials on the back of the paper or not?—A. Oh, yes. I saw him sign it on the paper he gave me.

Q. Do you remember whether it was with a pen or pencil?—A. No, I do not.

Q. You took the ballot paper away and marked it and brought it back and saw it put in the box?—A. Yes.

Q. And afterwards you saw McLean and signed this, which you thought to be equivalent to an oath?—A. Yes.

*By Mr. Britton :*

Q. You believed it was an oath you signed I suppose and told the witnesses just as you are telling us here that it was an oath?—A. That I considered it was.

Q. And I suppose you told them it would not do to go back on it?—A. No, sir.

Q. You did not tell them that?—A. No, sir.

Q. None of them?—A. No, sir.

Q. Nobody told you that?—A. No, sir, nobody.

Q. Saying that was the character of the document?—A. Not that I ever heard, either from outsiders or anybody.

Q. But you regarded it yourself as something that was binding?—A. Which was that?

Q. The declaration?—A. Certainly.

Q. And you had done no talking to the witnesses as to what they thought?—A. No, I didn't.

Q. Did others express the same opinion as yourself?—A. Yes, I heard some others who said it was an oath.

Q. And was it not in that connection the talk was going on between the witnesses, in the connection that it was an oath and they could not go back on it?—A. I never heard it said by anybody that it was binding and they could not go back on it.

Q. I can't understand how they would question that at all?—A. It was because some of you learned gentlemen thought it wasn't.

Q. And some of the gentlemen, their friends are as strong that it was?—A. I suppose some of them were of the opinion that it was an oath.

Q. And they were expressing their opinions strongly that it was?—A. Yes.

Q. And the only reason you can give for their talking about it is that they were surprised at questions being asked?—A. Certainly, that was it.

*By Mr. Borden :*

Q. That contribution that Sir Louis Davies calls a fund was how much?—A. That I can't really swear to.

Q. How much did you give yourself I mean?—A. Fifty cents.

Q. I think it was on the occasion when Mr. Beck was going home wasn't it?—A. Yes, sir, that was what I was told.

Q. And the witnesses wanted him to stay?—A. Well at the time I gave fifty cents I didn't know even that.

Q. You didn't know that?—A. Not even that he was going to stay. It was given as, I was asked to give towards a little token of our respect to Mr. Beck for the kindly manner in which he had treated us down here, not in liquor, but in showing us round in all the places that strangers would not have shown us and in introducing us to people he was acquainted with.

Q. Did you understand that it was got up without his knowledge.—A. Yes, Mr. McManus told us they were not going to let him be aware of it.

Q. Do you remember Mr. Holmes coming down to see you when you first arrived?—A. Yes, sir.

Q. Do you remember whether he extended any invitation to you to go around the city with him?—A. Oh, yes, sir, he asked us to go out with him.

Q. Where did he ask you to go?—A. To some park, I think. Well, I wouldn't be positive whether it was to the park or around the city he said.

Q. Do you remember his asking you to go with him and look at Eddy's mills?—A. Yes, sir, I do. Well, now, when I come to think, I do not think as he asked us to go out there; what he said was he would have liked, if I recollect right, to have taken us there, but we could not get through, and it would not be worth much when we could not get through it.

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Q. Yes, he would like to take you through?—A. So far as I remember, I think that is what the gentleman said.

Q. Do you know Mr. Cummings?—A. Yes, sir.

Q. Do you know whether he is a strong party man, a strong politician or not?—A. In my way of thinking, he is a strong party man.

Q. A pretty strong party man. Do you know much of his working in elections?—A. I do not know much of his workings. You would have reference to his canvassing.

Q. And attending meetings?—A. He is very good at attending meetings, but I do not know much about his canvassing.

Q. He did not canvass you?—A. Not me.

Q. Your politics are pretty well known, Mr. ——?—A. My politics are pretty well known there, ever since I was there and I don't want to be bothered about men asking me to vote for this man and the other.

Q. How far do you live from Mr. Cummings?—A. I should think not much more than four miles, perhaps. I am only guessing, but it is not a great distance at all events.

Q. I suppose you never played cards with him?—A. I would not like to swear that, for it is a long time since Cummings and I have been acquainted and we were both in the habit of playing cards and I might have played with him, although at the present time I do not remember.

*By Sir Louis Davies :*

Q. How many years would that be?—A. I say I do not remember.

Q. How many years have you known him?—A. I have been acquainted with him about 35 years.

Q. How many years since you played cards with him?—A. I do not remember when I played cards with him, but we were both in the habit of playing and all that, and we may have done it without my remembering it now.

Q. If you have, it would be a great many years ago?—A. Yes, a good many years ago.

Q. And Beck's valuable services were retained and he was not allowed to go home after this presentation was made?—A. So I understand.

Q. And he is here to the end? Sitting here now, watching every witness tell his evidence?—A. I cannot swear that.

*By Mr. Powell :*

Q. Did you see Mr. Cap. Sullivan in the constituency?—A. I cannot say that, I do not know the person at all. I do not know I ever saw him.

Q. Do you know Mr. Tarte?—A. No, sir. There was several parties up around in our county as were said to be boodlers but there names I never heard.

Q. You heard of a lot of boodlers being there?—A. Yes, but I do not know the names.

Q. Did you see Mr. Mulock there?—A. No, sir. There was a lot, but I do not know their names.

*By Sir Louis Davies :*

Q. Did you see Mr. Powell?—A. Not that I recollect, but I think I would know that face if I had seen it.

*Mr. Powell :—* A pretty good looking face.

Witness discharged.

JOHN F. McEVoy recalled.

*By Mr. Borden :*

Q. Where have you been staying since you have been in Ottawa, Mr. McEvoy ?

—A. At the Brunswick House.

Q. Did you see Mr. Beck taking the old man up stairs this morning, to Dr. Sproule's room?—A. No, sir, I did not.

Q. You didn't see that?—A. No, sir.

Q. You didn't come up and give information about it?—A. Sir.

Q. You didn't come up and give information about it?—A. No, sir, I didn't. I didn't see him.

Q. Where were the Liberal politicians staying at the town of Goderich ? At what hotel?—A. The British.

Q. The British hotel. Did you go there to see any of them?—A. No, sir, I didn't go there to see any of them.

Q. Were you there?—A. Yes, I have been around the hotel.

Q. Are you in the habit of going around the hotel?—A. I am in the habit of going around there at any time.

Q. You are in the habit of going around there at any time?—A. Yes, sir.

Q. In the habit of going there every day?—A. Well, I suppose I am there every day; passing, I drop in and read the papers, or something like that.

Q. That is what you were doing in this case, was it?—A. Yes, sir, I was dropping into the hotel.

Q. Anything else?—A. I might meet a stranger there.

Q. You might meet a stranger?—A. I might meet a stranger and speak a few words—a remark perhaps.

Q. Do you know where Mr. Tarte and Mr. Mulock were staying when they were in Goderich?—A. I do not know where Mr. Mulock stayed. I think Mr. Tarte stayed at the British.

Q. You do not know where Mr. Mulock stayed?—A. No. I never seen him there, but I think he did.

Q. You read some evidence before you came down here, I believe you told us the other day?—A. I seen it in the paper.

Q. Not otherwise than in the paper?—A. No, sir.

Q. You didn't see it otherwise than in the paper. Whose did you read?—A. I cannot say whose now.

Q. You cannot say whose now. You have no recollection at all?—A. No, sir, I haven't.

Q. Not the slightest?—A. No, sir.

Q. How long did Chisholm act as scrutineer on election day after you arrived?—A. He didn't act as scrutineer at all while I was there.

Q. He did not? How long did Lawson act as scrutineer on election day after you arrived?—A. He was there all the time I was there with the exception of dinner time. I think he went to his dinner.

Q. Yes. How long was Dancy acting as scrutineer while you were there?—A. The only time I—I do not know as Dancy was acting at all as scrutineer while I was there.

Q. You don't know that he was?—A. No, I don't think he was.

Q. Didn't you say that some objection had been made to him while you were there? As far as your recollection was concerned?—A. Yes, I did.

Q. Well, what objection could have been made to him if he was not acting as scrutineer?—A. I do not know if he was acting as scrutineer or not. He simply came in when the objection was made to him.

Q. What did the objection consist of?—A. The words I heard,—I took it as a joke first when he came in. I understood McManus say to him "What do you do here" or "What business have you here" or something to that effect, and Dancy told him it was none of his business or something like that.

Q. Was Dancy a voter at that polling division?—A. Not that I know of.

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Q. What business had he there except as scrutineer?—A. I do not know, none I suppose.

Q. Can you suggest any business that he had there except as scrutineer?—A. No, sir, I can't.

Q. What did you understand he was in there for?—A. He was not acting as scrutineer when I was there.

Q. Be good enough to answer my question. You know I didn't ask you that. Why did you understand that he was going in there when he was not a voter unless you understood he was acting as scrutineer?—A. He wasn't inside any time at all while I was there.

Q. He was inside no time at all?—A. No, he was outside.

Q. He was outside?—A. Yes.

Q. How many times was he in?—A. I cannot say. It may have been two or three times.

Q. How long did he stay on each occasion?—A. I do not know but not longer than ten minutes.

Q. On each occasion?—A. That is the longest time.

Q. What was he doing while he was in there?—A. Copying some names off my book, or Lawson's, to see who had voted, I think.

Q. Did he copy the names off your book and Lawson's both?—A. I think there was just the one book.

Q. Which one was it?—A. I cannot swear which one.

Q. You swear that he copied from your books, copied information from your books as to what voters had voted?—A. He just asked to see the books, or something to that effect.

Q. You understand that was the object of looking at the books?—A. I suppose that was it.

Q. You have no doubt?—A. I have not. I can say I have no doubt about it.

Q. Can you suggest any other object he would have in looking at your books?—A. No, sir, I cannot.

Q. You say he came in about three times?—A. To the best of my knowledge he did.

Q. Yes. He had not produced any authority as scrutineer to your knowledge up to the time that you left?—A. I didn't see any.

Q. When you left at 3 o'clock, what arrangement was made as to relieving you?—A. I think Mr. Lawson. I think there was only the one book and I think I gave it to Lawson. I would not swear positively.

Q. Where was Dancy when you left?—A. Standing on the road, talking to somebody.

Q. What kind of work was he doing outside?—A. I do not know.

Q. What did you understand?—A. I understood he was seeing that voters got in.

Q. What time of day did he come in first?—A. Some time before dinner.

Q. How many times was he in before dinner?—A. I do not remember seeing him more than once before dinner.

Q. And twice after?—A. Yes, I think so.

Q. You didn't understand it was an improper thing for him to come in and get information from you as to who had voted?—A. I did not.

Q. You didn't understand that?—A. No, sir.

Q. You don't seem to have understood your duty?—A. Well, I was green. I did not understand I suppose, you might call it. I was not very well posted. I was green.

Q. Did you think Dancy was a green man?—A. I did not know anything at all about Dancy.

Q. He is a lawyer, isn't he?—A. I think so.

Q. You know he is?—A. As far as I know.

Q. How long have you been living in Goderich?—A. All my life.

Q. How long as he been there?—A. Four or five years, I guess. I do not remember him any further back than that.

Q. He has been practising in the courts there to your knowledge?—A. Yes, sir.

- Q. You have been talking with Mr. Holmes since you were here in Ottawa?—  
 A. Yes; yes, I spoke with him.  
 Q. About this investigation?—A. No, sir.  
 Q. Not a word?—A. I asked him how they were getting along and when we would get home, but not about the evidence.  
 Q. To McGillicuddy? Were you talking to him?—A. Yes, to Mr. McGillicuddy, but not about the evidence.  
 Q. Not about the evidence?—A. No.  
 Q. I have not asked you about that; have you?—A. I saw them there together.  
 Q. Talking to Mr. Smith?—A. I only seen him once.  
 Q. Where?—In the hall.  
 Q. Out there?—A. No, in the hall below this.  
 Q. Mr. Alexander Smith?—A. Yes.  
 Q. And Mr. Grant?—A. Yes, I think Mr. Grant was with Mr. Smith.  
 Q. Mr. Grant is the organizer and Mr. Smith the secretary, as far as you know?  
 —A. I don't know what Mr. Grant is, and I would not swear Mr. Smith is secretary.  
 Q. What do you know?—A. I know he is the secretary.  
 Q. I didn't say he was secretary—Grant I refer to. I beg your pardon, it is my mistake, McEvoy. Were you at a meeting at Dungannon, held in the Liberal interests?—A. No, sir, I wasn't there.  
 Q. At Dungannon?—A. No, sir, I don't remember being there. I will swear, to the best of my knowledge  
 Q. Where was the meeting, McEvoy, at which the Glee Club sang?—A. They were at Kintail.  
 Q. Who were the speakers there?—A. I think the Hon. Chas. Fitzpatrick.  
 Q. And who else?—A. M. G. Cameron.  
 Q. Who else?—A. Mr. Holmes.  
 Q. Is that all?—A. Mr. McCallum and Mr. L. V. McBrady.  
 Q. Were you at any meeting at which Mr. Mulock and Mr. Tarte spoke?—A. No, sir, I was not.  
 Q. You don't know of your own knowledge whether they spoke in the town of Goderich?—A. Well, to the best of my knowledge, Mr. Tarte and Mr. Paterson spoke in Goderich.  
 Q. Were you at any meeting at which either Mr. Mulock or Mr. Tarte spoke?—  
 A. I was at the meeting at which Mr. Tarte spoke for a few minutes.  
 Q. Where was that?—A. Opera House, Goderich.

*By Mr. Bergeron :*

- Q. What was the number of the poll where you were acting?—A. Four.  
 Q. Where is the poll in which you should have voted?—A. I vote at No. 4, Goderich.  
 Q. Was that the poll at which you had to give your vote?—A. Yes, sir.  
 Q. Where was the poll at which Mr. Dancy voted?—A. Mr. Dancy votes in No.—I don't know the number; it must be five or six, I am not certain.  
 Q. As a matter of fact do you know if he votes in No. 4?—A. I am almost positive he does not.  
 Q. Do you know if he voted there that day?—A. He may have voted, but I don't know.  
 Q. He didn't vote with you?—A. No.  
 Q. As a matter of fact he does not belong to that poll?—A. Well, not that I know of.

*By Mr. Borden (Halifax) :*

- Q. Were there two meetings at which the Glee Club sang?—A. Yes, sir, I think there was more.  
 Q. I mean at which you were present?—A. Oh, I think Kintail was the only place at which I was present when the Glee Club was there.

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*By Mr. Powell :*

Q. During the time you were acting as agent for Mr. Holmes that day were you out of the poll at all?—A. Well, I think I was at the door a couple of times.

Q. You were out at the door a couple of times?—A. Yes, and I think I was at dinner.

Q. While at the door did you go to see any person?—A. No.

Q. Do swear that?—A. Not that I remember of.

Q. Were there any officers in the interest of Holmes about the door that day?  
—A. I didn't see any.

Q. You don't know of any being there?—A. No.

*By Mr. Bennett:*

Q. Was there any treating done at Kintail after the meeting that evening in your presence?

Sir Louis Davies thought this was going outside the bounds of the inquiry, as not being evidence regarding officials.

Witness discharged.

JOHN LAWSON recalled.

*By the Chairman:*

Q. You have been sworn, Mr. Lawson?—A. Yes, sir, I was sworn before.

No member of the committee wished to ask the witness any further questions and he was discharged.

MICHAEL TOBIN recalled.

*By the Chairman :*

Q. You have already been sworn, Mr. Tobin?—A. Yes, sir.

*By Mr. Borden (Halifax) :*

Q. You told us that you received from Dancy some time during election day a paper signed by Mr. Holmes appointing him scrutineer, you remember that?—A. I think it was Mr. Holmes.

Q. You think it was Mr. Holmes?—A. I am not sure of the signature now because I didn't look closely at it.

Q. I want you to tell me as definitely as you can about what hour in the day that was received by you?—A. Well, to the best of my judgment I should think it must have been between two and three.

Q. Between two and three o'clock?—A. Yes, sir.

Q. Was it before McEvoy had gone away, he said he went about three, at three I think.—A. Well, I am not sure of that.

Q. Not sure?—A. No, sir.

Q. It was between two and three as far as you can remember?—A. Yes, sir, it might have been a few minutes before or a few minutes after three; I didn't look at the time, but according to the time I went to dinner, I should think so.

Q. Where was the deputy returning officer?—A. Sitting at the table.

Q. Did Dancy say anything?—A. He handed it to me.

Q. Was that all?—A. And told me to put it in the poll book.

Q. I want to ask you two questions, the first is why you didn't produce that document to the deputy returning officer who was the man in charge of the proceedings?—A. I didn't think it was necessary.

Q. In the second place why did you understand that Mr. Dancy had any authority to direct you as to where you should put that?—A. Well, sir, I thought it would be all right, never thought anything could be wrong about it.

Q. Well, what had Dancy to do with putting it in the poll book or anywhere else?—A. I don't know.

Q. Just did what he told you?—A. Yes, sir, never thinking anything was wrong.

Q. Did you understand what the paper that he was giving you was?—A. I understood it to be a statement or certificate or something authorizing him to act for Mr. Holmes.

Q. And after receiving that you understood he was acting as scrutineer for Mr. Holmes?—A. Yes, sir.

Q. Had you seen him in the poll booth before that?—A. Yes.

Q. Was he an elector at that booth?—A. No, sir.

Q. What did you understand he was doing there in the poll booth before that?—A. I just thought he came out there.

Q. What business had he in there if he was not a scrutineer or elector?—A. I could not say.

Q. You don't know if he did any canvassing?—A. No, sir, I thought he must have been scrutineer or something to do with it.

Q. He hadn't produced his paper?—A. No, sir.

Q. You understood scrutineers were to come in without proper authority?—A. Well, sir, it was the first time I had anything to do with it, and I wasn't very well posted on it.

Q. Did Mr. Cummings see him in there during the day?—A. I should think so.

Q. Mr. Cummings had a list of voters before him, a list of electors?—A. No, sir, I had the list.

Q. You had a list and he hadn't?—A. Yes, sir.

Q. Well, you knew well enough Dancy was not an elector?—A. Yes, sir.

Q. I suppose that was generally known?—A. Yes, sir.

Q. How many times did he come in before McEvoy went?—A. I could not say, sir.

Q. Can't say?—A. No, sir.

Q. Well, one or more times?—A. Well, I think he was in pretty much all the time.

Q. After McEvoy left?—A. Yes, but he was in the rest of the time.

Q. His business outside was getting electors up to vote?—A. That is what I thought.

Q. Do you say that you didn't put this authority which Dancy produced in the envelope with the other authorities?—A. I think, sir, I forgot.

Q. You think you forgot?—A. Yes, I don't remember anything more till I heard of it being here.

Q. You did not intend to leave it out?—A. No, sir, we were in a hurry to close up.

*By Sir Louis Davies :*

Q. There were quite a number of people there besides Dancy all day, quite a number?—A. Yes, sir.

*By Mr. Borden (Halifax) :*

Q. People who were not electors?—A. There might have been one or two.

Q. Can you name any?—A. Yes, sir.

Q. Who was in the room?—A. A young fellow, Frank Allan.

Q. What was he doing there?—A. He came in for a few minutes and went out.

Q. Was he doing any political work outside?—A. I don't know.

## Privileges and Elections Committee.

Q. But you did understand Dancy was doing political work outside?—A. Well, sir, I could not say that either.

Q. Didn't you believe it at the time?—Well, I thought so.

*By Mr. Powell:*

Q. Now, Mr. Tobin, there looms up here another gentleman that wasn't spoken of before, James Chisholm?—A. Yes, sir, he was.

Q. Was he sworn?—A. He signed that the same as the rest of them.

Q. But was he sworn?—A. He signed the same as the rest.

Q. Answer my question, was he sworn?—A. No, sir.

Q. Another thing I will call your attention to, here is a statement made out on page 26 of this; just please look at that (the poll book for No. 4 division)?

—A. Yes, sir.

Q. Now, look at Mr. Cummings' signature?—A. Yes, sir.

Q. Did he swear to that before you?—A. He simply signed it.

Q. Did he swear to that before you?—A. He did not, sir.

Q. But you see where you have sworn he did swear to it before you?—A. Yes.

Q. Do you think that you were, as an officer appointed by law to conduct the election?—A. I did, sir.

Q. — justified to falsify that way?

Sir Louis Davis objected.

Q. This certificate of yours is false. That is this certificate?—A. According, that is without swearing.

Q. You needn't mind about according to anything. I ask you if this certificate of yours is not false?—A. It must be according to that.

Q. Not as a matter of inference, but is it false or true?—A. I understood when it was signed, it was the same as an oath.

Q. You understood?—A. Yes, sir, at least that is what I thought.

Q. Well, now, take this lower one, don't you know what "being sworn" means, or "being affirmed"?—A. Yes, sir.

Q. And you know what the taking of an oath means?—A. Yes, sir.

Q. What does it mean?—A. To be sworn.

Q. Just tell us what being sworn means. You take an oath on the Bible, do you?—A. Yes, sir.

Q. And what does "affirm" mean?—A. I cannot exactly explain the word.

Q. You can't explain it. So that as far as this certificate goes, you certify it was sworn to before you, and yet you tell us you understood the terms "sworn to" means to take an oath upon the Bible, and with a full knowledge of that fact, you append that signature there to the certificate, that that man swore to that before. Now, sir, can you make answer to that?—A. Yes, sir.

Q. Then when you subscribe your name to that certificate you knowingly subscribed your name to what you know is untrue?—A. No, sir.

Q. Did you not know then what to be sworn meant?—A. I understand that to "affirm" was an oath.

Q. Did you not understand at that time what the word "sworn" meant?—A. Yes, sir.

Q. You know it meant taking your oath on the Bible?—A. Yes, sir.

Q. You always know that?—A. Yes, sir.

Q. You know it for yourself?—A. Yes, sir.

Q. Look here, "sworn to before me", that means the man took the oath on the Bible before you?—A. Yes, sir, I see.

Q. At that time, when you put your signature to that certificate did you knowingly put your signature to what you thought to be untrue?—A. No, sir.

Q. Can you explain that away?—A. I understood, I thought it was the same as an oath. I didn't think it was necessary in a case like that to take an oath on the Bible, if I had I would have seen that it was done.

Q. Another thing—Dancy was there, Mr. Tobin, acting as agent part of the time?—A. Yes, sir.

Q. When Mr. Dancy was there, did he come to consult your register here of the people who had voted?—A. He had a look at my book two or three times.

Q. He looked at it?—A. Yes, sir.

Q. You allowed him to make any memoranda he wished from it?—A. As long as he didn't make any marks on the book.

Q. You allowed him to make memoranda?—A. Yes, sir.

Q. And you did not know that in doing that you were violating the law?—A. No, sir.

Q. If it is necessary for you to be sworn or to make an affirmation before you acted as poll clerk, the law was not complied with?—A. I thought it was when I signed it.

Q. You took no oath or made an affirmation?—A. No, I simply signed it.

Q. Neither one of the agents took an oath or made affirmation as provided by law to do?—A. No, sir.

Q. After the matter was closed up, you did not administer an oath as the law required you to do to Mr. Cummings or take an oath yourself?—A. No, sir.

*By Sir Louis Davies :*

Q. Whether you took a formal oath on that occasion or not, I asked you if you will swear if everything was done in order as far as you know, there?—A. Yes, sir.

Q. Was there any wrong-doing committed at that poll that you know of, of any kind or description?—A. No, sir.

*By Mr. McAlister :*

Q. Did you ever take an oath before?—A. No, sir.

Q. You never did?—A. No.

Q. You never swore on a Bible before you took the oath here?—A. Well, I have, I belonged to the volunteers.

Q. You belonged to the volunteers?—A. Yes, sir.

Q. And you know that in order to take an oath you had to be sworn on the Bible?—A. I did it there.

Q. How was it that it didn't occur to you that it was necessary to do so here?—A. I simply thought this form was sufficient.

Witness discharged.

HERBERT MORRIS called and sworn.

*By Mr. Powell :*

Q. I will put in the poll book for No. 2 Division, Colborne, marked Exhibit 13. Mr. Morris, you acted as poll clerk, I believe?—A. Yes, sir.

Q. Or deputy returning officer?—A. Yes, deputy returning officer.

Q. That is for district No. 2, Township of Colborne?—A. Yes.

Q. Were you sworn? Did you take an oath of office before commencing?—A. No, sir, I just signed the paper in the poll book.

Q. You just signed the paper and no one witnessed it?—A. No, sir.

Q. You are positive, Mr. Morris, that you did not take an oath of office?—A. No, sir, I thought signing the book was the same.

Q. Just look at that first page. Do you see the scrutineer subscribed to the oath? That is your signature, is it not?—A. Yes, sir.

Q. Herbert Morris?—A. Yes, sir.

## Privileges and Elections Committee.

Q. You thought 'merely signing of it was taking the oath?—A. I thought it was equivalent to it.

Q. That is, that it might have the same force and effect?—A. Yes.

Q. But you knew well enough that it wasn't an oath?—A. Well, Mr. Sands told me it wasn't necessary.

Q. Oh, Mr. Sands told you. I wish you to be particular about that. Are you sure Mr. Sands told you it was not necessary to swear them?—A. That it wasn't necessary, to sign them, he told me to sign my name. That's all he told me to do.

Q. And you said a moment ago he told you nothing further was necessary?—A. I wouldn't positively say that he did.

Q. Or words to that effect?—A. It runs in my mind that he said something like that.

Q. That is your recollection. And that is the signature at the foot of the page of Mr. Sands?—A. Yes, sir.

Q. He is returning officer for the county?—A. Yes, sir.

Q. Now, let us understand it. Mr. Sands, the returning officer of the county, personally had you before him, got you to subscribe to the oath and never administered the oath to you. That is correct, isn't it?—A. Yes, sir, if I understand it.

Q. At that particular time the returning officer, Mr. Sands, gave you this polling book, did he not?—A. Yes, sir.

Q. He also gave you directions as to the mode of conducting the election, didn't he?—A. Yes, sir.

Q. And gave you the paper with directions in it?—A. Yes, sir.

Q. And that paper contained your duty?—A. Yes, sir.

Q. Did you read it?—A. I read all I had time for.

Q. You didn't read the whole of it?—A. There were parts of it I did not read.

Q. Did it not strike you a little peculiar that you were exercising a public trust, when conducting the election, and you didn't read over the paper of instruction?—A. You mean this law book?

Q. No, beside the law book, wasn't there a sheet of instruction?—A. I read the sheet. I understood you meant the book.

Q. Now, after you got the poll book, we will not trouble you any further until the election on the morning you went to the poll?—A. Yes, sir.

Q. Opened the poll?—A. Yes, sir.

Q. And say you had some agents before you? You had Herbert Robertson, agent for Robert Holmes?—A. Yes, sir.

Q. He subscribed a declaration, didn't he?—A. Yes, sir.

Q. That is on page 4. I will just read that:

"I, the undersigned Herbert Robertson, agent for (or) elector representing Robert Holmes, one of the candidates at the election now pending for the electoral district of West Huron, Colborne township, solemnly swear (or) affirm that I will keep secret the names of the candidates for whom any of the voters at the polling station in the polling district No. 2 marks his ballot paper in my presence at this election. So help me God.

"HERBERT ROBERTSON.

"Sworn (or) affirmed before me, at Saltford, this 21st day of February, 1899.

"HERBERT MORRIS,  
"Deputy Returning Officer."

That oath never was administered to him?—A. Yes, sir.

Q. Eh?—A. Yes, sir.

Q. Did he swear it on the Bible?—A. Yes, sir.

Q. You had a Bible there?—A. Yes, sir.

Q. And you swore him?—A. Yes, sir.

Q. Afterwards about Benjamin Dodd. Was he sworn?—A. Yes, sir.

Q. On the Bible?—A. Yes, sir.

Q. I have a third. Mr. P. J. McEwen, agent for Robert McLean. He was sworn, was he?—A. Yes, sir.

Q. And also William Symmonds, he was sworn, was he not?—A. Yes, sir.

Q. Was your poll clerk sworn too?—A. No, sir.

Q. He was not? Why did you not swear him?—A. I took him to be an honest enough man who didn't need to be sworn. He signed a declaration at my house a night or two before the poll.

Q. It never was sworn to?—A. No, sir, he just signed his name.

Q. You knew at the time that it was rather a neglect of duty, didn't you?—A. I can't hardly say I did, all the more since they didn't swear me.

Q. Now, mark you, you yourself knew that your oath of office—had you deemed it your duty to see that the election law was carried out and the election law observed, and well knowing that was your duty, you did not swear these men? What answer do you say to that? You did not swear him, knowing it was your duty to have sworn him?—A. It was my duty to swear him or affirm.

Q. And you neglected your duty?—A. I suppose I did.

Q. Knowingly?—A. In that particular.

Q. In that particular?—A. Yes.

Q. People came in to vote on that occasion, and this is a list of the voters. Is it not? Pages 8, 9, 10, I think, and page 11 (Exhibit 13)?—A. Yes, sir.

Q. How many people voted?—A. Eighty-seven.

Q. Eighty-seven voted altogether? Yes. Now be good enough to turn back to your analysis of the vote at the back of the book where you certify to the number of ballots you receive, the number you return, the number for Holmes, the number for McLean and the number of spoiled ballots?—A. Thirty-eight.

Q. Thirty-eight what?—A. Thirty-eight votes spoiled.

Q. Thirty-eight for whom?—A. Thirty-eight for both of them.

Q. You must be mistaken. Look carefully?—A. Holmes 37, McLean 49, and 1 rejected.

Q. Now look again, and see how many ballots you got from the returning officer in the first place?—A. One hundred and twenty-five.

Q. One hundred and twenty-five from him. Did you count them?—A. Yes, sir.

Q. You made sure you were correct?—A. Yes, sir.

Q. And you had 125 to account for. How do you account for them, 49 for Mr. McLean?—A. Yes, sir.

Q. Thirty-seven for Holmes?—A. Yes, sir.

Q. And one rejected ballot?—A. One rejected.

Q. And how many returned? It is right on the face of your document there. thirty-eight, is it not?—A. Thirty-eight.

Q. And that accounts exactly for the ballots you received?—A. Yes, sir.

Q. Now, Mr. Morris, this is the list or the remains of the package of ballots you received from the returning officer, is it not?—A. Yes, sir.

Q. Just look at the memorandum. What memorandum is on it?—A. No. 2, Colborne.

Q. No. 2, Colborne?—A. No. 2, Colborne, 125.

Q. That means that there were 125 ballots in that package?—A. Yes, sir.

Q. Now just look at these ballots as I pass them over. When I am showing the ballots from the package returned "Robert Holmes" just look at the back. These are your initials, are they not?—A. Yes, sir.

Q. These are your initials?—A. Yes, sir.

Q. These are your initials?—A. Yes, sir.

Q. And those?—A. Yes, sir.

Q. And those are not, are they?—A. No, sir.

Q. These are not yours, are they?—A. No, sir.

## Privileges and Elections Committee.

Q. Now, just give me back that one. Mark this ballot, please, Mr. Chairman, it will be No. 14.

(Ballot filed and marked Exhibit 14.)

Q. Now, if you will, hastily—you are positive that is not your signature on this? No; not on this. That is clear?—A. Yes.

Q. Now, look at the others, and see if they are not all yours? They are all yours, are they not?—A. Yes, sir, I believe they are.

Q. Now, Mr. Morris, all of the remaining thirty-six, all of the remaining thirty-six cast for Mr. Holmes have your initials in your own handwriting on the back?—A. Yes, sir.

Q. And you feel certain that these thirty-six ballots, that is the ballots cast here for Mr. Holmes, that these thirty-six ballots were given by you to voters?—A. Yes, sir.

Q. You feel certain of that?—A. Yes, sir.

Q. Did you take any precaution, Mr. Morris, to see whether the voters gave you back the identical ballots you had given them?—A. Yes, sir.

Q. Did you number them on the margin?—A. On the counterfoil?

Q. Yes.—A. Yes, sir; I numbered what I tore off. There was part of the counterfoil I didn't tear off.

Q. Part of the counterfoil you didn't tear off. Now, let me understand you perfectly. Where did you put your number?—A. Well, no particular place on the counterfoil, only on the back.

Q. Did you tear off with the ballot, when you tore the ballot off, the portion of the counterfoil that had the number on?—A. Yes, sir.

Q. Yes. Then, when the ballot was torn off that bundle or package, torn from the bunch, it would have upon it in some place on the counterfoil a number corresponding to the number of the voter who was voting. That is correct, is it not?—A. I didn't number them as the voter came in. I didn't put any particular number on.

Q. You didn't?—A. No, sir.

Q. How you astonish me, Mr. Morris. If a man was the hundredth voter, didn't you put 100 on the counterfoil?—A. No, sir.

Q. Didn't you know it was your duty to do so?—A. No, sir.

*By Mr. Britton:*

Q. It was not his duty?—A. As I read the law over, I did not understand it to be my duty.

Q. You didn't?—A. No, sir.

Q. As you read the law?—A. Yes.

Q. What number did you understand it was necessary for you to put on the counterfoil?—A. Any particular mark at all so I would know that ballot when it came back.

Q. Where did you get that idea?—A. In the by-law.

Q. Would you please to show it to us?—(No answer.)

*By Mr. Borden:*

Q. That part that is underlined there, I think. Perhaps you had better read it?—A. "He shall receive from the deputy returning officer a ballot paper on the back of which such deputy returning officer has previously placed his initials, so placed that when the ballot is folded, they can be seen without opening it; and on the counterfoil to which he has placed a number corresponding to that placed opposite the voters' name in the poll book."

*By Mr. Powell:*

Q. Now, Mr. Morris, you did not comply with the law in putting the number entered in the poll book against the voter's name upon the counterfoil of the ballot. You didn't do that?—A. I didn't do that.

Q. That is all right. And don't you know that the requirement of the law is that you shall identify the number of the ballot with the ballot of the man who is voting. Is not that the object of it?—A. I thought that you only had to put a mark on the counterfoil so that when that ballot came back and you saw the same mark on it, it would be the same ballot.

Q. And you did this, did you?—A. Yes, sir.

Q. You put some particular mark so that you identified the particular ballot when the voter got it?—A. Yes.

Q. You did that?—A. Yes, sir.

Q. And did that every time?—A. Yes, sir.

Q. Now sir, I take a ballot from the rejected ballots, I will ask you to look at that ballot, sir, are your initials forged on the back of that, also?—A. Yes, sir.

Q. Your initials are forged on the back of that ballot, and that is the reason, Mr. Morris, that you rejected that ballot, because your initials were forged on it?—A. Yes.

Q. Which one of the scrutineers called your attention to the ballot?—A. None of them.

Q. None of the scrutineers called attention to it?—A. I saw it myself.

Q. Will you swear positively that none of them called your attention to this?—A. Not before I rejected it.

(The ballot was put in as Exhibit 14-2.)

Q. Now, Mr. Morris if as you swear positively you put a mark upon each ballot so that you could identify it as the ballot you had given a particular voter how does it come, sir, that you passed this particular ballot through your hands?—A. Well, I cannot understand how I did.

Q. You cannot understand how you passed this particular ballot through your hands; you have no explanation to give of that?—A. No, sir.

Q. And notwithstanding the fact you said you had particular marks on the counterfoil so you could identify the ballots you gave the voter as you put them in the box there were two cases where ballots were passed into the box which were bogus ballots, forged ballots?—A. I would not swear they were passed into the box.

Q. You would not swear they were passed into the box?—A. No, sir.

Q. Didn't you take them out of the box?—A. No, sir, I don't swear to it.

Q. Didn't you tell me you took that ballot out of the box, saw it was forged and refused to count it?—A. I would like to make an explanation.

Q. Answer my question, and go on with the explanation?—A. I didn't say I took it out of the box, I told you that I rejected it before any of the other scrutineers saw it.

Q. Now, that is your explanation?—A. That is not the explanation. I emptied the ballots out after the poll was closed, on to the table, and the four scrutineers and me were helping to unfold them and put them in piles for these gentlemen, and I went over them and looked at the initials and that was the only one I saw; it had my initials on.

Q. Now your explanation may be satisfactory to you, but not to me. I ask you if this forged ballot did not get into the box; the fact you saw another—and afterwards you give as explanation that you turned this one ballot out of the box and counted it?—A. No, sir.

Q. As a matter of fact, Mr. Morris, both these forged ballots got into the box?—A. They may have.

Q. They may have, but don't you know, sir?—A. I am not sure, sir, they did.

Q. Are you not absolutely sure of the one rejected?—A. I cannot positively swear it had been in the box.

Q. If you are not positively sure, look at this; see how many voters voted, go back to the record there, 87 people have voted, haven't they?—A. Yes.

Q. Now, if you count the rejected ballot, these 49 for Maclean, and 37 that are given for Mr. Holmes, and these make the number 87, don't they?—A. Yes, sir.

Q. Now, how could you explain it?—A. They may possibly have been changed while we were unfolding them and laying them in the pile.

Q. They might have at that particular time?—A. Yes.

## Privileges and Elections Committee.

Q. Who were there?—A. The four scrutineers and the poli clerk.

Q. The four scrutineers and the poll clerk and yourself; any others?—A. A constable who was standing back.

Q. A constable who was standing back?—A. Yes, sir.

Q. That is all?—A. Yes, sir.

Q. Now, sir, another thing that I am going to call your attention to, will you look at these ballots for Mr. Holmes, these 36, and then look at this one and see if your eyes are keen enough to see any difference, any clear difference between these two different series of ballots?—A. A little more ink on them than there is on some of these.

Q. Is that the only difference, I don't think that is the only difference, look again, would you glance your eye to the right hand corner of the forged ballots, do you see any mark on the right hand, do you see any mark between the disc and the edge?—A. No, sir.

Q. Now take the others, what do you find there?—A. A white mark.

Q. Now look through and see if that white mark is not on every ballot for Mr. Holmes cast of the remaining 36?—(The witness went through the ballots.)

Q. Each one of these 36 remaining ballots marked for Mr. Holmes has a diagonal mark across the right hand corner?—A. Yes, sir.

Q. Now would you look at the returned ballots and see if that identical mark is not on every ballot of the unused ballots?—A. Yes, sir.

Q. Would you please look over those that are cast for Mr. McLean and see if each one of those ballots has not got exactly the same mark, a white streak diagonally across the right hand upper corner?—A. I don't see any but what has.

Q. Now, sir, don't you see all those cast for McLean have that mark in the upper right hand corner?—A. Yes, sir.

Q. Then Mr. Morris from looking at the ballots you detect two fraudulent ballots, two forged ballots, don't you?—(No answer.)

Q. I am asking now, you have detected two forged ballots?—A. Yes, sir.

Q. And these ballots are marked for Holmes?—A. Yes, sir.

Q. Both forged; they are a different kind of ballot so far as the marks on them are concerned from all the others received from the returning officer?—A. Yes, sir.

Q. Are they ballots which were given by you to the voters or not?—A. No, sir.

Q. You gave out how many ballots you say to voters altogether?—A. Eighty-seven.

Q. And you received how many back of these votes?—A. Eighty-seven

Q. How many of these did you receive back?—A. Eighty-five.

Q. Eighty-five?—A. Yes, sir.

Q. Now sir, have you had anything to do with elections?—A. Never before.

Q. Now have you not heard of a trick to get a genuine ballot with your initials out of the booth unknown?—A. Not before the election.

Q. You have not heard of this trick before the election?—A. No.

Q. But since?—A. Yes.

Q. You understand one of the tricks of an election is to get a genuine ballot marked by the deputy returning officer?—A. Yes.

Q. And then that ballot is taken outside the booth, is it not?—A. That is what I have heard.

Q. It is marked outside?—A. Yes, sir.

Q. And given to a voter going in?—A. Yes, sir.

Q. And he takes that ballot in?—A. Yes, sir.

Q. And has it deposited?—A. Yes, sir.

Q. And brings out to the conspirator he is working with a ballot to repeat the operation marked with the initials of the deputy returning officer?—A. Yes.

Q. Have you any doubt, sir, but what that trick has been played on you?—A. I have some.

Q. You are about satisfied that the trick has been played on you?—A. Well, I am not positively sure it was played on me.

Q. Oh, you could not be positively sure, it is only a matter of inference, but you believe it?—A. I have my doubts about it.

Q. Now, sir, if that trick was played it must have been by one of Mr. Holmes' men, they are cast for Mr. Holmes?—A. I don't see but what it might have been one of the others.

Q. You think it might have been one of the other side?—A. The other men might have played it.

Q. Do you remember anything about the election preceding that in the Garrow-Beck election?—A. I don't remember much.

Q. Don't you remember that there was a very large majority cast for Mr. Beck at that election?—A. I don't remember the majority.

*By Mr. Borden (Halifax):*

Q. You suggest that these ballots might have been substituted when you took them out of the box, do you?—A. Yes.

Q. These two forged ballots, is that what you suggest?—A. They might have been.

Q. Do you know how many ballots you took out of the box?—A. No, sir, I didn't count them.

Q. Who do you suspect of substituting them?—A. I would likely suppose it would be one of the scrutineers.

Q. One of the scrutineers for Holmes?—A. For Mr. McLean.

Q. That is, he would mark ballots for Mr. Holmes and put them in place of ballots marked for Mr. McLean. Is that what you mean?—A. He might have taken out ballots marked for Mr. Holmes, for all I know.

Q. And put in ballots for Mr. Holmes?—A. Yes, they wouldn't be counted.

Q. Which one of the scrutineers do you suspect?—A. I do not know. I would not like to say, for at the time I couldn't suspect any one.

Q. Did you not have Capt. Sullivan in that district on that day working?—

A. No.

Q. Did you hear of his being there?—A. No, sir.

Q. You didn't hear of his being in that district all day?—A. No, sir.

Q. Were you surprised at the result at this poll?—A. I was a little.

Q. Didn't you expect McLean would have a larger majority?—A. Rather.

Q. How much larger?—A. I can't say, it may be 5 or 6 more.

Q. Don't you know that the majority at the previous local election was 28?—

A. I don't remember what it was.

Q. Have you any idea whose initials these are on that ballot?—A. No, sir, I haven't.

Q. Is there an hotel opposite the polling place?—A. No, sir.

Q. Is there one near it?—A. There is not far from it.

Q. Who keeps it?—A. Mr. Farr was keeping it at the time.

Q. What Mr. Farr?—A. Michael Farr I think is his name.

Q. Is he a brother of James Farr?—A. I think so.

Q. You don't know about Captain John Sullivan being at the hotel during election day?—A. No, sir.

Q. Conducting operations from it?—A. No, sir.

Q. You didn't hear of it?—A. No, sir.

Q. Did you tear off the counterfoil in any case before giving a ballot to the voter?—A. No, sir.

Q. You left the counterfoil on always?—A. Only those I sent in without a counterfoil.

Q. I don't understand you?—A. There was a part on this pad which was defective and I bent it back and tore some off them and tore off the ballot.

Q. How many ballots did you give to voters without the counterfoils?—A. I can't say now.

Q. What kind of mark did you put on the counterfoil?—A. I put numbers on them.

Q. Corresponding to the numbers on the poll book?—A. No, sir.

## Privileges and Elections Committee.

- Q. Did you put numbers on each ballot?—A. No, sir.  
Q. Did you put the numbers consecutively?—A. No, sir.  
Q. What numbers did you put?—A. Just whatever came into my head.  
Q. Just at random?—A. Yes, sir.  
Q. Could you remember what number you put on them?—A. Yes, sir.  
Q. Did you look at each one and find the same number you had put on them?—  
A. Yes, sir.  
Q. You found the same number?—A. Yes, sir.  
Q. In each case?—A. Yes, sir.  
Q. Well, in the case of the ballots which you delivered without a counterfoil what did you do about numbering them?—A. I didn't number them at all.  
Q. You don't know how many of them there were?—A. No, sir.  
Q. Why didn't you take a knife and cut the counterfoil off or a portion of the counterfoil? You could have done that couldn't you?—A. I really did not think of that at the time.  
Q. Why wasn't it as easy to cut it off as tear the ballot off?—A. Well, I suppose the whole of the counterfoil was to be put off.  
Q. Yes, but you see here are two instances at least in which you have cut the ballot off just at the edge of the counterfoil. Did you cut that off or tear it off?—A. I tore it off.  
Q. Why wasn't it just as easy to cut it off there?—A. It was more convenient not to have a counterfoil on.  
Q. Why was it more convenient?—A. Because it was ready to go into the box then.  
Q. How could you identify it?—A. By the initial.  
Q. You thought this provision of the law which said there should be a number was all nonsense and you needn't regard it at all?—A. No, the scrutineers all told me it was not necessary to send it in, and I took their word for it partly.  
Q. They all said it was not necessary?—A. Yes, sir.

*By Sir Louis Davies :*

- Q. That is the scrutineers for McLean as well as for Mr. Holmes?—A. Yes, sir.  
Q. You delivered 87 ballots to the different voters?—A. Yes, sir.  
Q. You put your initials on the back of eighty-seven ballot papers?—A. Yes, sir.  
Q. And you found eighty-seven ballot papers in the box when you turned it out in the evening?—A. Yes, sir. There were eighty-five on the table.  
Q. You examined each one of them to see that your initials were on them before counting?—A. Yes, sir.  
Q. And you found eighty-six of them all right?—A. Yes, sir.  
Q. And one of them was a spurious one?—A. Yes, sir.  
Q. And you counted what you believed to be eighty-six honest ballots?—A. Yes, sir.  
Q. So that at the time you had no suspicions that any ballots were spurious except one?—A. Yes, sir.  
Q. Your attention is called to a second one there and you are inclined to say there are two?—A. Yes, sir.  
Q. That second one escaped your attention at the time?—A. Yes, sir.  
Q. They were all examined by the scrutineers for Mr. McLean as well as by yourself?—A. Yes, sir.  
Q. Did any of the scrutineers of Mr. McLean suggest to you that there was a second spurious ballot?—A. No, sir.  
Q. You saw that here for the first time to-day?—A. I did.  
Q. So it must have passed muster. Are you satisfied that is a spurious "H" there? The "M" is so indistinct, you can hardly see it at all?—A. Yes, sir, I never marked any only in the middle.  
Q. You are satisfied that it is not an honest ballot, and that it had escaped your attention?—A. Yes, sir.  
Q. So that the sum total of the wrong-doing that was effected here was the one vote?—A. Yes, sir.

Q. Whether it was done by a voter or some other person, at the time you tumbled them out on the table for the purpose of spoiling the ballot, you do not know?—A. No, sir.

Q. What were the names of the agents representing Mr. McLean at this poll?—A. Peter McEwan and William Simmonds.

Q. They both write, I see, very well. They both write their names very well?—A. Yes, sir.

Q. And they are both sworn?—A. Yes, sir.

Q. And both attended there during the whole day, did they?—A. Yes, sir.

Q. Watch the voters putting their ballots in the box?—A. Yes, sir.

Q. I suppose you are not the guilty man who spoiled this ballot?—A. No, sir.

Q. No doubt about that?—A. No, sir.

Q. You acted honestly and squarely from beginning to end?—A. As honestly as I knew how.

Q. Did you give favour or affection to one side or another?—A. No, I did not.

*By Mr. Borden :*

Q. You are a Liberal are you?—A. Yes, sir.

Q. And gave no affection? I see P. J. McEwan and William Simmonds were there. Do you know these gentlemen?—A. Yes, sir.

Q. Where do they live?—A. In Saltford.

Q. What is their occupation?—A. Working in the salt works.

Q. They are men working in the salt works?—A. Yes. McEwan's father is owner of the block.

Q. Owner of what?—A. Owner of the salt block.

Q. And what does Simmonds do in the salt works?—A. I think he is a cooper.

Q. Mr. Herbert Robertson was one of the agents for Mr. Holmes?—A. Yes, sir.

Q. Where does he live?—A. I can't say.

Q. Does he live at Saltford?—A. No, sir.

Q. Did you know him before election day?—A. Yes, sir.

Q. Don't you know where he lives?—A. No, sir, I am not sure. He used to live in Goderich when I knew him.

Q. How far away from Goderich is this?—A. One mile.

Q. Was he living at Goderich at this time?—A. I suppose he was.

Q. What is his business?—A. Lawyer.

Q. Lawyer?—A. Lawyer, yes.

Q. And the other one, Benjamin Dodd, I suppose, lives at Saltford?—A. Yes.

*By Mr. McAlister :*

Q. Did you count these ballots one by one as you took them out of the box?—

A. No, I emptied them out on the table.

Q. Did you look at the back of each ballot as you counted them?—A. Yes, sir.

Q. And you detected one spurious ballot?—A. Yes, sir.

Witness discharged.

The committee then adjourned.

# Privileges and Elections Committee.

HOUSE OF COMMONS,  
TUESDAY, 1st August, 1899.

The Committee met at 10.30 a.m., Mr. Fortin in the Chair.

Inquiry into the last Dominion election in the West Riding of the County of Huron resumed.

WM. KOUGH sworn.

*By Mr. Borden :*

Q. You reside in Toronto?—A. I do, sir, yes.

Q. In whose employ are you?—A. The D. W. Thompson Co.

Q. In what capacity?—A. I am general manager.

Q. Do you know James Farr?—A. Yes, sir.

Q. Was he in the employ of the company at any time?—A. Yes, sir.

Q. Will you tell us between what dates?—A. He commenced work on the 10th April, 1899, and the last day he worked for us was the 12th of July, this year.

Q. He then left your employment?—A. Yes, sir.

Q. Of his own motion or did you discharge him?—A. Of his own motion.

Q. Was he a good workman?—A. Yes, first class.

Q. The 12th of July was Wednesday, I think?—A. Wednesday, yes.

Q. What day was he paid?—A. I believe he was paid on either Thursday or Friday. Mr. Endress can tell better than I.

Q. That would be on the 13th or 14th?—A. Yes.

Q. Do you know where he is now?—A. I do not.

Q. What is your regular pay day?—A. We pay up to Thursday night, but we pay on Saturday at noon.

Q. On Saturday you pay up to the previous Thursday?—A. Thursday night.

Q. You don't know where Mr. Farr is?—A. I have no idea.

Q. You have no information on that subject?—A. None whatever.

Q. Have you seen him since he left your employment?—A. Not at all.

Q. Or heard from him?—A. No.

Q. Did he give you any information as to where he was going?—A. No, he didn't.

Q. Or why he was leaving?—A. He told me his wife was in trouble about something. I was very busy at the time and had no time to talk to him, as to why he was leaving.

*By Mr. Sifton :*

Q. What did he say was the reason for his leaving?—A. He said his wife was ill. I was sorry to lose him; he was a good workman and I would give him work again. I was too busy to question him at all.

Q. Do you know where he belonged before he came to your factory?—A. I am told Goderich.

Q. You understand he came from Goderich?—A. I understand so, yes.

Witness discharged.

PETER ENDRESS SWORN.

*By Mr. Borden :*

Q. You reside in Toronto Mr. Endress?—A. Yes.

Q. In whose employ?—A. The D. W. Thompson Co.

Q. In what capacity?—A. Bookkeeper.

Q. Is it part of your duty to pay off the employees of the firm?—A. I put up all the money for the employees.

Q. Do you know James Farr, spoken of by the last witness?—A. I do.

Q. You remember the occasion of his leaving the employment of your firm?—A. I do.

Q. Do you remember on what day of the week he was paid and on what day of the month?—A. I think it was on Thursday the 13th.

Q. Your regular day for paying off the men is what?—A. Saturday, at noon.

Q. He was paid then in advance of the regular pay day?—A. Yes, sir. It was Thursday morning, he was paid.

Q. At his own request was it?—A. Yes, he came in and asked for his wages.

Q. Came in and asked for his wages?—A. Yes.

Q. Did he give you any information as to why he was leaving?—A. I asked him if he was quitting and he said "yes, I got mixed up in the election business" and that was all he said.

Q. He said he had got mixed up in the election business?—A. Yes, he didn't say what election or where or anything about it.

Q. Just that he had got mixed up in the election business?—A. That is all.

Q. And that is the reason he gave for quitting?—A. Yes.

Q. Did he give you any information as to where he was going?—A. No.

Q. Have you since learned either directly or indirectly as to where he did go?—A. I was told he went to Dakota.

Question objected to by Mr. Sifton.

Q. How did you learn it?—A. I was told by one of the employees in the factory.

Q. What is his name, what is the name of the employee?—A. Well it was a Mr. Duncan.

Q. Mr. What?—A. Mr. Duncan and Mr. Kidd.

Q. What are their first names?—A. William Duncan and Joseph Kidd.

Q. They both gave you this information?—A. Yes, Mr. Duncan told me that Mr. Kidd spoke to him and had seen a cheque and a ticket.

Question objected to by Mr. Britton.

Q. Now you gave us the names of these two gentlemen, these two employees?—A. Yes.

Q. Mr. Duncan and Mr. Kidd, are they in the employ of the company at present?—A. Yes, sir.

Q. And they live in Toronto?—A. They both live in Toronto.

Q. How recently have you acquired this information?—A. A week ago, about a week ago.

Q. Have you yourself heard from Mr. Farr since he left?—A. No, I have not.

Q. You have had no letter from him? Or communication of any kind?—A. No word at all, no.

Q. You do not know at present where he is, except from these reports?—A. No, I do not.

Q. And from the information which you have, from the information which you have obtained with regard to his whereabouts, where do you believe him to be at present?—A. I cannot say where he is, only from what I have heard.

## Privileges and Elections Committee.

Q. I mean what is your belief? Not your knowledge but your belief?—A. I should judge from one of the parties that told me that he had left the country.

Q. And that he is where now?

Question objected to by Hon. Mr. Sifton on the ground that the witness evidently did not know.

A. He said he had a ticket for Dakota.

Q. You believe he is in some part of the United States?—A. I suppose so.

Q. What was it you said about a ticket for Dakota?—A. I was told he had a cheque for \$500 and a ticket for Dakota.

Q. Had a cheque for \$500 and a ticket for Dakota? That was your information?—A. Yes, sir.

Question objected to by Mr. Britton. After argument Mr. Russell moved that the questions and answers be struck out. The Chairman ruled that the answer was in before the objection was taken and that it would have to remain.

Witness discharged.

DANIEL MCGILLICUDDY affirmed.

*By Mr. Russell:*

Q. What is your profession or occupation?—A. Journalism. I am a newspaper man.

Q. You are publisher of a newspaper?—A. Yes.

Q. Are you a practical printer or not?—A. I am a practical printer.

Q. Do you conduct a printing office?—A. Yes, sir.

Q. You have a printing establishment?—A. Yes, sir.

Q. Where?—A. At Goderich.

Q. Did you receive an order from the returning officer at the last Dominion election, the by-election, to print ballots?—A. Yes.

Q. Did you carry out that order by printing the ballots?—A. Yes.

Q. Have you the blocks from which they were printed?—A. Here?

Q. Yes?—A. Yes.

Q. Can you produce them?—A. Yes.

Q. Will you do so?—A. Yes. That is one block and this is another with the type in.

Q. Does this block contain the same type from which the ballots were printed?—A. Identically the same type with the exception of that X which was put in afterwards.

Q. This block does not contain any type?—A. No, it was distributed.

Q. But it did have type in it at one time?—A. Yes, the same face type as that.

Q. The same face type as that, but not the same type?—A. No.

Q. You used these two dies in printing the official ballots?—A. Yes.

Q. Just describe the manner in which it is done?—A. The two blocks were locked up in one forme.

Q. You might explain how it is done?—A. The two blocks were put side by side and printed on one forme, and when a thousand impressions had been taken off it represents two thousand ballots.

Q. What is the purpose of having two dies instead of only one, to save time and save press work is it?—A. Yes, to get them off in a hurry.

Q. Then after they were printed, the method was?—A. To put them, the ballots, under the knife, the guillotine.

Q. You were going on to describe the method; after the imprint was taken from the die or off the die. What was done with it?—A. What, the ballots?

Q. Yes.—A. Well, supposing this was the pile of ballots that had been worked off they would be straightened up and then—

Q. Containing two ballots in each piece?—A. Yes, they were double printed, they were put under the knife and cut in the centre.

Q. What next would be done with them?—A. The next would be to cut the white ends off, on either side there would be a margin, there would have to be, and the next would be to cut the margin off so that the black would appear.

Q. That would be the idea?—A. That is the idea.

Q. Would the knife always cut into the black or would it sometimes cut into the white?—A. It would depend upon the eye of the cutter and his experience and in the feeding in the press, they are liable to get a little askew.

Q. But these cutting machines have no gauge to gauge the width of the ballots?—A. No, it is a coarse job, it is not very particular.

Q. Would the result be that the ballots would come out of an even width or varying in width?—A. They would vary.

Q. They would also come out some of them with black edges and some with white?—A. According to the skill of the man that cut them.

Q. Is that a fact?—A. Certainly, what I observe of this particular job, I was not standing over the job, but I am speaking from my experience as a newspaper man.

Mr. Powell objected to this evidence.

Q. I understood you to be speaking of this particular job?—A. Well I have seen it in other cases.

Q. I thought perhaps you had seen them when they were packed up. How many were you ordered to print?—A. Six thousand one hundred and fifty.

Q. How many had been printed—did you print the ballots for the preceding provincial election?—A. Yes, sir.

Q. That is the Beck-Garrow election?—A. Yes. The two of them, the Ontario general election and the Ontario by election.

Q. You printed the ballots for these two elections. How many did you print?—A. Ten thousand ordinary ballots and one thousand tendered ballots.

Q. Your instructions were to print six thousand one hundred and fifty?—A. Yes.

Q. As a matter of fact how many did you give instructions to the printer to strike off?—A. Six thousand five hundred.

Q. What was your object in doing that?—A. I thought that the returning officer being a new man would be shy on his ballots.

Q. You might use an expression that we all understand, what do you mean by shy?—A. You don't understand that? Well, I thought he was cutting too close to the bone and that he would not have enough. As I had printed ten thousand just two months before for the local election.

*By Mr. Powell:*

Q. In other words he was running too close?—A. I thought so.

*By Mr. Russell:*

Q. What was the course pursued then by your printers who actually did the work? Who was it made them up into parcels and how did he instruct you in regard to making up the parcels?—A. The returning officer sent a list to us of the polling subdivisions and the number opposite each polling subdivision.

Q. The number he would require?—A. Yes. I went to his clerk and said: "don't you think Sands is cutting it too fine in these ballots?" it was the same man who was clerk in the local election previously, and he said "I think he is and if I had the say in it I would get more, you had better ask him yourself." I asked Sands but he didn't think he would require any more.

## Privileges and Elections Committee.

Q. Mr. Sands himself that is?—A. Yes.

Q. Well, go on?—A. When the paper was cut we went on and printed them.

Q. Well, as to the parcels he gave you a list and the numbers that would be required for each polling subdivision?—A. Yes.

Q. Were these parcels put up by you?—A. None of these were put up by me.

Q. There were put up in your office?—A. Yes.

Q. By your workmen?—A. Yes.

Q. There were put up in parcels for the deputy returning officers?—A. No, for the returning officer and he passed them on to the deputies.

Q. They passed from your office directly into the hands of the returning officer?—A. Yes, he called for them.

Q. And parcelled them out to the different sub-divisions?—A. Yes, sir.

Q. Did you have some conversation with him about the ballots?—A. When he was going away finally I said: "Are you sure that you are going to have enough ballots, because the hundred and fifty that you have ordered there over the six thousand represent 25 cents per hundred, and that is 37½ cents, and if you want more of them we won't do it for 25 cents per hundred, we will want 37½ cents as we can do them in quantities at that price but not if we have to put them on the press again." He said he thought he had enough.

Q. You had some conversation about the price?—A. Yes. He said you can put down 38 cents if you like and that is all about that.

Q. He would allow you 38 cents, he was going to be handsome. Well, now there were more ballots of course which he did not take?—A. Yes.

Q. Have you those with you?—A. Yes.

Q. Will you give them to me?—A. Yes.

Ballots produced by witness.

Q. These are the three parcels which were left over after you had made the delivery to the returning officer?—A. Yes.

Q. Are those all the ballots that were left over?—A. All that I got that were left over.

*By Mr Sifton*

Q. How many are there, there?—A. I think they are marked one hundred each, they were given to me as hundreds.

*By Mr. Russell :*

Q. That would represent three hundred?—A. Yes.

Q. And your men were supposed to have delivered six thousand one hundred and fifty?—A. Yes.

Q. And they actually did deliver that number; that would leave a difference of fifty?—A. There is always a certain amount of waste in anything of that kind and one per cent of six thousand one hundred and fifty would represent sixty-one and that would compensate for the difference.

Q. What I want to know is, did you receive any other ballots than those you delivered to the returning officer and these parcels from the men who did the work?—A. No.

Q. I want you to take these ballots—take this lot—that is one of the parcels made up and cut from the machine, is it not?—A. Yes.

Q. This one seems to have been a little torn, it is a pity I wanted to have the whole ballot, however, I would like you to compare the front ballot with the back ballot and tell us—

Mr. BRITTON—I would like to have these marked so that we can refer to them again.

Mr. RUSSELL—It is Exhibit 15—1.

Q. The cutter has sheared in and the top ballots are larger than the bottom and the middle ones are half way between the top and bottom?—A. Yes, it goes in gradually.

Q. You might just tell us about the stubs, the end of the stub, at the stub end it presents a perfectly plain or flush surface?—A. Yes.

Q. You might hammer it down on the edge of the table?—A. Yes, it is smooth.

Q. A flush surface. Suppose you were to take one of these off at the part where the counterfoil line is marked you know, and then fit it on to the stub at the other end would it be worth your while to make that experiment and see whether it would fit the stub or not?—A. Do you want this torn off? I don't catch what you want, Mr. Russell.

Q. I want you to take this one, which is the top one you see, cut it off there as if by returning officer?—(Witness did so.)

Q. Now I want you to cut this one off as it would be by the deputy returning officer in giving it to the voter?—A. He would cut it with a straight edge I think

Q. He cut it with a knife?—A. Cut it here, you say?

Q. Yes, I want it cut in the same way as for the voter?—A. Well, I don't know how it is, because I didn't do any cutting for the voter.

The witness cut the ballot off.

The ballot cut from the bottom of the package was filed as Exhibit No. 15-1, the ballot cut from the top of the package was filed as Exhibit No. 15-2, and the package itself was filed as Exhibit No. 15-3.

Q. Now I want you to take this and see if it will fit on to that stub?—A. No, there is nearly one sixteenth or one thirty-second of a difference.

Q. It won't fit on the stub and it won't compare with the ballot either, will it?—A. No.

Q. It will overlay it by running from one-sixteenth to one thirty-second of an inch?—A. Yes, it certainly overlaps.

Q. Compare it with the stubs?—A. That is all right, it does not catch it.

Q. When it is drawn in to the stub it does not fit?—A. No, it does not fit that stub.

Q. It was the ballot that I took from the top of the pile wasn't it, and compared with the stub of the ballot from the bottom of the pile?—A. Yes.

Q. And it appears to be, you say, about one-sixteenth of an inch wider?—A. One-thirty second at any rate.

Q. First of all it does not fit the stub?—A. Yes.

Q. And it is still wider at the other end of the ballot?—A. Yes.

Q. Because it spreads?—A. Yes.

Q. Now of course you don't know whether the same would be substantially true if we were to take say a dozen of these ballots from the top and fit them to the bottom ballots or not?—A. I don't know whether it would be equally true unless it was tried, but it looks as if it would be true because there is quite a sheer-off down here towards the bottom.

Q. Of these three packages, Mr. McGillicuddy, can you tell us whether they all came off the same die or whether they are some off one and some off another?—A. These two are the same. (Exhibits Nos. 15-3 and 15-4.)

Q. 15-3 and 15-4; your statement is these are from the same die and both alike?—A. Yes.

*By Mr. Britton :*

Q. From the same die?—A. From the same block.  
Block identified and put in as Exhibit 15-6.

*By Mr. Russell :*

Q. Now, this package (Exhibit No. 15-5) that is taken off this block. (Exhibit No. 15-7.) Is that correct?—A. Yes, outside of that "X" of course.

## Privileges and Elections Committee.

Q. You have not examined these carefully, I suppose, or counted them?—A. I never looked at them after putting them in my drawer but once, from the time they were printed till I got them to bring down here.

Q. They were put up in parcels containing each 100?—A. One hundred is marked on them.

Q. And you take them to be each one hundred?—A. Yes.

Q. As a matter of fact you have not counted them?—A. No.

Q. You might look at these ballots; these are the fourteen. (Series 3, one to fourteen.) Can you tell me which of these dies these ballots came from, Mr. McGillicuddy?—A. I am looking through the whole of them to see if they are alike. They came off that die, that block. (Exhibit No. 15-6.)

Q. I suppose you know that by this mark?—A. That is the block they came off from.

Q. Well, these would be the same as that bundle (Exhibit No. 15-4), I suppose?—A. They are printed from the same block.

Q. These ballots, Mr. McGillicuddy, they are called series 3, 1 to 14, the 14 ballots that were spoken of early in the investigation, marked for Mr. Holmes, which were described sometimes as the so-called "bogus ballots," you say came off the same die as the 200 or 300 that you brought here this morning?—A. Yes, sir.

Q. Namely the die 15-6?—A. They came off that block.

Q. That block marked 15-6?—A. Yes.

Q. And the imprint, you say, is precisely similar to the imprint on this bundle of ballots, this 100?—A. Yes. It varies according to the ink.

Q. I am not talking about the ink. I am speaking about the impression. I can tell although not an expert, that they vary in respect to the print?—A. That is the result of the ink not getting distributed properly. The better it is distributed the better it prints.

Q. Were there sometimes or do you happen to know whether there were or not sometimes ballots of this imprint and this imprint packed in the same pad?—A. Oh, yes.

Q. I didn't suppose you examined close enough to know?—A. Yes, there were.

Q. There were sometimes ballots of one kind packed in the same pad with ballots of another kind?—A. Yes, sir.

Q. Those are the unused ballots from polling division Colborne, No. 1. I want you to examine these and tell me if you find both kinds on the same pad?—A. These are the unused.

Q. The unused, yes?—A. Did they come back in this shape?

Q. They did —A. The staple is run in the wrong place, some of them are upside down.

Q. I want you just to look over them and say if they are all alike?—A. No, these are different.

Q. Count those that you are now handling with the other one beside it?—A. Nine, ten.

Q. You count ten ballots in that bundle that are taken off the same bundle you hold in your hand?—A. These are printed off that.

Q. In Colborne, No. 1, that is the unused ballots in No. 1, you find consist of two kinds on the same pad?—A. This and this.

Q. Ten on die 15-6 and the balance on the other die. Is that correct?—A. That is correct.

Q. That is Colborne, No. 1?—A. Ten ballots on die 15-6.

Q. Now, Mr. McGillicuddy, you might look at these ballots which are the balance of the ballots used in Colborne, No. 4 district, we are dealing with that, and tell us which die they are from?—A. These appear to me to be all from one block

*By Hon. Mr. Sifton:*

Q. What did you say?—A. These appear to me to be all from one block.

*By Mr. Russell:*

Q. From 15-7?—A. From the one with the type in it, that is the one.

Q. Will you tell us, did you always use or did you not use the same paper throughout in printing the ballots?—A. The young man started on that lighter paper, and I told him the next time he cut the paper to change it.

*By Hon. Mr. Sifton :*

Q. Mr. McGillicuddy, you say you took the two blocks and they printed like that, passing in the case like that?—A. Yes, passing in the forme.

Q. That being the case there would be an equal number of each kind of the ballots printed?—A. Yes, unless anything happened to one of the blocks that the type would drop out or get pied, and then they would run through with one block, they would not wait to put in the type.

Q. Do you know that or do you not?—A. I do not know, but they certainly would not stop the press till they put the type in, but would keep printing them off.

Q. After the ballots were printed was any effort made to keep the two kinds separate?—A. After they were printed we put them through the cutting machine.

Q. Was any effort made to keep the kind printed off this die separate and have them bound in packs separately, and the kind off this bound separately?—A. As far as possible. For instance, there would be 500 cut and then they would be put there; 500 would be put there, and 500 there. Then in counting up 100—they are not as particular as counting notes in a bank—the boys get a hundred, and when they want to get a hundred they take them off the next one, and there are two hundred and there may be a residuum, and when they come down to less than a hundred they will not use it but will commence on the other pile for the hundred, and when they want to make up 25 or 50 they will take it off this residue.

Q. And that explains I suppose the way the two are here on the same pad?—A. Yes, that is how they get mixed.

*By Mr. Russell :*

Q. In parcelling them out is it the practice to count one lot and then measure the other with them or to count each lot throughout?—A. It is very common for the boys to divide it and measure by the first hundred.

Q. Placing them together and measuring the piles?—A. They are in for every labour saving device.

Q. Putting them side by side and guessing from the thickness instead of counting each lot as they would if they were bank notes?—A. Yes; that is the idea that the boys work on.

Q. In that case would they or would they not, is it the practice or is it not the practice, to allow a margin for safety?—A. Oh yes, there is always more or less waste in printing, no matter how careful you are.

*By Mr. Powell :*

Mr. McGillicuddy you have a foreman, I suppose, that attends to the job printing department?—A. Yes, usually.

Q. Did you attend personally to the printing of these ballots?—A. No.

Q. You did not?—A. No.

Q. Did you attend personally to the collecting of them into pads?—A. No, but my foreman was ill at the time.

Q. I have no desire at all to prevent you making explanations but I would rather you answer my questions first. You did not personally superintend the gathering of these ballots into pads?—A. I gave instructions to the boys and saw them do it.

Q. Did you personally superintend the placing of these ballots into pads?—A. I told them what to do and saw them do it.

Q. You saw them do it?—A. Yes, sir.

Q. They counted them before you, I suppose in your presence?—A. Not always, I couldn't be standing over them.

## Privileges and Elections Committee.

Q. They could be in your presence and you not standing over them. Were you in the same room where these boys were making their count?—A. Only a part of the time.

Q. Did you see them count any of them?—A. Yes.

Q. Have you any recollection of seeing the ballots counted there?—A. No, I have not.

Q. Did you see them make their estimates of the ballots by the thickness of the pad in this case?—A. No.

Q. You did not?—A. No.

Q. And you do not know whether it was done or not in this case?—A. I know it was usually done.

Q. Answer my question. Do you know whether in this instance or not they made any estimation or whether they actually counted?—A. I do not know.

Q. You know the nature of an oath don't you?—A. Oh, yes, I know that.

Q. And you know that you can only testify to what you know?—A. Yes.

Q. And in respect to the evidence you gave to Mr. Russell isn't there very little of it indeed that you know personally about?—A. There is not a great deal.

Q. And you have been drawing on your belief as to the general practice in respect to the great bulk of the evidence given to Mr. Russell?—A. No, on what I saw going backwards and forwards.

Q. You have spoken, you have told it, that in several cases there were parts of a pad made up of ballots printed from different blocks or different dies. Is that correct?—A. Did I which?

Q. I understood you to tell Mr. Russell that in several cases pads were made up from ballots printed on different dies?—A. Two sets of ballots in one pad, is that it?

Q. In one pad?—A. Yes.

Q. That is correct is it?—A. Yes.

Q. Did you see that personally?—A. I have seen them here since I came here.

Q. Now, will you answer my question. I am not asking you what you saw here but will you on your oath swear that these boys put up a solitary pad with ballots, selected from two dies?—A. No, I won't swear that I saw it done.

Q. I thought not, and the only reason you have for making such statement as that is in so far as you remember from the pad in evidence and shown you?—A. From the custom in the printing office and from my instructions.

Q. I thought you told me a moment ago you have seen these pads here?—A. Yes, I have seen them here.

Q. And two separate kinds of ballots?—A. Yes.

Q. And this is the only instance in which you remember having this done in this particular case?—A. I certainly recollect what I saw here a little while ago.

Q. Now I am going to show you these ballots again; these are Colborne No. 1. Now, Mr. McGillicuddy, we will take these two divisions, now look at them. These are two divisions from Colborne No. 1. I ask you to look at it as carefully and critically as an experienced printer and look at it as if it were a serious question of identity. Now, look at these, is there anything about this series of ballots that I hold in my left hand which suggested to your mind that the originals were from two separate pads? Now look at them, sir, and tell me?—A. I can't see anything.

Q. Well, may be I can see something? Didn't you notice when these ballots were produced to you that they are irregularly placed in the pad when Mr. Russell handed them to you, did you notice that they were irregularly placed in the pad?—A. I noticed they were turned end for end some of them.

Q. Now, Mr. McGillicuddy, will you please look at that; hold it up to the light and see if you do not notice a new series of marks of a different staple altogether on them at the end where the staple goes on?—A. The staples should be on that end.

Q. Yes, that one is reversed?—A. Evidently.

Q. Don't you see the mark of one staple there?—A. Yes.

Q. And of another staple there?—A. Yes.

Q. Now we will take another one of them, I will let you see the whole of them. Don't you see one staple mark there?—A. Yes.

Q. And don't you see another staple below it?—A. Yes.

Q. Now the same is true of that one, is it not?—A. Yes, there are two sets of holes there.

Q. And this one?—A. Has two sets of holes.

Q. And that one?—A. Yes.

Q. Now, sir, I have exhausted all these ballots. Now, in every one of those ballots that are not attached here, were there holes evidently made by two different staples, are they not?—A. I cannot say that, there are two sets of holes.

Q. Now, sir, on your oath don't you believe it likely that one is just as much staple marks as the other?—A. They certainly look like staple marks.

Q. And now, sir, looking at this again, don't you believe these are the remnants of one pad that the returning officer or some one else has put on?—A. Don't I what?

Q. Don't you believe now, from looking at them, that these I hold in my right hand are the remnants of what was originally the pad, and that the returning officer or somebody else has endeavoured to put them on this?—A. I can't say that.

Q. That would be the inference, would it not?—A. Oh, I can't give you any inferences.

Q. But you have given a lot of inferences here to-day?—A. I can't give you inferences, you won't let me.

Q. Now, in your judgment, don't you consider that these fourteen or eleven ballots, whatever they are—these ten ballots at some time heretofore were on a pad by themselves?—A. And stapled on the backside?

Q. And stapled here?—A. Well, I can't understand why they would.

Q. I will call your attention to the very bend of the staple?—A. But I can't give you any opinion about that.

Q. Answer me that question. Don't you believe these ten ballots were at some time before to-day stapled together in these lower holes?—A. I can't have any opinion on that.

Q. But don't you believe that they were?—A. I can't have an opinion about that.

Q. Don't you believe it?—A. No, I don't.

Q. Isn't that evidently a staple mark there?—A. It is.

Q. You don't desire to go back on that?—A. It is evidently a staple mark.

Q. If these staple marks occur there and these are holes for the staples doesn't it follow as a matter of belief that there was originally a staple in it?—A. Yes, but I can't give my judgment about it.

Q. You can't give a positive belief and you won't give your judgment?—A. No, I won't.

Q. Have you an opinion about it?—A. I hav'nt formed any opinion.

Q. And you do not desire to?—A. I do not know what you are driving at.

Q. And is it because you don't know what I am driving at you won't give an opinion?—A. I am certainly not going to give an opinion on something I know nothing of.

Q. At any rate you are sure of one thing, that in each one of these ten ballots which differ from the others, which are attached, they are entirely different from the other ballots which are attached together, there are marks of two staples on them?—A. I see the marks of two staples there.

Q. Now, Mr. McGillicuddy, you say there were two kinds of paper?—A. Yes.

Q. Were there only two, sir?—A. Well, I could not tell you that.

Q. You could not tell me that?—A. No.

Q. Whether there were two or three?—A. In these ballots?

Q. Yes.—A. I know there were more than one.

Q. You know the requirements of the law as to the weight of paper?—A. No.

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Q. You used first two kinds for this job?—A. Yes.

Q. Why did you use that if you didn't know the requirements?—A. Because after I saw it I thought it would be better to have another class of paper.

Q. Was the other thicker?—A. No, it would bulk more in rolling.

Q. Do I understand you it would make a heavier ballot?—A. It will bulk up and it won't be heavier than the other class.

Q. I am talking of weight not bulk?—A. I am speaking of an expression in our business, probably you have not heard of it.

Q. It is a technical expression?—A. Yes.

Q. And the two kinds were of different thickness?—A. I told them to put on a better class of paper, one that appeared to be better.

Q. You told them to put on a better class of paper?—A. Yes, sir.

Q. Now, sir, were you instructed by the returning officer as to the weight the law required for these ballots?—A. No.

Q. What paper per ream weight were these printed on?—A. Round, about 28 or 30 pounds.

Q. Do you think so?—A. Yes; 28 pounds, double demy.

Q. Is either of these ballots on foolscap paper?—A. I could not tell.

Q. Are you not an expert?—A. No; I am a practical printer, but not an expert on paper.

Q. In regular foolscap size, what would you suppose to be the weight of the paper, or have you any idea?—A. I could not tell.

Q. In large post size, what would you suppose to be the weight of the paper per ream; have you any idea?—A. No; I have no idea.

Q. And you received no instructions from the returning officer as to weight and thickness?—A. No, sir.

Q. You went to work and printed them without regard for weight?—A. I never had any regard to that.

Q. From whom did you get the order to print them?—A. Mr. Sands came into the office.

Q. Who is Sands?—A. The returning officer.

Q. When you speak of the knife, that is a printer's guillotine?—A. Yes.

Q. And after the ballots were gathered into pads they were trimmed in the guillotine?—A. Yes.

Q. And you say your guillotine is rather poor?—A. No, it is all right; I am trying to explain, the foreman was away and you stopped me.

Q. I stopped you?—A. I think you did.

Q. I am not speaking about it?—A. I said the foreman was away and you would take it in your own way.

Q. And the foreman was away, and the cutting was done by a clerk?—A. No, but by a man not so experienced.

Q. And your knife does not cut plumb?—A. In the hands of an unused man it might not.

Q. You are a good judge of paper, I suppose?—A. No.

Q. You are not?—A. No.

Q. No judge whatever?—A. I have bought no paper that is used because my foreman buys my paper for me; it is in his department, and I have probably not bought 50 pounds of paper in ten years.

Q. Now will you look at these (the unused ballots of No. 4 Colborne) which of these papers is the thicker?—A. So far as I can say, that would be.

Q. Which is that?—A. This one in my judgment.

Q. I am comparing the unused ballots put in evidence with Exhibit No. 3-10, but you think series 3, sub-script 10 is a little thicker?—A. It might be, but I am not an expert, don't profess to be. You see one of them has been a great deal more handled than the others and necessarily does not hold its form.

Q. Now I will compare this ballot 3-10 with this one; which of these is the thickest?—A. I don't think there is much difference between them.

Q. You don't think there is much difference between them?—A. Not according to my judgment.

Q. It is about the same?—A. Not a great deal of difference.

Q. I am comparing now series 1-10 with the first unused ballots in No. 4 Colborne. Now, Mr. McGillicuddy, you will acknowledge on your oath that there is not sufficient difference between these two papers to induce you to change from one to the other, is there?—A. No, there would not be.

Q. Then, sir, I understood you to say to Mr. Russell that sometimes there were two kinds of papers put into the one pad?—A. I said it could happen.

Q. You said it could happen and you also swore to Mr. Russell and swore to me that there were two kinds of papers?—A. In the printing of the ballots?

Q. In the printing of the ballots?—A. I certainly did.

Q. And the first kind that was used was light paper and you did not think it was heavy enough?—A. It would not take the impression properly to my mind.

Q. Did you state the reason?—A. It was too light, I was passing through and said "you have used the wrong paper."

Q. And did you see the paper in the next ballots?—A. When I tell a man, I suppose he obeys it.

Q. And that is your opinion, that there were two kinds used?—A. Yes.

Q. And after the first thousand were run off?—A. I didn't say 1,000.

Q. And after the first batch you were telling me of something you didn't know anything about?—A. Something I implicitly believed.

Q. And of something of which you did not know?—A. Well, if I tell a man to change something and he does not, I will change the man.

Q. And that is the only way you know?—A. Certainly.

Q. Now sir, from your knowledge of printing as a practical man you don't see the difference between these papers?—A. I don't profess to be an expert.

Q. You don't see any difference?—A. I am not an expert and I don't see any particular difference between these papers.

Q. Would you be surprised to know there was a difference?—A. There might be, but I can't swear.

Q. Will you swear looking over these stubs, that all these stubs are not identically the one paper?—A. I would not swear.

Q. These are the stubs on the returned block in No. 4 Colborne?—A. Yes; well I could not swear to that.

Q. Are there any means, Mr. McGillicuddy, by which people can tell exactly the thickness of paper?—A. There might be but I don't know.

Q. Your experience of paper does not go to that extent?—A. My experience of paper does not go to that extent.

Q. Now, you say 6,150 were ordered?—A. Yes.

Q. And you delivered how many?—A. 6,150.

Q. 6,150?—A. Yes.

Q. And how many have you here?—A. 300.

Q. That makes 6,450?—A. Yes.

Q. And there is only 50 to account for?—A. Yes.

Q. What did you do with these?—A. I did nothing with them.

Q. What was done with them?—A. I don't know.

Q. Where did they go?—A. Well, there is a great deal of waste in printing and sometimes more than others; 50 does not represent one in a hundred and then there is another thing, the young men in making up the lots might make a mistake of one or two or five in each bundle.

Q. They might make a mistake and put more in each bundle?—A. Yes, they might.

Q. At the time these were put up you swear they were put up in accordance with the schedule given you by the returning officer as to the numbers?—A. Yes.

Q. Did your clerk or yourself or somebody in your employ identify the blocks as being prepared or put up for any particular polling booth?—A. It was done. Yes, at least I understand it was.

Q. Now, sir, we will look at this. That is put on in your office is it not, "No. 2 Colborne, 125"?—A. I suppose so.

Q. Oh, is there any question about it?—A. I do not know.

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Q. I call your attention to the writing. Don't you believe that writing to be the writing of your office?—A. I have no idea but it is all right.

Q. Which man wrote it?—A. I do not know.

Q. Which one do you suppose?—A. I cannot tell you.

Q. Have you any belief about it. Will you swear on your oath you don't?—A. I will swear it absolutely.

Q. Absolutely, all right. Now sir, we will give you some from No. 8 Clinton. What about them?—A. I cannot tell you anything about the writing.

Q. That would be put on before it left your office would it not?—A. I suppose so.

Q. That is the same writing is it not, Exhibit 10-1?—A. There is nothing of this to figure on much. Yes, it could be put on by the same person.

Q. And you believe it was?—A. I cannot tell to be absolute, but I am under the impression it is the same writing.

Q. You are under the impression it is the same writing?—A. Yes.

Q. And you believe that to be the number and "Goderich 200" don't you?—A. That would be the inference.

Q. That would be your judgment of what that means, the number being blank?—A. Hold on, I do not know if this is a ballot or not.

Q. Yes, it is a part of a ballot?—A. I guess we will take it for one.

Q. You don't wish to withdraw anything you said?—A. I am not withdrawing anything I said.

Q. You have been speaking now of No. 10-1 and you believed, as you still believe, that that is "No. blank—Goderich—200?"—A. It is quite possible it could be so.

Q. That is your impression, that is the present impression?—A. So far as I am able to form an opinion from what is there.

Q. Are you prepared to swear, Mr. McGillicuddy, that as a common thing the ballots supplied were not only one or two in excess of what is registered on the back of them, but ranged all the way from nothing to 20.—A. No, I am not prepared to swear I know anything about it.

Q. You are not prepared to swear you know anything about it? You are in a very peculiar position, excuse me for saying it, but to my friend, Mr. Russell, you knew everything?—A. I do not think it.

Q. Then, sir, you are not prepared to swear that there were not fraudulent endorsements made on these packages of ballots for one division or divisions?—A. I am not prepared to swear anything.

Q. And you are not prepared to swear as a general thing every package that went out of your office was in excess of what it should be ranging from 0 to 20?—A. I cannot tell anything about it.

Q. You cannot tell anything about that. Are you prepared to swear, sir, that these three blocks are all that were left over?—A. I am prepared to swear they are all I got.

Q. That is what we have?—A. Yes.

Q. And you are not prepared to swear that there might not have been hundreds more printed without your knowledge?—A. Don't you think that is a peculiar question? There might be a hundred thousand and there might be one.

Q. You swore to Mr. Russell there were 6,500?—A. I didn't swear to anything of the kind.

Q. Now, I will just take the trouble to enlighten my friend. The 50 short were accounted for in this way. Witness am I not correct in this statement that you swore to Mr. Russell that you had printed 6,500 and sent 6,150 out, that you kept 300 in the office and there was a shortage of 50 you could not account for?—A. No.

Q. Then what did you say?—A. I swore I ordered the addition of 6,500 made, that 6,150 were delivered, that there were three packages of the amount of 300, supposed, to be left over, and that is all I know anything about, good, bad or indifferent.

Q. Didn't you swear to Mr. Russell that there were 6,500 ballots printed?—A. I instructed 6,500 to be printed.

Q. Didn't you swear to Mr. Russell that there were 6,500 ballots printed?—A. I do not think it. If I did I certainly did not intend to say that. What I did intend to say was that there was 6,500 ordered to be made, and I wanted them instead of the 6,150.

Q. Did you also state that your instructions were to print 6,150?—A. Yes, that I understood.

Q. And that you said if you set up the dies again it would be more expensive?—A. Yes, sir.

Q. And you then went on and printed 6,500?—A. That I gave instructions to print 6,500.

Q. Didn't you say, sir, that you gave 6,150 to the returning officer?—A. That is what I said the returning officer got. I didn't say I gave them to him.

Q. They came out of your office?—A. Yes.

Q. Didn't you swear, sir, you brought 300 in these three packages?—A. I brought three packages.

Q. That would be 6,450; and didn't you say there were 50 besides, making 6,500, and didn't you explain the way of counting and account for these 50 by saying that in some cases there were some put in by the clerks in case of damage?—A. Sometimes it might occur that way and it might occur in the press where one per cent would have allowed 65.

Q. I have got all the answer I required, Mr. McGillicuddy. Can you swear positively, sir, how many were printed?—A. I can not.

Q. Might there not have been 7,000 printed?—A. I do not think there would be; there might have been 10 or 20,000; there might be 50,000.

Q. So far as your personal knowledge goes?—A. No, when I order a thing to be printed in the office, they generally print what I say.

Q. I am asking you your personal knowledge?—A. No, I didn't print them.

Q. And you don't know how many were printed of your own knowledge?—A. No.

Q. And there might be 7,000 printed and you not know it?—A. I might find out and there would be trouble.

Q. Might there not be 7,000 and you not know it?—A. I never knew anything to be printed in my office and I will explain it.

Q. I am asking you from your own personal knowledge, Mr. McGillicuddy, are you prepared to swear there were not 8,000 ballots printed?—A. No, or if you said 50,000 I would not be prepared to swear.

Q. That is from your own personal knowledge you know nothing about it?—A. Yes.

Q. And when you took these three pads and put them in the drawer you do not know if you gathered all the remnants or not.—A. I do not know. I ordered them to staple all the rest so that none would get out and this is the result.

Q. You don't know whether these three packs were all the remnants or not?—A. All that were represented to me as being in the office.

Q. But of your own knowledge?—A. I did not go round to sweep them up.

Q. Can they have printed more and you know nothing about it?—A. I do not know.

Q. They may have had and you not know it.—A. I do not think they would.

Q. That is your impression only?—A. You have been asking me for impressions right along.

Q. Did you deliver these to the returning officer?—A. He called at the office.

Q. Were you there?—A. I was there when he came and the ballots were not put up, and I went out and he called again, and got the packages made up.

Q. Where were you then?—A. I was in my room. It was handed to him by the young man, I didn't handle them at all.

Q. Now, I suppose you are quite familiar with elections in your county, your riding, take an interest?—A. Sometimes I do, and sometimes I don't.

Q. You are not mugwump?—A. I am sometimes, they say I am a kicker.

Q. They say you are a kicker sometimes; the last election you were no kicker were you?—Q. No, but I was not particularly well; I had the grippe for a week or

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two on or about the time, and I was hardly up to concert pitch and didn't do much work.

Q. You were not prepared to sing well?—A. No, I was not.

Q. Do you know where the head-quarters of the Liberal party in the division were?—A. Yes, they were on Hamilton street.

Q. On Hamilton Street. Your office was quite a frequent resort was it not?—A. My office?

Q. Your printing office?—A. It was no particular resort, whenever they wanted any work they came into the office and got it.

Q. And times without any work?—A. I do not think anybody came in without having work.

Q. You saw a number of people from outside there, didn't you?—A. Yes.

Q. Did you see Cap. Sullivan?—A. Yes.

Q. He took part in the election, didn't he?—A. I do not know; he was drunk when I saw him.

Q. Drunk?—A. Yes, he didn't take much part.

Q. Now, Mr. McGillicuddy, you were pretty well acquainted with Mr. Sullivan, were you not?—A. When?

Q. Well at the time of the election?—A. I cannot say I was particularly well acquainted with him; I saw him only twice during the whole election.

Q. That is all you saw him?—A. To the best of my knowledge.

Q. Don't you know he was there taking part in the election?—A. I know he was there taking part in two elections.

Q. At the particular time this election was being held didn't you know he was there taking part on that occasion?—A. I knew he was there.

Q. Taking part in the election?—A. I was told so, but I do not know.

Q. And you believe so?—A. I presume he was.

Q. I find in your paper of the 23rd of February last the following: "Genial Cap. Sullivan left for home Wednesday after spending his vacation in Goderich and vicinity."—A. Yes. I recognize that.

Q. You wrote that didn't you?—A. I wrote it.

Q. "He says that this section of Canada's belt is a great place in which to enjoy a holiday in winter time."—A. It is a "banana belt" I think I wrote.

Q. Yes, "he says this section of the banana belt is a great place to enjoy holidays in the winter time. He prefers it to Florida?"—A. Yes.

Q. That is from your own pen?—A. Yes, from my own pen.

Q. Now, I suppose that when you are speaking in that familiar way of Captain Sullivan you had some quite long conversations with him?—A. No; the reason I was holding him up was because the other paper was abusing him.

Q. Do you enter upon any defence of him there?—A. Well, he was getting called everything but a horse thief up there by the others, and I thought a good little pleasant notice like that would make the other fellow mad and do him no harm.

Q. We come to another gentleman, Donald Ferguson, of London?—A. I saw a man named Dan. Ferguson there.

Q. How long was he there?—A. I saw him twice.

Q. What was he doing?—A. He was on business there. I saw him twice during the election, and on each occasion he was talking business.

Q. About the elections?—A. No.

Q. You understood he took part in the election?—A. I don't know what part he took.

Q. But you knew he was taking part?—A. I understood he was there.

Q. And did he not take part in the election?—A. I was more interested in business.

Q. And you understood he was taking part in the election?—A. Well, I don't always believe everything I am told.

Q. But did you believe that?—A. Yes; I would believe that.

Q. Yes, and you understood from people that he was actually taking part in the election—was it as a canvasser he took part?—A. Well, I didn't hear much about him.

Q. Then we come to Billy Milloy, of London. Did you see that gentleman around there at the time?—A. I saw him there once.

Q. But he was also taking part in the election?—A. Yes, it was three o'clock in the afternoon and he was bringing a dog back to London when I saw him.

Q. You understood he was taking part in the election?—A. I understood he was taking part in organizing.

Q. What district?—A. I can't tell, I was not in it much.

Q. Did you know John S. Gorman?—A. I know Mr. Gorman.

Q. He was there too wasn't he?—A. You mean in the town?

Q. He was taking part in the election?—A. I know nothing except what I was told, I never discussed it with him.

Q. You were informed what he was doing?—A. If I told you the other way around you would say it was not evidence. I presume he was taking part in the election, but I know nothing personally.

Q. Do you know Mr. Mally?—A. I never saw him, don't know him.

Q. Do you know Thomas Lewis?—A. Thomas Lewis?

Q. Yes, of London.—A. Oh, yes, I met him at Kintail.

Q. He was taking part in the election was he not? Do you believe he was?—A. So they told me.

Q. And you believed it?—A. I didn't raise any objection.

Q. And you have no doubt that he was?—A. Well, I should think he was; of course, everything I got was hearsay as far as he was concerned, and the others too.

Q. I am asking your belief?—A. Under ordinary circumstances I would say he was.

Q. However, when he was gyrating around there you understood he was taking part in the election?—A. Yes.

Q. You were told that by your political friends?—A. Yes, I took it for granted.

Q. Do you know Mr. Pritchard?—A. I never heard of him.

Q. Was Alexander Smith there?—Yes, he was around there.

Q. He was organizing the campaign?—A. Yes; at least, I presume so. He ordered some campaign literature from me.

Q. And he got it?—A. Yes, and he paid for it.

Q. Was Mr. Mulock around there during the election?—A. Mr. Mulock?

Q. Yes?—A. He was there speaking.

Q. Wasn't he there during the whole campaign?—A. No.

Q. How long was he there?—A. Probably four or five days.

Q. Taking part in the organization?—A. No, speaking and holding meetings.

Q. And organizing as well?—A. I never saw him there at the organization rooms.

Q. And Mr. Tarte was he there?—A. Yes.

Q. Was he speaking?—A. Yes, and he spoke well.

Q. He always does that, and shrewdly too?—A. Yes.

Q. How many times did you hear him speaking?—A. I heard him speak once.

Q. How many times did he speak during the campaign?—A. Well, from my own positive knowledge I heard him speak once at Goderich with Mr. Paterson, and I was informed he spoke at Clinton, and that is pretty nearly all I heard of him being there.

Q. You have no knowledge of his being there more than two days?—A. I have no knowledge.

Q. Mr. Paterson, the Minister of Customs, was he in the constituency?—A. Yes.

Q. How long was he there?—A. I heard him speak the night after Sir Charles Tupper and Mr. Bennett spoke.

Q. In the town at Goderich?—A. Yes, I heard him and I was told he spoke in some other places.

Q. You don't know how many days he spent in the constituency?—A. I can't tell you that.

Q. Did you see Mr. Vance?—A. I saw him there.

Q. How long was he there?—A. Probably two weeks.

## Privileges and Elections Committee.

- Q. Taking part in the campaign?—A. He had charge of the campaign.
- Q. Was Mr. Talbot there?—A. Oh, yes, we had a meeting at Kintail, he and I?
- Q. How long did he spend in the constituency?—A. I don't know, I suppose not more than three or four days.
- Q. Is there a large French population there?—A. Oh, no, not many.
- Q. How many?—A. There are four that I know of, and I don't know how many others there might be.
- Q. You don't know how many more?—A. I know of four personally, and there may be more but he got them.
- Q. Did you see D. F. MacDonald there?—A. I don't know him at all.
- Q. Did you hear of him being there?—A. No, I had no knowledge of him.
- Q. Is any one of these gentlemen I have enumerated a resident or voter in the riding?—A. All of these gentlemen you have just gone over?
- Q. Yes?—A. They are certainly not voters, none of them.
- Q. And you don't know that any of these are residents of that riding?—A. I don't think they are.

*By Mr. Britton :*

- Q. Not more than Sir Charles Tupper or Mr. Bennett, or others on that side?
- A. No, I don't think so. There was a pretty large outfit on both sides.

*By Mr. Powell :*

- Q. In the Beck and Garrow election did you see Sullivan up there?—A. Yes, I saw him there.
- Q. And Dan Ferguson?—A. No, I don't recollect seeing him there at all.
- Q. And Bill Milloy?—A. I think he was there but didn't see him.
- Q. John Gorman was he there?—A. No, he wasn't there.
- Q. You did not see him on that occasion?—A. No.
- Q. William Mally you do not know?—A. No.
- Q. Was Thomas Lewis there?—A. He wasn't there to my knowledge.
- Q. Did you see a gentleman by the name of Nip Toon there?—A. Never heard of him.
- Q. Never heard of a man named Toon?—A. I never heard of the name in any way or shape until I saw it down here in this particular case.
- Q. You know nothing of him?—A. Nothing in any way or shape.
- Q. Have you any idea as to whom the deputy returning officers were to be?—A. No, I was not consulted at all, I was outside the pale.
- Q. You were one of the aggrieved?—A. I don't know that I was particularly aggrieved. I wasn't well and didn't take an active part. I was not feeling as I would like to feel at an election.
- Q. Weren't you interested in getting Holmes out as a candidate?—A. I certainly was.
- Q. You know Mr. Cummings?—A. Yes.
- Q. And knew him before you came here, I suppose?—A. Oh, yes, I have known him I suppose eighteen or nineteen years.
- Q. Do you know of his writing a letter to the *Journal* the other day?—A. I heard he had written a letter.
- Q. Did you assist him in writing it?—A. No.
- Q. Didn't you assist him in composing it?—A. I knew nothing about it. I was a little hot about it and didn't think it was good politics.
- Q. Why didn't you think so?—A. I didn't think it was good politics while this court was in session, to go into the papers.
- Q. You thought it was good politics to have an interview?—A. I haven't had an interview.
- Q. Did you not see an interview with yourself reported in the paper?—A. No.
- Q. You didn't know of it?—A. I didn't know I was interviewed at all.
- Q. And it was entirely unwarranted?—A. It was.

Q. And you did not get an interview?—A. Excuse me, Mr. Powell, if you say any newspaper men came to me and regularly had an interview, I say I decline to endorse such an interview at all, but one or two men may have spoken to me in one way or the other and if that got into print in that way I am not responsible for it.

Q. Don't you know that what purported to be an interview with you and quite long enough, did get into the newspapers?—A. No, I didn't hear of it, and never knew anything about it at all. I don't read much of these Ottawa papers anyway.

*By Mr. Borden :*

Q. Are we to understand you didn't take very much part in this election, Mr. McGillicuddy?—A. In the last election I didn't take much part.

Q. I observe that apparently you have taken credit to your self which doesn't belong to you. I notice you published a hymn in your paper which is to this effect:

Hurrah for Tarte so bright and smart,  
Hurrah for Mulock, too,  
McGillicuddy, and every body  
Who fought the Tupper crew.

A. Yes, what paper is that credited to, Mr. Borden.

Q. This is credited to the *Goderich Signal*.—A. Is that original, because I don't happen to have the honour of being the poet in that particular case. A gentleman named Winfield of Hamilton telegraphed it up to Mr. Holmes on the night of the election. He copied it in the *New Era*.

Q. Wasn't it published in your paper?—A. Certainly it was, but I was not the author of it and I did not seek honours like that.

Q. You were not the author of it?—A. Anything so Kiplingesque as that I do not aspire to.

Q. Who had charge of the campaign for the Liberals during the election?—A. I can't tell you unless it was Mr. Proudfoot, the president of the local association.

Q. Are you the editor of the *Signal*?—A. Yes, sir.

Q. I want to direct your attention to this extract from the *Signal* of 23rd February, '99. "The Honourable William Mulock had charge of the riding after the real fight began." You smile at that?—A. Yes.

Q. "And much credit comes to him for the good judgment and tact exhibited in conducting the campaign?"—A. Yes.

Q. That would seem to indicate the opinion of your newspaper that he had charge of it?—A. Well, the understanding was this; when you spoke and asked who had charge of the campaign, I thought you meant the local man and I thought the president of the association would naturally have charge, but Mr. Mulock came up there and with Mr. Tarte they were the biggest figures in the county at the time.

Q. Would you confirm that statement, and would you regard it as a fair statement of fact?—A. That is what I was informed, somebody has to be in charge.

Q. But what I want to get at, is whether you regard that as a fair statement of fact or would you consider it misleading?—A. I would not consider it misleading, I gave credit to Mr. Mulock in connection with the matter personally.

Q. Where did Mr. Mulock have his headquarters, or had he any?—A. I don't know that he had any headquarters, but he eat and drank and slept when he was in Goderich at the British.

Q. At the British, what do you mean?—A. At the British Hotel. Outside of that I don't know, because I wasn't outside of the town on more than one occasion.

Q. Do you remember stating in your newspaper on 28th of February a paragraph to this effect "it will be now in order for our Tupperite friends to clamour for a numbered ballot"?—A. Yes.

Q. You remember that?—A. Yes.

Q. Why did you say that?—A. I thought it would be the fairest ballot, it is the fairest ballot there is.

Q. You thought it would be in order for them to clamour for it?—A. Yes, they always clamour for something when there is trouble.

## Privileges and Elections Committee.

Q. What precaution did you take to prevent these ballots getting out of your office into the hands of anybody who should not get them?—A. I instructed my hands to see that nobody got them.

Q. Who did you instruct?—A. I went into the office and there were several of them there working, some of them were printing, some of them were cutting and some were parceling up; and I said: "Now, see that nobody gets a ballot out of my office, I fired a boy once for appropriating tickets and this is more important than that."

Q. You gave general instructions?—A. Yes.

Q. What was the effect of those instructions?—A. To see that none of these ballots got out except they got out in the ordinary and regular way.

Q. Mr. Alexander Smith, the organizer, was in your office several times?—A. He was in several times.

Q. Do you happen to remember who were in with him?—A. Oh, I cannot tell you.

Q. You don't remember?—A. No.

Q. You remember others were in with him?—A. You see there is a number come in to the office every day, and particularly at that time.

Q. I don't mean all the world, I mean with Mr. Smith?—A. I can't remember, but if any names came to my recollection I would state them.

Q. The fifty ballots, I do not quite understand your explanation of the 50 ballots which are unaccounted for?—A. Well, briefly, the whole statement is this: I wanted to get paid for 500 at \$1.25, whereas for 150 I would only have got 38 cents.

Q. I understand that?—A. I instructed that enough paper be cut for that.

Q. That is for 6,500?—A. Yes, and outside of the 6,150 given to Mr. Sands I get these three packages.

Q. That is 6,150 and you ordered paper for 6,500, and you gave some explanation as to the fifty?—A. I said they were not as true in counting the hundreds as in a bank and in some cases they might leave more than the right number.

Q. Is that theory or fact?—A. I read it in the paper that a man in Goderich got seven extra, that he got 157 instead of 150.

Q. Outside of the newspapers I want to know whether what you say with regard to the fifty is based on actual personal information or on surmise?—A. Well, it is surmise because I never counted them.

Q. Did you make any investigation about the fifty?—A. No, I know there is several ballots spoiled and I expected my men would give me all that was printed.

Q. You never made any investigation about the fifty?—A. No, I did not.

*By Mr. Russell:*

Q. You might just look at these ballots from No. 8 Clinton, Mr. McGillicuddy, you see the one that is fastened, it evidently is the one that had the marks put on part of the ballot, that one at the top?—A. Yes, there is eight small polling subdivisions in Clinton. There is 100 here.

Q. This is one of these unused from No. 8 Clinton?—A. Yes.

Q. Will you look at the back of that one and see which die it is from?—A. It is from this one. (Exhibit 15-6)

Q. That is, it is one of the bogus ballots so-called?—A. Oh, no, I am not going to say so; it is one of the same kind.

Q. It is one of the class Mr. Powell discovered to be bogus?—A. It is one of that block.

Q. I want you to look at that ballot and see if you don't think the deputy returning officer dishonestly stuck it in between them together so as to bewilder and fool us and deceive us?—A. What do you say, Mr. Russell?

Q. I want you to look at that, it is the same as the one you first spoke of in that package?—A. Well, what do you want me to —

Q. Is that one of the same class, off the same die?—A. It is one of the same class of ballots I hold in my hand.

Q. Don't you think the deputy returning officer simply put that in there so as to—?—A. I would not like to think that.

Q. You would say it was in the place where put by your printers?—A. I would not say that, I would not like to throw any suspicion on the deputy returning officer.

Q. It is in the same place where put by your printers?—A. I am not going to make a statement of that kind about the deputy returning officer.

Q. You perceive the rest of the ballots in that package are from the different die, Mr. McGillicuddy, die 15-7?—A. Yes. One that is not.

Q. That is one I called your attention to. There are two in the package like the fourteen and the rest different?—A. Yes, sir.

Q. Two of these ballots, in No. 8 Clinton, unused, are like the fourteen?—A. Yes.

Q. And the rest are off the other die?—A. Yes.

Q. Now I want you to look at these eleven ballots that resemble the fourteen and the rest that resemble the other ballots from No. 4, Colborne?—A. This staple part belongs to these and the other to that.

Q. Do you know anything about stapling these together. What sort of a job is it?—A. Put them in a machine and step it down, you treadle it.

Q. In your judgment could these have been stapled together by the deputy returning officer without a machine at the end of the poll; would any sensible deputy returning officer do so; look at the unbroken holes of those you have taken off, could you put those back on the staple without tearing the ballots so that they would preserve the edge of the ballots?—A. I might.

Q. I am not talking about these, I am talking about those you took off; would you be skilful enough?—A. I don't think I could do it as well as if I had a machine; I suppose I could put them on.

Q. It would be a job of considerable difficulty, which would take a good deal of time?—A. I don't think it would.

Q. Just take that and put that right between yourself and the light and see if that hole is not just as clear as if punched with a pin?—A. Yes.

Q. Look at several and see if these pin holes are not extremely neat?—A. Yes, and there are some that are not neat. There is one that is neat, that top one.

Q. Well, I think we will have to use our own judgment about these, because I think anybody would be an absolute born idiot who would try to put these back on that pad.—(No answer.)

*By Mr. Bergeron :*

Q. What is your occupation?—A. I am a newspaper man.

Q. And a publisher, I understand?—A. I am the editor of the paper, the owner of the paper.

Q. You are a Liberal in politics, I understand?—A. Yes.

Q. And a kicker?—A. No. I said I was looked on as a kicker.

Q. Did you kick?—A. I kicked against a member who thought he owned the earth and the fulness thereof, but not against the Government.

Q. When did you kick?—A. I don't think it has anything to do with it.

Q. Well will you answer; Mr. Chairman, will you direct the witness to answer?—A. If the Chairman says it is relevant, I will answer.

Q. Would you answer, when did you kick?—A. Kick for what?

Q. You said a few moments ago you are a kicker and you said you kicked against a member who thought he owned the earth?—A. If you allude to any difference between the late Mr. Cameron and myself, I think it was in 1897.

Q. Well, when did you kick?—A. I told you just now.

Q. When did you kick?—A. That is not the way to put it. I had a difference of opinion with my member, the same as you have had with some of your constituents.

Q. Who was that with?—A. I said it was Mr. Cameron.

Q. Did you have a contract with the Department of Public Works for deepening the harbour of Goderich?—A. No.

## Privileges and Elections Committee.

Q. What kind of a contract have you with the Department of Public Works?—  
A. For a breakwater.

Q. At what price?—A. \$56,700.

Q. Did you ever have any public contract before in any shape or form?—A. No.

Q. Do you know anything about dredging or cribwork or anything like that?  
—A. No, but I have men with me who do.

Q. When did you get the contract?—A. By tender.

Q. When was that?—A. Either July or August of last year.

Q. Were you the lowest tenderer?—A. Yes, sir, absolutely.

Q. Was it advertised?—A. Yes.

Q. Since you had that contract you had no difference with the government or any department?—A. What do you mean?

Q. Any difference of opinion or anything of that sort?

Mr. Russell objected.

A. I know of no quarrels.

Q. I want to know, Mr. McGillicuddy, whether you had any difficulties or differences which might bring you down here to have an understanding from the deputy minister or the chief architect or anybody?—A. At the present time?

Q. Yes.—A. Well, sir, we did not have our progress estimate.

Q. And who asked you to come down?—A. I am asked to come down by Mr. Grant.

Q. Who is he?—A. A lawyer.

Q. What authority had he to ask you?—A. I can't tell that.

Q. You are not subpoenaed?—A. I am.

Q. Since when?—A. I have forgotten the day.

Q. Since you came or before?—A. Since.

Q. So you came down here on the demand of Mr. Grant?—A. Mr. Grant said he would subpoena me if I didn't come and I would rather come voluntarily than be compelled.

Q. Had you anything to do with the Department of Public Works?—A. I told you we had.

Q. You had some talk with whom, in the department?—A. Our progress estimate for the month of June had not been returned; I wanted to know why it had not been returned; I found it had been lost or mislaid, and there was no word put in any shape or form in the department except to find where this was misplaced.

Q. And it is settled?—A. No.

Q. You have not had a cent yet?—A. I have had a rebate of \$500 off me.

Q. How much have you got?—A. \$1,360.

Q. The estimate was how much?—A. Two thousand dollars.

Q. And you didn't get the balance?—A. They said the estimate was exhausted and I must wait.

Q. And you are to get it before you go?—A. No.

Q. When are you to get it?—A. When our next progress estimate comes down.

Q. How much work has been done?—A. \$6,000 or \$7,000.

Q. And when is it to be finished?—A. By the first of November.

Q. Of this year?—A. Yes, sir.

*By Mr. Russell:*

Q. I would like you to look at these stub ends of these three as I put them together, and tell me whether the stub ends correspond and the other ends vary all the way from one-sixteenth to one-quarter of an inch. (Referring to Exhibits 15-3, 15-4 and 15-5)?—A. In these two (15-3 and 15-5) the stubs are practically even.

Q. And how about the other ends?—A. The other ends from the block here to the other vary from one-sixteenth to one-eighth of an inch.

*By Mr. Powell:*

Q. That is the blocks with respect to each other?—A. No, they are both even at the end.

Q. But you are speaking of the blocks in their relation to each other as blocks?  
—A. To the ballots. I am making one block of the two.

Q. I suppose the knife got a little askew on one?—A. Yes, it didn't cut on the dead straight.

Q. Then you had no gauge in cutting these?—A. It was a matter of eye.

*By Mr. Russell:*

Q. The ballot of one or the other would not be rectangular?—A. Not dead straight on the right angle.

Q. It cannot be or they would be of the same width?—A. One would be a little more obtuse angle than the other.

Q. The ballot would not be a rectangular figure?—A. No.

Witness discharged.

THOMAS HARVEY SWORN.

*By Mr. Powell:*

Q. Will you tell us what your occupation is?—A. I am a papermaker.

Q. A papermaker, yes, and in whose employ?—A. Mr. E. B. Eddy's.

Q. Who are the foreman of the papermaking works?—A. My father, Mr. Thomas Harvey, sr., and myself.

Q. Mr. Thomas Harvey, sr., your father, and yourself are the foremen, and who has to do with the making of the paper the requisite thickness and weight and quality and everything else?—A. I do.

Q. Then orders will come in to you with a sample, a piece of paper, and you have to make paper of the same weight and thickness?—A. Yes. Some orders require only weight, some only thickness, and some require both.

Q. And the thickness of paper then is a thing that comes frequently under your notice?—A. Yes, sir.

Q. Very frequently?—A. Every day.

Q. Have you any means of judging infallibly the thickness of paper?—A. I have.

Q. Have you any instrument for that purpose?—A. I have.

Q. What is that instrument known as?—A. As a micrometer.

Q. And have you got that instrument with you?—A. I have.

Q. Produce it, please?—A. I have one, we have two different kinds. We have one that is more sensitive than this, that we use on very highly finished paper, but on rough paper you cannot use that; on rough paper we use this.

Q. I will just show you this. Now, sir, will you tell us, here are fourteen ballots, I would like to know the thickness of the paper in that ballot. That is No. 3-10?—A. That is four one-thousandths thick.

Q. Four one thousandths of an inch?—A. This micrometer is graduated to one one-thousandth of an inch, thus each one mark makes one one-thousandth, two makes two one thousandths. Here is the paper where there is no printing and I screw it right down here and you see there is just four points.

*By Mr. Russell:*

Q. That tells how thick it is?—A. Yes, four one-thousandths of an inch.

Q. Now, we will take 3-11?—A. Four one-thousandths.

Q. Four one-thousandths of an inch. Take 3-5?—A. Four one-thousandths.

Q. Take 3-1?—A. Four one-thousandths. No, excuse me, that is three one-thousandths.



Q. Now I will call your attention further, just look through them, you can judge paper by the feel and by the sight tolerably well, can't you?—A. Yes. We go by sight and feeling.

Q. Practically by sight and feeling?—A. Yes.

Q. Look through these and see if they are of the same kind of paper, if the stubs in that are of the same kind of paper as these? I am not speaking as respects the thickness, but the same kind of texture?—A. Do you want me to take each one of this parcel?

Q. Take one of them; 3-6 was 4 one-thousandths in thickness, look at that one and compare that ballot with the stubs?—A. They are not of the same stock and made on the same machine at the same time, that is impossible.

Q. Just explain how you know that?—A. Our machines are made up of different sections and on each section we have what we call different clothing, the machines, the first part of the machine is wire, a wire sieve, which is graduated according to the paper we are making, but on this class of papers we have about seventy meshes to the inch; the next process takes up to where it is pressed between felts at very great pressure and these papers are not pressed on the same class of felt, any one could notice the felt mark in that, there is no mark in this?

Q. I used the terms cloudy when cross-examining a witness, would that approach it?—A. Yes. And this paper is made of better stock than the other.

Q. The paper in the stubs is better stock than the paper in the ballot 3-6?—A. The paper of good stock will always feel and be thinner than the paper of coarse stock, although it may weigh the same. The weight of any paper will vary according to the weight and thickness.

Q. Could you, if it were necessary, weigh these papers?—A. Well, in such small quantities as this, it would be difficult.

Q. But still it could be done?—A. It could be done by figuring it out. We have scales to weigh very small sheets of paper.

Q. About how large pieces of paper could you weigh?—A. About five by eight.

Q. And what square could you weigh accurately? How small a square?—A. About six inches square.

Q. You are positive then that not one of these ballots of series three, including one to fourteen, and all between could have come off these stubs?—A. It is impossible.

The committee adjourned until Wednesday, 2nd instant, at 10.30.

# Privileges and Elections Committee.

HOUSE OF COMMONS,

WEDNESDAY, August 2nd, 1899.

The Committee met, Mr. Fortin in the chair.

Inquiry *re* last Dominion election in the West Riding of the County of Huron resumed.

HENRY ARMSTRONG SWORN.

*By Mr. Powell :*

Q. Mr. Armstrong, you were poll clerk, I understand, in District No. 3, in the town of Goderich?—A. Yes, sir.

Q. That is on the occasion of the last Dominion election that was held there?—A. Yes, sir.

Q. In that election I understand Mr. Holmes and Mr. McLean were the candidates?—A. Yes, sir.

Q. Who was the presiding officer or deputy returning officer?—A. James Farr.

Q. James Farr?—A. Yes, sir.

Q. And you were poll clerk. Do you recollect who represented Mr. Holmes?—A. Mr. Parsons, and I think the young man's name was Mackenzie if I am not mistaken; there were two scrutineers.

Q. Two scrutineers, agents or scrutineers; they would be scrutineers I suppose when it came to the time of scrutinizing the ballots?—A. Yes, sir.

Q. Who represented Mr. McLean?—A. Robert Clark and Mr. George Evans.

Q. Robert Clark and Mr. George Evans?—A. Yes, sir.

Q. Now, sir, were you sworn that morning to the performance of your duties?—A. I was not sworn.

Q. You were not sworn?—A. No, I was not sworn.

Q. Were any of the agents sworn?—A. No, they were not. A declaration in the book was filled in and they signed that.

Q. There was a declaration in the book and they signed it? They just signed and no oath was administered to any one?—A. None whatever.

Q. After the poll was open you kept the poll book, did you not?—A. Yes, sir.

Q. Is this the poll book that was kept by you?—A. Yes, that is my writing.

Poll book filed and marked Exhibit 16.

Q. On page 2 we have your appointment by Mr. Farr have we not?—A. Yes, sir.

Q. And your signature to this declaration they speak about?—A. Yes, sir.

Q. Now, after the poll opened and you commenced keeping this record or register just tell us what you did?—A. As each person came in to vote I looked at the voters' list in front of me to see if they had a vote. I looked at the sheet in front of me and I would wait to see if they had a vote before I would put in their names.

*By Hon. Mr. Sifton :*

Q. That is to say you examined the list?—A. Yes, sir.

*By Mr. Powell :*

Q. The list that you refer to that you examined was the official list of voters?

—A. Yes, sir.

Q. And if you found his name on the official list you then entered it here?—A. I entered it on this sheet.

Q. What did you do now in respect to numbering the voters, on your register, I mean?—A. On the register I put a number in front of his name here.

Q. In what order?—A. In numerical order.

Q. In consecutive numerical order?—A. Yes, sir.

Q. And this is the list of people, this is the official list that you spoke of?—A. That is my checking off.

Q. Now, how many voters, Mr. Armstrong, presented themselves to you and did you register in this book?—A. I think it was 118.

Q. I would like you to be certain. We have the official record here?—A. One hundred and eighteen that is correct.

Q. One hundred and eighteen?—A. One hundred and eighteen.

Q. Now, as I understand you, there were 118 voters appeared before you?—A. Yes, sir.

Q. And 118 men voted?—A. Yes, sir.

Q. And no more and no less?—A. That is correct, no more, no less.

Q. No more, no less. When the polling was through, Mr. Armstrong, a statement was made up of the result of the poll?—A. Yes, sir.

Q. And that was in accordance with the count that was made of the ballots deposited?—A. Yes, according to instructions that were received from the returning officer.

Q. This statement was signed by Farr was it not? The statement of the ballot was it not?—A. Yes, sir, that is his writing.

Q. On page 27 of this record, of the poll book?—A. Yes, sir.

Q. Now would you please tell us from that how many ballots were cast for McLean?—A. Forty.

Q. Forty ballots were cast for McLean?—A. Yes.

Q. How many were cast for Holmes?—A. Seventy-two, sir.

Q. Seventy-two, yes. Were there any rejected ballots?—A. I see where they are marked "rejected."

Q. Yes, one rejected ballot, and those that were over in addition?—A. Destroyed ballots.

Q. How many destroyed ballots?—A. Two.

Q. Now I call your attention to these destroyed ballots, Mr. Armstrong. Were those ballots marked there as destroyed ballots, were they destroyed before the voting commenced? Is your recollection strong enough for that?—A. Before the voting commenced I think they were destroyed about the time the poll opened because I heard Farr make some remark about two ballots being misprinted or something. I paid no attention to it.

*By Mr. Bergeron :*

Q. What did he say?—A. Misprinted, some defect in them.

*By Mr. Powell :*

Q. Then these two ballots that were destroyed never were handed to electors at all as I understand you?—A. No, they were not, I think he tore them up and threw them behind his chair.

Q. He tore them up and threw them behind his chair and they didn't go into the box?—A. I do not think they did.

Q. There is here "ballots not marked", what about these?—A. These are the ballots blank that came out of the box.

Q. And here is rejected ballot, was there any rejected ballot in the box? There was one rejected ballot according to this report?—A. Yes, there was.

Q. That being a rejected ballot means it was taken out of the box and rejected in the count does it not?—A. That is as being mismarked. That is the ballot.

Question objected to by Mr. Russell.

## Privileges and Elections Committee.

*By Mr. Powell :*

Q. I asked him if this ballot being entered there as rejected does not mean that the ballot was polled but rejected in the count?—A. That is a ballot that we were not certain about how it was. With regard to the mark he was not certain who it was for.

Q. But the ballot had actually come out of the box?—A. Oh, yes.

Q. You made this statement didn't you?—A. Yes, I made the statement for the deputy returning officer.

Q. Now, sir, this one ballot that is rejected you say that it was a ballot that had been put in the box and come out of the box and was rejected for some reason in the count and was not counted for either party?—A. That must have been the way, that must be the way it happened.

Q. Now, Mr. Armstrong, I wish to get from you now how many ballots came out of that box?—A. There would be one hundred and seventy.

Q. How many were marked for McLean that were counted?—A. Forty.

Q. How many for Holmes that were counted?—A. Seventy-two.

Q. How many ballots do you say that had no mark on them that came out?—A. Ten.

Q. And how many ballots came out that were rejected?—A. One.

Q. Now, would you please just total that up for me. It is 123 the Chairman says, but I want you to make sure of it yourself. Forty for McLean, seventy-two for Holmes, ten not marked, one rejected?—A. Fifty-three.

Q. The 53 did not come out of the box?—A. One rejected.

Q. That is 123 is it not?—A. That is 123.

Q. Yes, then, sir, you state that 123 ballots came out of that box?—A. Yes, sir.

Q. Now how many went in from your record, turn back here?—A. One hundred and eighteen.

Q. Now there was some ballot stuffing there, wasn't there?

Question objected to by Mr. Russell.

*By Mr. Powell :*

Q. To what extent then, sir, was the box stuffed?

Question objected to by Mr. Russell.

*By Mr. Powell :*

Q. To what extent from your record was the box stuffed?—A. You mean ballots that came out not marked?

Q. No, I mean 118 went into that box?—A. Yes, sir.

Q. One hundred and eighteen people voted?—A. One hundred and eighteen people voted.

Q. And 127 votes, ballot papers came out?—A. That would be five difference.

Q. Five, yes?—A. Five difference.

Q. Five ballots came out of that box that had no business to be in it?—A. According to the statement.

Q. The statement is correct is it not?—A. The number of votes here puts it 118 voted that day.

Q. Now, sir, we will take these ballots. We will finish up the ballots first? Here are Mr. McLean's ballots. I call your attention to the ballot paper for Mr. McLean?—A. Yes, sir.

Q. Just look at those, look over them carefully, you need not turn the back. I call your attention to a mark here on the upper right hand corner, a white mark, diagonally across the corner. How many are there, there?—A. There are 40 there.

Q. There are 40 ballots there?—A. Yes.

Q. And every one of them has this white mark across the upper right hand corner?—A. So far as I can see, they have a white mark on the right hand upper corner.

Q. A mark diagonally across the right hand upper corner?—A. Yes.

Q. Now the unused ballot papers were gathered together, were they not, Mr. Armstrong ; or they were returned, rather ?—A. They were returned to the best of my knowledge.

Q. Now I will just ask you to look through these and see if you see the same identical mark on these, and you can count them at the same time if you like ?—A. Fifty-three I make.

Q. That is correct, 53 unused ballots that were returned ?—A. Yes.

Q. And each and every one of these ballots has this white mark diagonally across the upper right hand corner ?—A. It has.

Q. Now we will take the votes here marked for Mr. Holmes ; would you please go over those and withdraw those from them that strike you as being a different ballot from the rest and pile them here ?—A. There is one I judge by the appearance had the mark.

Q. It commences there ?—A. Yes.

Q. Any you have any doubt about put in a pile by themselves.  
The witness did so.

Q. Now you have made three piles there ?—A. Yes.

Q. This pile is marked the same as the McLean ballots and the unused ballots so far as this diagonal mark is concerned ?—A. With the "x".

Q. With the diagonal mark, I mean ?—A. I didn't notice the others, you asked me to count them.

Q. In the unused ballots ?—A. You simply asked me to count them.

Q. Well, just see if these marks are all there ?—A. They have the same mark as these I have laid out.

Q. And these are unused ballots ; the white mark is across the corner of all these, is it not ?—A. Yes, sir, it is across the corners of all these.

Q. Now we will come back ; you have divided Holmes's ballots into three divisions ?—A. Yes, sir.

Q. This division is the same, as respects the mark in the upper right hand corner, as the McLean ballots and them unused ballots ?—A. That is correct.

Q. There are 49 of these ?—A. Yes, sir.

Q. The 49 ballots then in that division you say are the same, as far as the mark in the upper right hand corner is concerned, the McLean and unused ballots ?—A. Yes, sir.

Filed as Exhibit No. 18-3.

Q. Now here is another pile you have made of ten ?—A. Yes, sir.

Q. Have these the white mark diagonally on the upper right hand corner ?—A. They have not.

Q. And these are all marked for Holmes, are they not ?—A. Marked for Holmes.

Filed as Exhibit No. 18-4.

Q. Now we will look at this pile of eleven ballots, these eleven have not got the mark on the upper right hand corner you have spoken of ?—A. They have not.

Filed as Exhibit No. 18-5.

Q. Now here are two remaining, what about these two ?—A. Well the mark on the top of each is very indistinct but it looks as if there had been a white mark across.

Q. Indications of it ?—A. Yes, sir, indications of a white mark similar to the others.

Q. They are in line ?—A. Yes, but very indistinct.

Q. But the line is broken ?—A. Yes ; the ink is heavier.

Filed as Exhibit No. 18-6.

Q. Now will look at the back of these (Exhibit 18-4) these are the ten ; is there any initial of Mr. Farr on the back of that one ?—A. No, sir, there is not.

Q. No initial on the back of that ?—A. No, sir.

Q. Not on the back of that ?—A. No, sir.

Q. Not on the back of that ?—A. No.

Q. Not on the back of that ?—A. No.

Q. Not on the back of that one ?—A. No.

Q. Not on the back of that ?—A. No, sir.

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Q. Or that one?—A. No, sir.

Q. Or that one?—A. No, sir.

Q. Or that one?—A. The "J.F." is marked on it.

Q. His initials are on the back of that one?—A. Yes.

Filed as Exhibit No. 18-4a.

Q. Now, that one I think we will mark specially because it is different from the rest?—A. That is the ballot that has the initials.

Q. Now, I will call your attention to these. I am speaking of the 12 ballots; just follow me?—A. Yes, sir.

Q. Now, ten of the ballots in series 18-5 have Mr. Farr's initials on the back or what you believe to be Mr. Farr's initials on the back?—A. Yes, sir.

Q. And two have not?—A. No, sir.

Q. Have these two initials on the back?—A. None whatever, sir.

Exhibits put in and marked 18-5a, 18-5b.

Q. Then, as I understand you there are eleven ballots that were counted from the box for Mr. Holmes that had not Mr. Farr's initials on the back?—A. That would be the ten we counted.

Q. There is one of the ten that had?—A. Yes.

Q. That left nine in that bundle and two in this?—A. That would be ten blanks, you mean.

Q. No, no, not blanks. You see, there were ten in that division, and Farr's initials were on the back of one that left nine in that division on which there were no initials, and two in this division that makes eleven altogether? If you do not follow it you needn't mind because it is in the reporters' notes.

Q. I call your attention again to Mr. McLean's ballots 18-1. Now, I would ask you to look at these and see if there is a solitary case in McLean's ballots in which there is an uninitialled ballot?—A. No, they are initialled J.F.

Q. And you believe these to be the initials of Mr. Farr?—A. I believe they are; that is his initials. I didn't watch him closely endorsing every one, but from the similarity of the writing there, I believe them to be the same.

Q. Now, we will take the 49, that is 18-3, for Mr. Holmes. I would ask you to look over that series and see if every one of that series is not initialled by the deputy returning officer? What about that one?—A. No.

Q. None on that?—A. No.

Q. There is none on that?—A. No.

Q. But all the rest of this series of 49 marked as 18-3 are endorsed with Farr's initials excepting two?—A. With the exception of two.

Q. And on these two there are no initials?—A. No.

Q. Were you at your post all day, Mr. Armstrong?—A. I was at my post all day long, yes, sir.

Q. You were at your post all day long?—A. Yes, sir.

Q. Was Mr. Farr at his post all day long?—A. He was not.

Q. He was not?—A. No, sir.

Q. What do you mean by that?—A. He went out several times during the day. He was in and out several times during the day.

Q. In and out of the room?—A. Yes, sir.

Q. In what kind of building was the room?—A. In the town hall.

Q. In the town of Goderich?—A. Yes, sir.

Q. Well, did he go out of the division in which you were or out of the building altogether?—A. He went out of the room he was in.

Q. And you don't know whether he went out of the building altogether or not?—A. I could not say.

Q. Did you see him—you said you saw him, in the morning, destroying some ballots?—A. Yes.

Q. When was it?—A. About the time the poll opened, they were counting the ballots.

Q. How many did he destroy?—A. There were two torn up.

Q. Two torn up?—A. Yes, sir. They were misprints and were thrown behind the chair and laid there all day, because I remember speaking to him about it.

Q. There is evidence that there were remnants of four ballots picked up in the hall, you only saw him destroy two?

Mr. RUSSELL.—My understanding is that there were three picked up by his chair. I object to any statement being made to this witness as to what evidence has been sworn to by another.

Argument followed.

*By Mr. Powell :*

Q. Now, Mr. Armstrong, you only saw him destroy two?—A. Well, I did not see him destroy them, but I know they were destroyed by him just about the time the poll opened, for the simple reason I didn't count the ballots at all, but Mr. Evans counted them just to see if they were right and Mr. Parsons counted them and they made the same number.

Q. Who is Mr. Evans?—A. He lives in Goderich.

Q. He was the agent for whom?—A. For Mr. McLean.

Q. And who was Mr. Parsons?—A. The agent for Mr. Holmes.

Q. You see 178 on the bottom of that?—A. One hundred and seventy-eight.

Q. These are not your figures are they?—A. No, they are not.

Q. If there ever was a ballot on the bottom of the block with the number of the polling booth and the town or township and the number of ballots it has been removed has it not?—A. Do you mean written or printed?

Q. Written on them.—A. There is no mark on that whatever that I can see.

Q. Then there is no mark on that whatever except the 188?—A. No pencil mark.

Q. No pencil mark?—A. Yes, sir.

Q. Then if there ever was on the back of that package a ballot with the number of the ballots on it, that has been removed if there ever was a ballot with such a mark there?—A. Do you mean there ever was? If there ever was it does not appear now.

Q. Did you or did you not look at the bottom ballot paper before it was meddled with, the bottom ballot of this package?—A. I did not touch the ballot at all.

Q. You did not touch the ballots?—A. No, sir.

Q. And do not know whether that ballot on the bottom was in before Farr commenced tearing them off?—A. I cannot say.

Q. I am directing his attention to 10-1. You are a married man are you not?—A. Yes, sir.

Q. Now, Mr. Armstrong, I want to ask you if you ever told your wife that you had seen Mr. Farr tear up other ballots or manipulating other ballots on the window sill.

Question objected to by Mr. Russell.

The CHAIRMAN. I understand the objection is to the legality of the question  
\* \* \* \* I think you should ask him whether he did see that before asking him if he told anybody he saw it.

Question withdrawn.

*By Mr. Powell :*

Q. Did you see, sir, Mr. Farr have any ballots on the window sill in the room at any time during that day?—A. About four o'clock in the afternoon he got up from his seat, walked out towards the stove and then from there he went over towards one of the windows on the south side of the building and he stood there. I was busy reading the paper, there was nothing doing, and the voters slackened up for the afternoon and I was reading the paper and just happened to see him at the window sill and he had a lot of papers on the window sill. I cannot say what they were but I think they were stubs; I cannot say. I paid no attention to that because I did not think there was anything wrong at the time.

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Q. You paid no attention to it?—A. No, I did not.

Q. Didn't you tell your wife that Farr told you he made made 13 or 14 ballots during the afternoon for Mr. Holmes?

Question objected to by Mr. Russell.

Q. Did Mr. Farr tell you that or anything to that effect?—A. At half past one that day my dinner was brought down and about half past one I got off the chair and went over to a small table in the rear where I was sitting. I put the basket up on the table and commenced to take my dinner and made the remark to Farr, "I guess they have forgotten to bring your dinner." I said "I guess you had better come and have some with me."

Q. What did he say?—A. He came over and sat beside me.

Q. Did he say anything?—A. He made the remark to me.

Q. What was it now?—A. "There were 13 damn good ballots in that box for Holmes."

*By the Chairman :*

Q. There were 13?—A. Thirteen; I didn't understand what he meant by it at the time.

Q. You didn't understand what he meant by it at the time?—A. No, I didn't understand.

*By Mr. McInerney :*

Q. How many ballots were polled at that time?—A. That is the remark he made to me.

Q. How many ballots had been polled at that time, at one thirty o'clock?—A. I cannot say that, sir.

Q. Can you tell by the book?—A. No, I cannot.

*By Mr. Powell :*

Q. There are no hours in the book?—A. No.

*By Mr. Britton :*

Q. More than thirteen, I suppose?—A. More than 13.

*By Mr. Powell :*

Q. Now, Mr. Armstrong, were you present, did you make any remark to him when he said this to you?—A. I did.

Q. What did you say?—A. I said "you better mind what you are doing." I said "I know nothing about it, and you had better mind what you are doing and attend to your business."

*By an Hon. Member :*

Q. What is that?—A. Attend to his business.

*By Mr. Powell :*

Q. Now, Mr. Armstrong, when they came to count up the ballots was there a dispute in respect to the vote?—A. There was considerable wrangling. I had nothing to do with the counting of the ballots. I sat in my chair waiting for the result to be announced.

Q. Did you keep tally?—A. I kept tally with the rest.

Q. And there was a good deal of wrangling about the vote?—A. A great deal of wrangling, there was considerable.

Q. Did Mr. Farr count these ballots for Mr. Holmes that had no initials on the back?—A. I paid no attention to the ballot counting because there was so much confusion and noise in the place, and wrangling.

Q. There was so much wrangling and dispute during the time the counting was going on that you do not know what was said?—A. I paid very little attention to it.

Q. You had nothing to do with the counting of the votes except keeping tally?—A. No, sir, nothing whatever.

Q. Did you see them as they came out?—A. I seen Farr take the ballots out of the box, lift them up, see who they were for, and lay them on the table.

Q. And you did not inspect the endorsements, if any, on the back of them?—A. No, sir, I did not.

Q. And from your position did you or did you not see any endorsements on the back?—A. During the day time?

Q. No, at night?—A. No, I was too far off to see. It would be a distance from me as far as from here to the basket probably.

*By Mr. Flint :*

Q. I want to ask you a question or two. Did you vote yourself there that day?—A. Yes, sir.

Q. Your name is not on the voters' list here?—A. No; I got a certificate from the returning officer to vote in that division. I live in another ward, you see.

Q. Although your name is not on the voting list you voted because you had a certificate from the returning officer?—A. Yes, sir.

Q. The scrutineers were Mr. Parsons and John Murray?—A. Murray, that is the name, I gave Mackenzie in mistake.

Q. Robert Clark and George Evans?—A. Robert Clark and George Evans.

Q. Did Mr. Parsons vote? Did he have his certificate from the sheriff?—A. I cannot say, sir.

Q. Is there any paper which would show?—A. I cannot say whether he voted or not, I have no record or anything.

Q. Did he have a certificate from the sheriff, was this certificate filed among the papers?—A. I handed my certificate to the deputy returning officer.

Q. Was it filed among the papers?—A. I cannot say that.

Q. Do you remember whether Mr. Murray voted or not or whether he had a certificate?—A. I cannot say, sir, no.

Q. I see that Mr. Clark and Mr. Evans were on the voters' lists so they did not require a certificate?—A. No they would not require it, they were on the voters' lists.

Q. There is a certificate of John Murray, his appointment, and this is the certificate of Mr. Parsons, that is his appointment and this is the appointment of Mr. Clark and Mr. Evans?—A. Yes, sir.

Q. Now there does not appear to be any certificate, there does not appear any certificate for these other two gentlemen as they were voters?—A. The first two.

Q. Parsons and Murray?—A. No, sir, I don't see any.

Q. Are they voters; do you know if they have a vote anywhere else or not?—A. Parsons he would be in St. George's ward, a different ward altogether.

Q. Well was he there all day?—A. He was there and I think they relieved each other.

Q. I was trying to account whether it was possible the other two votes might not be taken down on the list owing to being transferred from other sections.

*By Mr. Britton :*

Q. What is your business?—A. I am an agent, sir.

Q. Agent for what?—A. An agent for a paint company. I take orders for books, and so on. A general agent.

Q. You take orders for books and are an agent for paint and anything else?—A. I canvass for flower seeds, bulbs, and so on.

Q. You canvass for flower seeds, bulbs and so on. When did you know that you had been appointed poll clerk?—A. The day or two before.

## Privileges and Elections Committee.

Q. Who told you?—A. Mr. Farr.

Q. The deputy returning officer at the place where you acted, that is the same man?—A. Yes, sir.

Q. He told you he wanted you to act as poll clerk?—A. Yes.

Q. You—of course I need not ask you but to have it on the record—are a man of good reputation?—A. Yes.

Q. Fair and honest in your dealings?—A. Yes.

Q. And up to that time you had been a Conservative in your politics?—A. Well, I hadn't been a politician at all.

Q. Answer my question. Up to that time you had been a Conservative?—A. Well, I could not say that; I had voted on both sides because I was never a politician in my life; I always voted for the fittest man.

Q. You were not a strong party man?—A. No.

Q. You had voted both ways?—A. Yes.

Q. And were as much a Conservative as a Liberal?—A. Yes.

Q. And of good reputation, and you were asked by Mr. Farr to act as poll clerk?—A. Yes.

Q. Had you ever acted before as poll clerk?—A. I had acted the previous month in a local election.

Q. When was that?—A. In the month of—it was the month of December.

Q. Before this election?—A. Yes.

Q. And was there anything different in the conduct of this election, so far as you were concerned and you signing the book, different from the local election and this one?—A. The local election was conducted in a very nice manner.

Q. I am speaking about yourself; was there anything different in your conduct as to taking any oath or signing any book in the local election and in this one?—A. I cannot remember there was; the election came so close together I cannot remember what transpired at the previous election but just simply filled the declaration.

Q. Well, you read and write?—A. Yes.

Q. And that is your signature? (handing witness poll book)?—A. That is my signature.

Q. And that is your writing?—A. That is my writing.

Q. And you filled out the oath?—A. Well—

Q. You filled out the oath?—A. Yes, sir.

Q. And therefore you must have read it before you signed it?—A. Yes, sir.

Q. It is not the mere signing something but filling out this oath and it is headed "oath of poll clerk"?—A. Yes.

Q. You said you were not sworn?—A. I was not sworn.

Q. But you went there and acted?—A. Yes.

Q. And you regarded that as the same thing?—A. Yes.

Q. Can you tell me the reason why you were not sworn?—A. There was no Bible in the room.

Q. Did you ask for one?—A. No.

Q. So you read this over and filled in the blanks in the printing: "I the undersigned," and you filled in "Henry Armstrong" yourself?—A. Yes.

Q. "Appointed poll clerk for the polling district No. 3 of the electoral district of West Huron, Goderich, do solemnly swear".....?—A. Yes.

Q. "Or affirm" is put in brackets there?—A. Yes.

Q. ... "that I will act faithfully in my capacity of poll clerk, and also in that of deputy returning officer if required to act as such, according to law, without partiality, fear, favour or affection, and that I will keep secret the names of the candidates for whom any of the voters at the polling station in the polling district No. 3 marks his ballot paper in my presence at this election. So help me God"?—A. Yes.

Q. Did you see that, "So help me God"?—A. Yes.

Q. And then you signed?—A. Yes.

Q. So, it is on the book as an oath and you so regarded it?—A. Yes.

Q. You so regarded it?—A. I so regarded it.

Q. And then as to your conduct, now, if anything should be made of your conduct there, what do you say to your portion as affecting the election?—A. Well, as far as I was concerned, I conducted my business properly with it, as far as I was concerned.

Q. You did not register the name of a man who had not the right to vote?—A. No.

Q. And the register in this is of those who had the right to vote?—A. Yes.

Q. And you saw them receive the ballot?—A. Yes.

Q. Did you see the ballot taken off this book?—A. Well, I seen the deputy returning officer hand the ballots to some of the people.

Q. Why didn't you see him hand them to all?—A. Sometimes there would be a man outside waiting for me to go over the voters' list.

Q. Describe this for us. You were where? How were you sitting?—A. To his right.

Q. Suppose you come in by the door, where was the deputy returning officer?

A. He was sitting here and I was here; it was a large oval table.

Q. And you were to the right of the deputy returning officer?—A. Yes.

Q. And the voter would come in in front?—A. Yes.

Q. So you could see him and the deputy returning officer and he could see you both?—A. Yes.

Q. Where was the ballot box?—A. Directly in front of the deputy returning officer.

Q. And where did he keep his ballot papers?—A. His ballot papers?

Q. Yes.—A. He kept them in front of him.

Q. He kept them in front of him on the table?—A. At his right hand.

Q. At his right hand in front of him on the table?—A. Yes.

Q. And when the voter would come as far as you saw he would take a ballot from that book?—A. Yes, and hand it to him; I would see if he was all right.

Q. You were there before 9 o'clock?—A. I was there before 9 o'clock.

Q. What was done at the opening of the poll; in the first place who were there besides yourself?—A. There was the scrutineers—Parsons.

Q. Who were the scrutineers for Mr. McLean?—A. Robert Clark and George Evans.

Q. Robert Clark and George Evans?—A. Yes.

Q. And who for Mr. Holmes?—A. Murray and Parsons.

Q. Murray and Parsons?—A. Yes; I made a mistake awhile ago, I said Mackenzie and Parsons, but it was Murray and Parsons.

Q. It was Murray and Parsons?—A. Yes.

Q. And yourself?—A. Yes.

Q. And the deputy returning officer?—A. Yes.

A. And any one else?—A. The constable.

Q. What was his name?—A. Stephen Yates.

Q. Stephen Yates the constable; he was in the room at 9 o'clock when the proceedings commenced?—A. I could not swear to that, but I think he was.

Q. Now what was done at first just before allowing the electors to get their ballots; was the ballot box opened?—A. The ballot box, I didn't see Mr. Farr—

Q. You didn't see that?—A. No.

Q. So you don't know whether it was open or not?—(No answer.)

Q. Did anybody ask to look in the ballot box, or how was that?—A. No, I don't know.

Q. You don't remember about that?—A. No, sir.

Q. Well at all events the proceedings went on during the day in the ordinary way?—A. In the ordinary way.

Q. Now you had a conversation; about what time was that, I want to fix it; you said it was when you ate your dinner?—A. About half past one I ate my dinner.

Q. There was only how many votes polled at your place all day?—A. 118.

Q. So you could easily get through it if the voters came in by eleven?—A. Yes.

Q. The vote was fairly good?—A. Yes, up to the time the factories came out; at half past eleven and twelve a number came in.

## Privileges and Elections Committee.

Q. A number came in?—A. Yes.

Q. And you did not take your dinner till after the noon hour?—A. Half past one.

Q. So by that time can you say three-quarters of the vote was polled?—A. I should say so.

Q. Now then a question in reference to the destroying of ballots in the morning in some way; was that some blank ballots; and you think two were destroyed?—A. They were taken—there was two misprints on the top of the bundle; I was given by Farr to understand he had destroyed them because they were misprinted.

Q. At all events you understood in the morning that two ballots from that package were destroyed?—A. Yes, because they lay behind his chair all day.

Q. In the morning they were thrown behind his chair?—A. Lay there all day.

Q. They remained there in plain sight?—A. Yes.

Q. So that as far as you know the scrutineers on both sides could see them as well?—A. Just as well.

Q. Is this your writing at the summing up of the ballots in the book or whose is that?—A. That is my writing, sir.

Q. That is your writing?—A. Yes, sir.

Q. Now this does not appear to tally; have you any explanation to offer with reference to that; where did you get these figures?—A. I got these figures from the deputy returning officer; I waited till he got through the wrangling and asked "what will I put down now, I want to get home?"

*By Mr. Powell :*

Q. Do you know whether or not Mr. Farr initialled the margin of the ballots, that is the counterfoil?—A. I can't say.

Q. You can't say?—A. No, sir.

*By Mr. Borden :*

Q. Did Mr. Farr after this conversation with him at lunch, at dinner rather, did he, at any time, after that, say anything to you about his conduct as deputy returning officer that day? Did he at any time afterwards make any statement to you on the subject?—A. Not to my knowledge. I don't think I saw him afterwards for some time.

Q. I want you to think about that, whether on that day at half past one or any subsequent day did he say anything to you?—A. Not to my knowledge.

Q. You are sure about that?—A. No, sir, I never met him but once, up at his house about the second week after.

Q. Did he say anything about it then?—A. No, sir. I went up there to get some money that was due to me from him.

Q. That is the only conversation you had with him on the subject?—A. That is only conversation I ever had.

*By Mr. Powell :*

Q. Do you know where Farr is now?—A. I do not, sir.

Witness then withdrew.

ABRAHAM SMITH SWORN.

*By Mr. Borden :*

Q. Where do you live ?—A. In Goderich.

Q. What is your occupation ?—A. I clean and dye clothes.

Q. Were you living in Goderich at the time of the Dominion election in February last ?—A. Yes, sir.

Q. Did you know James Farr ?—A. Yes, sir.

Q. Was he living in Goderich at that time ?—A. Yes, sir.

Q. Did you know him intimately, know him well ? Were you well acquainted with him ?—A. Yes.

Q. Did you know he was acting as deputy returning officer ?—A. Yes, sir.

Q. In the town of Goderich at that election ?—Yes, sir.

Q. Did you ever have any conversation with him as to his conduct as deputy returning officer at the election ?—A. Yes, sir.

Q. How long after the election did you have a conversation with him ?—A. The next morning.

Q. Where was it ?—A. In the shop.

Q. What shop ?—A. My shop.

Q. What did he say to you ?—A. I can't tell you just what he said.

Q. Tell me as nearly as you can, did he talk about what he had done on election day ?—A. He went over some of it.

Q. What did he say ?—(No answer.)

The CHAIRMAN.—Tell what you know, Mr. Smith.

*By Mr. Borden :*

Q. Come witness, I want you to tell what he said as nearly as you can remember ?—(No answer.)

Q. Come, come, tell me; you remember something he said. You remember the conversation ?—A. I remember the conversation.

Q. Well, what was he talking about ?—A. He was speaking about the election.

Q. What was he saying about it ?—A. Speaking about the way he had managed affairs up there.

Q. Up where? At the polling place where he was ?—A. Yes.

Q. How did he say he had managed affairs ?—A. I can't explain it to you.

Q. Explain it as nearly as you can, he said he had managed affairs ?—A. Yes.

Q. And told you how he had managed affairs. Give us an idea of how he said he had managed them ?—(No answer.)

Q. Come, tell as nearly as you can, Mr. Smith. What did he say he had done ? Did he say anything about the ballots ?—A. Yes.

Q. What did he say about the ballots ?—A. He said that he had been given, I think he said it was seven ballots for to work out.

Q. He had been given seven ballots to work off ?

Mr. RUSSELL objected that the witness was being misquoted, that he did not say he was given ballots to work off.

A. To work them out, I suppose it would be about the same.

Q. Did he say for whom he had worked them out ?

Mr. BRITTON objected to the question.

Q. How did he say he worked them out, Mr. Smith ?—(No answer.)

Q. Tell us as nearly as you can what he told you ?—A. I can't tell you.

Q. Did he explain to you how he had worked them out ?—A. No.

Q. Did he tell you how he had done it ?—A. No.

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Q. He didn't tell you how he had done it?—A. He told me how he had done it, but I can't explain it to you just now.

Q. He told you how he had done it?—A. Yes.

Q. He said that he had been given seven ballots to work out, is that correct?—A. Yes.

Q. Did he tell you whether he had worked them out or not?—A. He said he did.

Q. And he told you how he worked them out, is that right?—A. Yes, sir.

Q. Did he tell you for whom he had worked them out?—A. For Mr. Holmes.

Committee adjourned until four p.m.

WEDNESDAY, August 2nd, 1899.

The Committee resumed at four o'clock.

Examination of ABRAHAM SMITH resumed :

*By Mr. Borden :*

Q. I was asking you, Mr. Smith, about your conversation with Mr. Farr in your shop the morning after the election and you told me part of it. I want to ask you what Mr. Farr said to you as to the manner, the way in which he worked out these seven ballots for Mr. Holmes?—A. I cannot tell you that, I cannot tell you how he done it.

Q. No, but did he tell you how he did it?—A. He said he done it.

Q. I know you said he said he did it, but did he tell you how he did it?—A. No.

Q. He just told you he had worked the seven ballots out for Holmes?—A. Yes.

Q. And didn't tell you how?—A. No.

Q. I thought I understood from you before dinner that he did tell you how he did this?—A. No.

Q. You didn't mean that?—A. No.

Q. Well now about how long did the conversation last?—A. I couldn't tell you that.

Q. How long was he in your shop?—A. He was there off and on for days.

Q. I know, but on this occasion?—A. Oh!

Q. You told me he was in your shop the morning after election?—A. Yes.

Q. You had a conversation with him there? I want to know how long he was in the shop on that occasion?—A. Probably an hour or an hour and a half.

Q. Was he talking about this election matter all the time?—A. Yes.

Q. Didn't he say—do you mean witness that he was talking to you about the election matter for an hour or an hour and a half?—A. Oh, not altogether, certainly not.

Q. He was not talking to you altogether about that?—A. No.

Q. How long was he talking to you as far as you can remember about the election matter?—A. I could not very well say.

Q. Well, tell us if you know how he said he had worked off these seven ballots for Mr. Holmes. Didn't he say anything more than that? I want you to recollect if you can what he did say?—A. I do not just recollect.

Q. You don't just recollect what more he said, is that it, is that what you mean? Don't you recollect anything more than that of what he said besides what you have told me?—A. I could not very well go to work and tell you the story.

Q. You could not very well go to work and tell me the story. Why couldn't you?—A. Not the way I understand it.

Q. The way you understood it from him, I want you to tell the story. Now, Farr told you some story about this. He gave you an account of it, you remember that don't you?—A. Yes.

Q. You remember that. Now, I want you to tell me what Farr's account of it was as near as you can?—A. Well, he came into the shop and he said that Mr. Yates had been up after the ballot box the night before, that he did not think that Farr would be able to do the job. He said he came down town and Willy Horton took him, he came down town to the committee room and Horton took him down to Craig's and put him through his facings to see whether he could do the job or not. That is all I know about it.

Q. He said, let me see if I understand you correctly and you will check me, Mr. Sifton, he said Yates had come up to his house?—A. Yes.

*By Mr. Sifton :*

Q. Yates?—A. James Yates.

*By Mr. Powell :*

Q. James Yates had come up his house to see about the ballot box, was that it?—A. No to get it. He got it.

Q. Do you mean he got it back after the elections?—A. No, before, the night before.

Q. And they wanted to see whether he could do the work properly?—A. Yes.

Q. And they brought him down—you spoke of a man by the name of Horton, Billy Horton?—A. Yes.

Q. What did he say Billy Horton had to do with it?—A. He took him down to Mr. Craig's for to see whether he could handle the ballots or not.

Q. Whether he could handle the ballots properly, yes, what Mr. Craig, what is Mr. Craig's first name do you know?—A. William Craig.

Q. William Craig. Does he live in Goderich?—A. Yes.

Q. What is his business?—A. Hotel keeper.

Q. Hotel keeper. Did he say whether he, Farr, went down to Craig's?—A. Yes.

Q. He went down to Craig's and they put him through his facings there as you call it to see whether he could handle the ballots properly. Well now, what I want to get at next is, did he tell you anything about the way in which he did handle the ballots?—A. No.

Q. Beyond the fact that he had worked off or worked out seven of them for Holmes?—A. No.

Q. Did he tell you anything about the way in which he had done it?—A. No.

Q. He didn't tell you anything about that?—A. No.

Q. Now what else did he tell you?—A. I don't remember anything more.

Q. You don't what?—A. I don't remember anything more.

Q. You don't remember anything more?—A. No.

Q. Did he ever have any other conversations with you about this matter?—A. We might have had lots of conversations but I don't remember just what took place.

Q. Did he at any other time tell you anything about his handling the ballots on election day?—A. He might have.

Q. I want you to recollect whether he did or not?—A. I could not say.

Q. You can't say?—A. No.

Q. What was the next occasion that he talked to you about the ballots; where was it, do you remember?—A. I could not remember.

Q. You can't remember; did he talk to you that same day?—A. He may have, the chances are he did.

Q. You cannot say whether he did or not? Do you know Billy Horton who has been spoken of?—A. Yes.

Q. Where does he live?—A. In Goderich.

Q. What is his occupation?—A. Town treasurer.

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Q. Did you say town treasurer?—A. Yes.

Q. James Yates, isn't it?—A. Yes.

Q. Where does he live?—A. In Goderich.

Q. What is his occupation?—A. He was keeping a book store until lately.

Q. Is he living in Goderich now?—A. Yes.

*By Hon. Mr. Sifton :*

Q. He is living in Goderich now?—A. He has got Mr. Seager's situation; Mr. Seager gave him his situation.

Q. Is this man in Goderich now?—A. Yes. He is not police magistrate; Seager is police magistrate, but he gave him a place.

*By Mr. Borden :*

Q. A position of policeman or crier or what is it?—(No answer.)

*By Mr. Britton :*

Q. Do you mean clerk?—A. He is clerk of the Division Court or something like that.

Q. You say he is clerk of the Division Court?—A. I would not say he is clerk of the Division Court.

Q. Now, Mr. Smith, I wan't you to tell me, I wan't you to think the matter over, and tell me whether there is anything more that you can recollect of a conversation between you and Farr on the morning after the election day beyond what you have told me?—A. I cannot recollect of anything more.

Q. You cannot recollect anything more?—A. Not very well.

Q. What is that?—A. No.

Q. You cannot recollect anything more?—A. No.

Q. Has a Mr. McCormack been speaking to you about your evidence?—A. No, I never spoke to Mr. McCormack.

Q. The Mr. McCormack who formerly lived in Goderich?—A. Yes.

Q. He has not been talking to you?—A. No, I met him this morning, but never had any conversation with him no more than just to speak to him.

Witness discharged.

WILLIAM DUNCAN SWORN.

*By Mr. Borden (Halifax) :*

Q. Mr. Duncan, you reside in Toronto?—A. Yes, sir.

Q. You are in the employ of D. W. Thompson & Co.?—A. Yes.

Q. You know James Farr?—A. I know him by sight.

Q. He was in the employ of that firm at one time?—A. Yes, sir.

Q. Do you remember about what time he left?—A. It would be about three weeks ago, I should say.

Q. Do you know where he is now?—A. No, sir.

Q. Had you any conversation with him before he went away?—A. No, sir.

Q. You hadn't?—A. No, sir.

Q. Were you not on speaking terms with him?—A. Never spoke to him in my life.

Q. The reason we subpoenaed you was because we understood from Mr. Keough that you had made a statement as to what Farr had told you?—A. No, it was a mistake.

Q. It is a mistake?—A. Yes, I never spoke to the man in my life.

Q. Is there any other man of your name in the firm?—A. No.

Q. You are the only one?—A. Yes.

Q. And you say Farr made no statement to you whatever?—A. None.

Q. And you don't know where he is?—A. No.

Q. You don't know whether he had any particular chums?—A. I don't know, sir.

Witness discharged.

JOSEPH KIDD sworn.

*By Mr. Borden (Halifax):*

Q. You reside in Toronto, Mr. Kidd?—A. Yes.

Q. You are in the employ of D. W. Thompson & Co.?—A. Yes.

Q. In what capacity?—A. Lumber buyer.

Q. Do you know James Farr?—A. Yes.

Q. He was in their employ for some time?—A. Yes.

Q. Do you remember about what time he left?—A. It was some time in July.

Q. Did you have any conversation with him before he left in regard to his going?—A. Yes.

Q. What was it?—A. Oh, I saw him—he had left about a week before that and came back to get his pay—I saw him; I asked him what he was doing; oh, he said he was knocking around the country; had been in Ottawa and had been in Goderich and I told him he had got himself into a nice box, there was crooked work up in West Huron. Then, oh, let me see now—he, of course, denied doing anything wrong; I asked him what he was going to do, and he said he had a ticket for North Dakota, at any rate he took it from his pocket, showed it to me, it was for North Dakota. I didn't examine it; said he had a cheque for \$500, and I think that is about all the conversation took place between us.

Q. Said he had a cheque for \$500?—A. Yes.

Q. Did he tell you where he got the cheque for \$500?—A. No.

Q. From whom he got it?—A. No.

Q. Did he say anything to you as to the cause of his leaving the employ of Thompson & Co., and going away?—A. Well, not at that time; I had a conversation with him before he left, the morning that I read in the paper of the matter being brought up in the House here at Ottawa, I went in and twitted him with it, and he of course denied then doing anything wrong; but he didn't at any time say anything to me about the cause of his going away; he simply quit next day and came back on Saturday to get his pay when I had the other conversation with him.

Q. Well the day after you saw the newspaper report of the motion in the House you had this first conversation you speak of?—A. Yes, that day.

Q. The day the newspaper report appeared?—A. Yes.

Q. And you twitted him with it?—A. Yes.

Q. And he denied having done anything wrong?—A. Yes.

Q. And the next day he went away?—A. Next day he didn't come to work.

Q. The next time you talked with him he told you he had been in Ottawa and Goderich?—A. Yes.

Q. And told you he had a cheque for \$500 and a ticket for somewhere in Dakota?—A. North Dakota.

Q. Did you see it?—A. He pulled the ticket out of his pocket.

Q. Did you see the cheque?—A. No.

Q. Have you had any communication from him since he left?—A. No.

Q. Have you seen him at any time since that second conversation?—A. No.

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Q. Had he any particular chums or intimate acquaintances among the employees of the firm?—A. Well, there was one man in the employ of the firm told me afterwards—

Mr. Britton objected.

Q. I do not want what anybody told or accused Farr of, I want you to tell me whether you, from any knowledge you had, knew whether he had any particular chums in the firm?—A. Well, Harry Ross, in the employ of the firm.

Q. Is that the name you were just going to say?—A. Yes, he saw him after that.

Q. Is Harry Ross still in the employment?—A. Yes.

*By Mr. Britton :*

Q. Did you know Farr before he came to Thompson & Co.'s employ?—A. Yes, I have known him; oh! we went to school together as boys.

Q. Are you a Goderich boy?—A. Yes.

Q. And it was there you had known him?—A. Yes.

Q. And had you seen his name in connection with these newspaper reports you speak of?—A. Yes.

Q. And what are your politics?—A. Conservative.

Q. And so you, having read that, thought you would twit him with it?—A. Yes.

Q. And in that way introduced the conversation; and he knew you were a Conservative?—A. Certainly.

Q. Always known ever since you were boys together?—A. Yes.

Q. And you say he denied having done anything wrong?—A. Yes.

Q. Then when was it that you gave information to the gentlemen here that you could say even as much as you have said?—A. I don't think I ever gave any information.

Mr. BORDEN (Halifax.)—I got the name of this witness yesterday from Mr. Keough.

*By Mr. Britton :*

Q. You say you never gave any information?—A. No.

Q. Not to Mr. Keough?—A. No, I don't think I ever spoke to Mr. Keough on the matter.

Q. And Mr. Keough was not present when you twitted Farr for his connection with this proceeding?—A. No.

Q. You were not at Goderich yourself at the election?—A. No.

Q. And took no part in it?—A. No.

Q. And you did not see anything that was money or cheque or looked like it as far as Farr was concerned?—A. No.

Q. How long was it before he got his pay?—A. He got his pay on Saturday, he quit on Tuesday or Wednesday I think.

Q. But as I understand you, you had this conversation one day and Farr didn't come back next morning?—A. No.

Q. Then was it Saturday of the same week he got his pay?—A. Yes.

Q. Whatever day of the week he left it was Saturday of the same week he got his pay?—A. I think so.

*By Mr. Borden (Halifax) :*

Q. What was Mr. Farr's occupation, what was his work?—A. Oh, he was a machinist.

*By Mr. Britton :*

Q. Is he a drinking man?—A. Well not generally, no.

Q. Sometimes gets on a spree?—A. Yes.

Q. So that he would be a little erratic?—A. Well, not very often.

*By Mr. Sifton :*

Q. Did you say he showed you the cheque?—A. No.

Q. Just said he had the cheque?—A. Just said he had it.

Witness discharged.

R. W. CLARK, sworn.

*By Mr. Borden :*

Q. You were residing in Goderich in the month of February last, Mr. Clark?—

A. Yes, sir.

Q. Were you there during the Dominion election for the west riding of Huron?

—A. Yes, sir.

Q. You acted as one of the scrutineers for Robert McLean in that election I believe?—A. Yes, sir.

Q. At what poll?—A. No. 3.

Q. In the town of Goderich?—A. In the town of Goderich.

Q. Who was the other scrutineer for Mr. McLean?—A. Mr. Evans.

Q. I think it has already been proved in evidence that Mr. Murray and Mr. Parsons were the scrutineers for Mr. Holmes?—A. Yes, sir.

Q. Were you there when the poll opened in the morning?—A. Yes, sir.

Q. Will you tell us what took place then? I mean what was done so far as you recollect? Were the ballots counted?—A. The ballots were all counted, before they were counted there was two torn off the block and torn to pieces and thrown on the floor.

Q. You say there were two ballots in a tattered condition, were they, and they were torn up?—A. Yes, sir.

Q. At whose suggestion was this done?—A. The deputy returning officer.

Q. Were they torn from the top or bottom of the pad?—A. From the top of the pad.

Q. Who counted the ballots? Did the deputy returning officer count them?—A. No, sir.

Q. What was done about counting them?—A. I asked him if he was going to count the ballots, and he said he had counted them.

Q. Who was the deputy returning officer?—A. James Farr.

Q. Were they counted?—A. Yes, sir.

Q. Who counted them?—A. I counted them, and the other scrutineer counted them, and Mr. Parsons counted them.

Q. They were counted by three of you?—A. Yes, sir.

Q. Do you remember how many they numbered?—A. I don't just remember.

Q. Now can you tell me whether Mr. Farr remained in the building during the day?—A. Not all day.

Q. Do you know of your own knowledge that he was outdoors?—A. Yes, sir.

Q. How do you know that?—A. I seen him.

Q. From the window?—A. Yes, sir, I seen him go out.

Q. The poll was held in the town hall?—A. Yes, sir.

Q. Let me see this sketch of the town hall, Mr. Todd. This is a sketch which Mr. Reid made up for us of the town hall, this "A" represents his office and this "D" represents the outer hall, this is the council chamber; this "C" represents the place where the deputy returning officer sat, this "B" I think represents the place where the voters went into mark the ballots. That is about your recollection of it, is it?—A. Yes, sir.

Q. You think that about fairly represents it?—A. Yes, sir.

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- Q. Do you remember what Mr. Farr did with the counterfoils of the ballots?—  
A. He put them in his pocket.  
Q. Put them in his pocket?—A. Yes, sir.  
Q. Do you know whether or not he put any number on the counterfoils?—A.  
Not to my knowledge.  
Q. Did he put his initials on the ballots or any of them?—A. He put them on  
all I seen him handle.  
Q. Did you notice very close? Because if you noticed you saw him put  
initials on the ballots?—A. Yes, sir.  
Q. Did you see him put any number on the counterfoils?—A. No, sir.  
Q. During the day did you observe Mr. Farr at any of the windows?—A. Yes,  
sir.  
Q. Which window was it?—A. It was the south-east window.  
Q. What did you observe while he was at the window?—A. Well, I noticed  
that he had some papers out on the window sill, and I noticed that in the lot there  
was ballots among them.  
Q. What you saw was that he had those papers on the window sill?—A. Yes,  
sir.  
Q. What did he seem to be doing with them, or what was he doing with them?  
—A. I don't know unless he was examining them.  
Q. How far was he away from you?—A. He was pretty near the width of this  
room I should judge.  
Q. Had he his back or his face towards you?—A. His back.  
Q. How could you see the ballots in that case?—A. I could see them from the  
side as it were.  
Q. He had his back directly towards you?—A. No, there was room to see the  
window sill at the side.  
Q. Was he there any length of time?—A. Oh, for a few minutes. I could not  
say how long.  
Q. Were you out in the hall at any time during the day?—A. Yes, sir.  
Q. The hall is represented here (showing sketch)?—A. Yes, sir.  
Q. Was any one else there while you were in the hall?—A. Yes, sir.  
Q. Who were they?—A. Mr. Farr and Mr. Yates.  
Q. What is Mr. Yates' names?—A. Stephen.  
Q. What is he?—A. He was supposed to be the constable.  
Q. Did anything take place while you were in that hall with regard to the  
ballots?—A. Yes, sir.  
Q. What took place?—A. I picked up a ballot marked for Holmes with Farr's  
initials on as I supposed. I stooped down and picked up the ballot and said "Here,  
Farr, what does this mean." He grabbed the ballots out of my fingers before I had  
time to do anything myself and he tore it up and threw the pieces down. I said  
what does that mean, and he said "Oh, hell, there was lots of them around town  
yesterday," and Yates said "Yes, I seen them too," that is the expression he used.  
Q. The ballot which you picked up was lying on the floor?—A. Yes, sir.  
Q. You saw it had initials on it?—A. Yes, sir.  
Q. His initials on it?—A. Yes, sir.  
Q. Can you say from observation—had you seen him write, had you seen him  
make his initials?—A. Yes, sir.  
Q. Did you observe the initials on this ballot sufficiently to say, to enable you  
to say whether in your belief they were his initials?—A. Well, I would not say that,  
they were his initials all right but I would not say it was his writing.  
Q. And the ballot was marked on front for McLean you say?—A. Yes, sir.  
Q. For Holmes or for McLean?—A. For McLean.

*By Mr. Britton :*

Q. You said Holmes all right?—A. Well it was a mistake then.

*By Mr. Borden :*

Q. Was the ballot marked for McLean or Holmes?—A. For McLean.

Q. If you said Holmes you did not intend to say it?—A. I did not intend to say it.

Q. I understand that the ballot you picked up was marked for McLean and had the initials J. F. on the back of it?—A. Yes, sir.

Q. After he had torn up the ballot what did you do? Did you do anything?—A. No, we did not do anything, went back into the polling booth.

Q. Did you pick up the pieces?—A. No, sir.

Q. Do you remember what took place at the close of the poll?—A. Well, I don't know that I can remember all that took place.

Q. Tell us as far as you can recollect. Where were the ballots counted?—A. They were counted on the table on the circular table.

Q. Where he had been sitting all day?—A. Yes, sir.

Q. What did he do in the first instance?—A. He opened the ballot box and emptied all the ballots on the table. He had opened two or three and I objected to him handling the ballots in that way. I requested him to put the ballots back into the box and take them out separately.

Q. Yes; what did he say to that?—A. He got vexed at that and ordered us all away from the table altogether, till he would examine these ballots and see his initials on them.

Q. He ordered you all away from the table?—A. Yes, sir.

Q. Did you all go away from the table?—A. No, sir.

Q. Who went away and who stayed?—A. I stayed myself the rest stepped back.

Q. What took place then?—A. Well, he started to examine them and then got tired of that and he emptied them out again. He said he would do the thing to suit himself. He emptied them out again and started to count them.

Q. Did he count the ballots before he examined the way in which they were marked? I mean did he simply count them or did he announce for whom each ballot was marked as he counted it?—A. He announced as he counted them.

Q. He placed the ballots on the table, took them up one by one and announced for whom they were marked?—A. Yes, sir.

Q. Well did you have any disputes as to the way of counting them?—A. Not till after the ballot was counted.

Q. Not till after each ballot was counted?—A. Yes, sir.

Q. What kind of disputes did you have, what nature?—A. Well there was, I wanted them to go on counting all; there were five ballots more that was in the box that what should be in and about the nature of those ballots that were not marked.

Q. You found some ballots that were not marked?—A. Yes, sir.

Q. And five ballots came out of the box more than should have been in according to the number of men on your book who had voted?—A. Yes, sir.

Q. Did he offer any explanation as to the extra number of ballots?—A. No, he couldn't give none.

Q. What was done about it?—A. We had quite a bit of jangling about it one way or another and he couldn't give an account and thought may be there was a mistake in the counting of the ballots and counted them over again, and then I was not satisfied and well he says, "count them again," so they were counted, I think, three times.

Q. And they always came out the 123?—A. Yes, sir.

Q. And the poll book showed that only 118 men had voted?—A. Yes, sir.

Q. Do you know of any one who voted whose name did not go down on the ballot book?—A. No, sir.

Q. Did you keep any record of the voters as they came him, any list of them yourself or mark any list?—A. Yes, sir.

Q. The vote, I think, stood at the end of the poll 72 for Holmes and 40 for McLean, that is what the ballot book shows?—A. I think so.

Q. Were you surprised at the result?—A. I was.

## Privileges and Elections Committee.

Q. It was different from what you had anticipated?—A. Yes, sir.

*By Mr. Britton :*

Q. At the beginning everything went as is usual I suppose at polling places in elections?—A. Yes, sir.

Q. Did you notice anything; did anything attract your attention until what time in the day? What was the first thing you noticed?—A. Well, the first thing I noticed was Farr being called out of the polling booth.

Q. Farr being called out of the polling booth, somebody from the outside called him out. Who was he?—A. Mr. Horton.

*By Mr. Borden :*

Q. What is his first name?—A. William.

*By Mr. Britton :*

Q. What time of day was that?—A. I think it was somewhere about noon.

Q. Where was Mr. Horton? Let us get the facts of this as near as we can. This is the hall where the poll took place. Was it in the council chamber?—A. It is here.

Q. Is that next door?—A. No, it is a railing.

Q. All this marked "council chamber" is one room?—A. Yes.

Q. And that is a railing, and that an opening through the railing?—A. Yes, sir.

Q. Horton came to this door?—A. Yes.

Q. And called Mr. Farr?—A. Yes.

Q. And did Mr. Farr go?—A. He went out.

Q. Anybody else with Mr. Farr?—A. I do not think so.

Q. Who was in the room where the polling was going on at that time?—A. The four scrutineers and the clerk.

Q. Was there anybody voting at that time?—A. No, sir.

Q. At the time no voting was going on?—A. Yes, sir.

Q. Farr was called out and you didn't hear what took place outside I suppose?  
—A. No, sir.

Q. Was the door shut?—A. Yes, sir.

Q. How long was he gone?—A. A few minutes.

Q. How many minutes?—A. I cannot say.

Q. Two or three minutes?—A. I cannot say exactly how long.

Q. Put it at the outside, five minutes?—A. He might have been gone five minutes.

Q. But no more?—A. No, I should not think so.

Q. And in the meantime did anybody come in to vote?—A. No, sir.

Q. Then nothing irregular took place in the room while he was gone?—A. Not at that time, no.

Q. And as to what took place outside of course you don't know?—A. No, I don't know.

Q. But nothing took place inside the room while he was gone?—A. No, sir.

Q. Nobody had access to the ballot box?—A. No, sir.

Q. Nobody touched the ballot box?—A. No.

Q. Nobody tried to do anything wrong?—A. No, sir.

Q. What next then. That is all I can ask you about that, all I can think of. What next? Perhaps I might ask you what suspicious circumstance, what is it that you—of course you are a Conservative, you were a Conservative scrutineer—what suspicion did you attach to his going out? Let us hear the worst of it?—A. I didn't know why he was calling him out. I didn't know what reason he was calling him out for.

Q. He might have business with Farr?—A. I had a pretty good idea he had no business unless it was election.

Q. Then it was your suspicious mind that attached suspicion to his going out in the hall and nothing else. He said he didn't know of anything except it was connected with elections. That is what you said was it now?—A. Yes.

Q. And it was merely your suspicion then in regard to it?—A. Yes, sir.

Q. You don't know anything of the business relations between Mr. Horton and and Mr. Farr?—A. No, sir.

Q. And you suspected it must be wrong because it was on election day and you were a Conservative and Farr was a Reformer?—A. Yes.

Q. Yes, that is it. That is enough to create suspicion, and what is the next thing?—A. I do not know I am sure what comes next.

Q. You told us something, your seeing him at the window?—A. Yes, sir.

Q. Is that the next or did you see him at the window first?—A. No, it was on towards evening when I seen him at the window.

Q. Will you point out the window in the room that you saw him at, the place where it is?—A. I suppose it would be about here.

Q. On Exhibit 12, about here you say, is that right?—A. Yes, sir.

Q. Where were you?—A. I was standing about here.

Q. In the front of the platform, about the centre, is that right?—A. Yes, sir, just close to the railing.

Q. What do you say as to where you were?—A. I was near the railing some place.

Q. About the centre of the council chamber, do you mean?—A. The railing is not near the centre of the council chamber. It is pretty well to the front.

Q. Well, you were about half way the length of the railing?—A. I suppose.

Q. That is as near as you can come to it?—A. Yes.

Q. Was there anybody with him at the window?—A. No, sir.

Q. Was there anybody talking to him at the time?—A. No, sir.

Q. And what was it you say you saw at this distance?—A. I seen him with papers on the window.

Q. His back to you and the window sill like that?—A. Yes; a little larger window.

Q. A larger sill?—A. Yes, sir.

Q. And you saw him have some papers at the window, and what else?—A. I seen those ballots among the papers.

Q. How did you see these ballots among the papers?—A. Because they were on the window.

Q. Do you mean you read the names on the paper?—A. I do not.

Q. How did you distinguish them as ballots?—A. They were like the ballots we were using.

Q. You thought they were like the ballots you were using?—A. I did not think; they were like the ballots.

Q. And had the names of Holmes and McLean?—A. I did not say that. I won't swear they had a name on at all.

Q. You won't swear they had the names of Holmes and McLean on?—A. No, sir.

Q. But you saw papers that apart from not having names on, you thought were ballots?—A. Yes, sir.

Q. Well, what next; what did he do?—A. He put them back in his pocket again.

Q. Did you see him take them from his pocket?—A. Yes, sir.

Q. You saw him take something from his pocket and put them on the window and then put them back in his pocket?—A. Yes, sir.

Q. Is that all?—A. Yes, sir.

Q. That is all. He had put the counterfoils in his pocket?—A. Yes, sir.

Q. But it was not the counterfoils he took out?—A. There was counterfoils among them.

Q. There were counterfoils among them?—A. At least there was pieces of paper, I suppose they were counterfoils.

## Privileges and Elections Committee.

Q. You get down to that, they were pieces of paper which you supposed were counterfoils, and you distinguished them from what you thought were ballots?—A. Oh, yes.

Q. And you did distinguish them?—A. Yes.

Q. How many had he?—A. I cannot say.

Q. Did you say anything to him?—A. No, sir.

Q. Did he say anything to you?—A. No, sir.

Q. Was there anybody then talking opposite to him?—A. There was nobody nearer than I was.

Q. There was no conversation, you simply saw him handling these papers?—A. Yes, sir.

Q. Well, is there anything else, or is that all about that?—A. Yes.

Q. That is all? Well, now, what is the next? You said you saw him pick up something, if I have to refresh your memory?—A. Pick up something? No, sir, I did not.

Q. Well, what did you see? or what did you say?—A. I picked up that ballot, I suppose.

Q. When did you pick that up?—A. In the afternoon.

Q. Before or after you saw him at the window?—A. Before.

Q. You picked up a ballot where?—A. Right about here. This is the approach to the stairway ain't it, right about here.

Q. That was in the hall?—A. Yes, sir.

Q. That was after the poll had opened?—A. Yes, sir.

Q. What were you doing out in the hall?—A. We had nothing to do and just walked out there.

Q. It was right for you and wrong for him to go into the hall?—A. I didn't say it was wrong for him to go into the hall.

Q. You don't impute anything wrong in his going out into the hall?—A. I didn't say that.

Q. Was anything wrong?—A. I said before I don't know what he went out for.

Q. Well, why was it right for you to go into the hall and not for him?—A. I went with him.

Q. What for?—A. To pass the time away.

Q. You were willing to go into the hall with him and not to go alone?—A. I did not say I was not willing to go alone.

Q. What did you go out for?—A. I told you.

Q. You told me to put in your time, had you no better object?—A. I haven't got a better one.

Q. You had no object in going out at all except to pass the time?—A. That is all.

Q. And you two were alone, or were there others?—A. Yates was with us.

Q. He was; that is the constable?—A. Yes.

Q. Who was in the hall when you and Farr left?—A. The three scrutineers.

Q. And the poll clerk?—A. Yes.

Q. And no voter?—A. No.

Q. So the poll was sufficiently guarded, you thought, by the three scrutineers and the pool clerk, there being no voters going in?—A. Yes.

Q. And so you went out to pass the time of day with Yates and the deputy returning officer?—A. Yes, sir.

Q. What did you do when out there?—A. What did we do?

Q. Were you joking or smoking or eating or drinking or what?—A. Neither eating, drinking or smoking.

Q. Where did you go after leaving the poll?—A. We just stood around in the hall.

Q. Talking with any one?—A. No one, there was nobody else.

Q. How long were you out?—A. Two or three minutes.

Q. It was out there you picked up something?—A. Yes.

Q. Did you ask Farr to go out or did he ask you or was it just happening?—A. Yes.

Q. Which?—A. Just happened to go out.

Q. No design at all?—A. No.

Q. You can't tell whether you followed Farr or Farr you?—A. No.

Q. And when you got out it was immediately after you picked something up?  
—A. Yes.

Q. Before the deputy returning officer had a chance to drop it?—A. I could not say that.

Q. Was it further out in the hall than he had been?—A. I could not say that either.

Q. You can't tell where you picked it up then?—A. Why?

Q. Where you picked it up?—A. I picked it up on the floor.

Q. But I am now trying to get the position of that ballot as to Farr and you?—

A. Oh, well, I don't know anything about that.

Q. You can't give any explanation about that?—A. No.

Q. When you picked up the ballot near the stairs you don't know where Farr was?—A. At that time?

Q. Yes.—A. He was standing beside me.

Q. And further away from the ballot than you?—A. Yes.

Q. And then naturally could not have dropped the ballot?—A. I don't mean that, I don't mean he was around on the floor before I picked up the ballot.

Q. Now, let us see again; you went out with him?—A. Yes.

Q. Was he in a position so he could have dropped the ballot?—A. He was if—

Q. If what?—A. Well, as far as I know he was.

Q. But will you say he was?—A. I won't say he was because we were standing around there before I picked it up.

Q. You could have dropped it?—A. I suppose, if I had it.

Q. Or the constable could have dropped it or any one coming into the hall; I want to get at how it got there, what is your theory, how did it get there?—A. I don't know.

Q. You can't connect Farr with that at all?—A. No, I can't say.

Q. And when you picked it up how was it marked?—A. It was marked for McLean.

Q. How was it up, face side up when you saw it on the floor?—A. No.

Q. Back up?—A. Back up.

Q. Crumpled or spread out?—A. It was straight.

Q. Spread out on the floor with the face down?—A. Yes, sir.

Q. Appearance of having been stepped on or appearance of being fresh?—A. I don't know.

Q. Didn't examine?—A. Didn't look close enough.

Q. What is your impression?—A. It seemed to be quite fresh.

Q. First you picked it up and looked at the back side, is that so?—A. Yes.

Q. And then turn it over?—A. Yes.

Q. And saw the front?—A. Yes.

Q. You did all this yourself?—A. Yes.

Q. And you saw what was an initial on the back part of the ballot?—A. Yes, sir.

Q. But you won't swear they were put on by him?—A. No, sir.

Q. And on the front marked in the place for McLean?—A. Yes.

Q. Any other mark on it?—A. Not that I noticed.

Q. And what did you say?—A. I said to Farr "what does this mean," and he grabbed it out of my hand and said "Oh, hell, them was flying around town yesterday."

Q. He said they were flying around town yesterday; was that all?—A. That was all.

Q. It looked as if it was cut from the newspapers?—A. As if it was cut from the newspaper.

Q. Yes, or posted up in taverns?—A. I don't think they cut ballots from newspapers.

Q. Haven't you seen them posted up?—A. Not on ballot paper.

Q. On paper?—A. Yes, sir.

## Privileges and Elections Committee.

Q. Is it your suspicion again makes you think this was one of the ballot papers?  
—A. No suspicion.

Q. You know it was just the size of one of these papers?—A. It was marked.

Q. And I suppose you swear to the thickness of the paper like some other people?—A. No.

Q. Nor to the size of it?—A. No.

Q. Are you willing to swear it was one of these ballot papers furnished to the deputy returning officer?—A. It was like them.

Q. In general appearance?—A. Yes.

Q. And that is as far as you go?—A. That is all.

Q. Now you didn't mention any other circumstance to Mr. Borden; these are the only three I remember; circumstances that took place polling day that you attach any suspicion to; were there any others?—(No answer.)

Q. Well?—A. I don't know.

Q. You don't know of any other; now, I suppose you reported these things to your committee after the election?—A. Yes, sir.

Q. You were a committee man, weren't you, for Mr. McLean?—A. Yes, sir.

Q. And you reported these things in plenty of time to have the ballots examined and a recount if you wanted it to be made; when did you report it?—A. Oh, I can't say exactly, either that night or next morning.

Q. You reported either that night or next morning; to whom did you report it?—A. I don't know whether it was Mr. Hays or Mr. McLean, it was one or perhaps both.

Q. You reported it to Mr. Hays or Mr. McLean, either one or both; was Mr. Hays managing the campaign for Mr. McLean?—A. I think he was interested in it.

Q. Do you know who Mr. McLean's agent was for the election?—A. I think it was Mr. Hays.

Q. You think Mr. Hays was agent and at all events he was interested in and acted in the election?—A. Yes.

Q. And you reported to either one or both that night or next morning?—A. Yes.

Q. Now when was it next you heard of being wanted for a witness?—A. The 17th day of July.

Q. When you were asked to come to Ottawa?—A. Yes.

Q. You mean you had no conversation with any one about it till the 17th of July, none till then?—A. No.

Q. Now about counting the ballots that night, had you then five more ballots than were voted?—A. Yes.

Q. And were these five counted for anybody?—A. Well, they were all counted.

Q. But for whom?—A. They were returned.

Q. How many votes did you return as for McLean?—A. I don't just remember, 40 I think.

Q. You don't remember?—A. My—no, I think it was 40.

Q. And how many for Holmes?—A. Seventy some odd.

Q. Seventy-two, and that would make 112, is that right?—(No answer.)

Q. This is as you understood it votes that were counted?—A. Well, I guess so.

Q. So there would be six less votes returned than were actually polled that day, that is as you understood?—A. Returned that night; I don't understand that.

Q. But as to the marked ballots, does this agree with your recollection of what took place at that poll, that there was 40 for McLean and 72 for Holmes, making 112?—A. Yes.

Q. So if 118 voted, there were 6 voters whose votes were not returned for anybody, is that right?—A. Six votes which were not returned for anybody?

Q. Yes.—A. I don't understand that.

Q. Well, I will make it plain; how many voted at that polling place that day?—A. One hundred and eighteen.

Q. Now, we will start with that, 118 people voted and you returned 40 for McLean?—A. Yes.

Q. And 72 for Holmes?—A. Yes.

Q. And these two together make 112?—A. Yes.

Q. Now, is it not in accordance with your recollections there were six voters returned as not having voted for anybody?—A. I don't understand it that way.

Q. You don't understand the question I am asking?—A. No, I don't understand that six votes not returned to anybody.

Q. Well, there were only two candidates, Holmes and McLean, and 40 were given in for McLean and 72 for Holmes, that is 112?—A. Yes.

Q. And still there were 118 people voted?—A. Yes, I understand you now.

Q. How long have you known Farr?—A. Oh, I have known him for a couple of years or more.

Q. You have known him for a couple of years or more, he was unfortunately, was he not, addicted to drink?—A. Yes.

Q. So that sometimes he went on a spree?—A. Yes.

Q. Sometimes he went on a spree; and had he been drinking that day?—A. I could not say.

Q. Oh, come, come, come?—A. I didn't see him.

Q. Oh, come, come, come now, be fair?—A. I did not see any liquor that day or see any person drinking liquor.

Q. Was he not the worst of liquor that day or any part of the day?—A. Well, to the best of my knowledge he was not.

Q. Not between 9 and 5 o'clock that day, is that what you say?—A. Yes.

Q. To the best of your knowledge you didn't; you don't profess to be a judge; you are a sober man yourself?—A. Yes.

Q. So you would not be a judge; to the best of your knowledge he was not?—A. No, I would not guess so.

Q. You say he was not the worse for liquor?—A. I would not say he was the worse of liquor.

Q. Do you think he had been drinking?—A. I would not say so.

Q. You would not say so?—A. I didn't see the man drink.

Q. From your knowledge of how people act when drunk would you think he had been drinking liquor?—A. I don't think he had.

Q. When did you come to Ottawa?—A. I came here a week ago last Friday.

Q. A week ago last Friday, yes; have you visited No. 6 in this Parliament Building since you came?—A. I have.

Q. You have been there a good deal?—A. Not much.

Q. Considerable?—A. I have been there a few times.

Q. Been there a few times?—A. Yes.

Q. Who took you there first?—A. Mr. Beck.

Q. Mr. Beck has been with you pretty constantly, hasn't he?—A. No.

Q. He took you there, what for? To give you pointers in regard to what you were going to say?—A. No, sir.

Q. Not what was important and what was not important?—A. No, sir. Mr. Beck never mentioned it to me.

Q. Have you always been a Conservative?—A. Yes, sir.

Q. Did you ever want to go on the other side?—A. No, sir.

Q. You knew Mr. Cameron?—A. Which Cameron.

Q. The deceased, M. C. Cameron?—A. Yes, sir.

Q. You knew him well?—A. Yes, sir.

Q. Did he ever canvass you for your vote?—A. No, sir.

Q. Now, witness, did you write a letter to Mr. Cameron offering him your support for money, or for a consideration—you know what I am asking you, and you know the consequence of an oath. Answer the question?—(No answer.)

Q. Did you write to M. C. Cameron and offer your services and vote to him for a consideration?—A. Yes, sir.

Q. You did. How much did you ask?—A. I can't say.

Q. Have you no idea?—A. No, sir.

Q. Was it \$100—A. I can't say.

Q. Was it \$50?

## Privileges and Elections Committee.

*By Mr. Borden :*

Q. You cannot ask for the contents—produce the letter?—A. I can't say.

*By Mr. Britton :*

Q. When was it?—A. I can't say that either.

*By Mr. Borden :*

Q. You say there were seventy-two votes for Holmes and forty for McLean?—

A. Yes, sir.

Q. About 123 votes came out of the box?—A. Yes, sir.

Q. And the rest of the ballots were made up of ten not marked and one rejected?  
—A. Yes, sir.

Q. Making 123 in all?—A. Yes, sir.

Q. And there was no explanation, as I understand you, of how those 5 ballots got into the box?—A. No, sir.

Q. Do you know William Horton?—A. Not personally.

Q. Do you know of his taking any interest in elections?—A. He generally does.

Q. On which side?—A. For the Reform side.

Q. You were asked about a paper which you picked up, as to whether or not it was a ballot paper or whether it was like a ballot paper. Had you any doubt as to its being a ballot paper?—A. No, sir.

Q. It was not the same as those which had been used by the deputy returning officer?—A. Yes, sir.

Q. You had no doubt about that?—A. No, sir.

Q. Have you any doubt about it now?—A. No, sir.

*By Mr. Sifton :*

Q. You remember that the 11 ballots or 10 ballots which were not initialled that these were counted for Mr. Holmes. There were 11 counted which were not initialled and they were counted. Do you remember there were a number of ballots not initialled?—A. No, the only one that I remembered as not being initialled was rejected.

Q. It was rejected?—A. Yes, sir.

Q. And you don't remember whether there were any ballots uninitialled that were counted?—A. No, sir.

*By Mr. Powell :*

Q. You are only speaking from recollection—you don't remember any?—A. Yes, sir.

*By Mr. Borden :*

Q. Did you look at the back of every ballot to see if they were initialled?—A. No, sir.

*By Mr. Sifton :*

Q. You say you didn't count the ballots yourself after the close of the poll?—A. No, I did not say I did not count the ballots; I did not say I counted them.

Q. You have not said during the examination that you counted the ballots?  
A. No, sir. It was at the opening of the polls that I counted the ballots.

Q. Then you didn't count the ballots at the close of the poll—is that correct?  
A. Yes.

Q. Did you count them, or did you not count them?—A. Yes.

Q. You examined each ballot as you counted it?—A. Not the back.

Q. Then, as a matter of fact you don't know whether any of the ballots that came out of the box were initialled on the back?—A. Some of them I noticed were, but I did not notice all of them.

Q. You noticed by accident that some of them were initialled?—A. Yes.

Q. But you didn't examine any of them to see whether they were initialled or not?—A. No, not for the purpose of seeing that.

Q. Did you handle them all?—A. Yes.

Witness retired.

WILLIAM MARTIN, sworn.

*By Mr. Powell :*

Q. You voted in the town of Goderich at the last Dominion election, did you not?—A. Yes, sir.

Q. What booth did you vote at?—A. No. 7.

Q. Do you remember for whom you voted?—A. Yes, sir, Mr. Holmes.

Q. Do you remember the kind of ballot you used?—A. No, sir, I don't.

Q. What kind of a ballot, if any, did you bring into the polling booth?—A. I can't say; not any.

Q. You got a ballot, did you not that day before you came into the booth?—A. No, sir.

Q. Now, sir, I am calling your attention particularly to the statement; I want you to think well; didn't you go into the booth with a blank ballot?—A. No, sir, I did not.

Q. And you swear positively you did not?—A. Yes, sir.

Q. Did you get a ballot after you came into the booth?—A. Yes, sir, I got a ballot for voting.

Q. You got a ballot to vote?—A. Yes.

Q. From whom did you get it?—A. From Mr. McKay.

Q. What McKay?—A. Dan McKay.

Q. He was the returning officer?—A. Yes, sir.

Q. Now, sir—look up please Mr. Martin, don't be afraid of anything. Now, sir, when you got that ballot from the returning officer, what did you do with it?—A. I took it in where we had to mark it and fetched it back to him.

Q. Did you fetch back the identical ballot you took in?—A. Yes, I did.

Q. You swear to that?—A. Yes, sir.

Q. Positively?—A. Yes, sir.

Q. Didn't you take a ballot out of the polling booth—out of doors—did you?—A. No, sir, I did not.

Q. Did you know what number—you were the last man that voted, were you not?—A. I think so.

Q. You are sure of that?—A. Yes.

Mr. Sifton objected that counsel could not cross-examine, to break down the witness, as to how he voted.

Argument as to admissibility of questions followed.

The CHAIRMAN.—I think that would fall under the order of reference inasmuch as the deputy returning officer may be affected.

*By Mr. Powell :*

Q. Now, sir, how long have you been in town, in the city of Ottawa?—A. I left Goderich on Thursday and got here on Friday morning.

Q. Have you seen Mr. Holmes quite frequently since you came here?—A. I have seen him several times.

## Privileges and Elections Committee.

Q. Have you seen a gentleman named McCormack several times?—A. I have seen him once or twice.

Q. He was rather desirous to court your society was he not?—A. I do not know as he was.

Q. Come sir, have you seen him half a dozen times?—A. I do not know as I have.

Q. Will you swear you havn't?—A. I won't swear I havn't.

Q. Have you been talking to him several times about this matter?—A. I won't say I did.

Q. Will you swear you didn't?—A. I won't swear I did, I may have mentioned it to him.

Q. Will you swear he didn't say anything to you about it?—A. I do not know.

Q. Will you swear he didn't?—A. He might have.

Q. What is your business?—A. A labourer, whatever I can get.

Q. Now, we will look over the ballots here given for Mr. McLean. Now, I want to call your attention again. I give you another opportunity, sir, of stating whether or not you didn't hand to the deputy returning officer to be put in the ballot box a different ballot from what he gave you?—A. No, sir, I did not.

Q. Now, sir, in the first place I call your attention to this. Do you see there that there are two blocks of ballots, see the shoulder there on it and the shoulder on this side?—A. Yes.

Q. There are two blocks of ballots put together for the returning officer, are there not?—A. I do not know, I took no interest.

Q. In these ballots that I hold in my hand there are two different pads put together are there not?—A. Yes.

Q. Or have been?—A. Yes.

Q. You see that?—A. Yes, sir.

Q. Those pads are numbered if you will see, 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10. Go straight on, right straight in succession, 87, 88, you have observed that, haven't you?—A. Yes, sir.

Q. Now give me the ballot book?

Mr. Britton objected that the witness should not be called on to discuss figures that were on record.

The CHAIRMAN.—The way I understand it, I may be wrong of course, is this; the witness has denied all the questions put so far to him. I understand the attempt now is to show he did not answer or made a mistake or something of that kind, and I am disposed to allow this question until we see further what will come out of his examination on that point. I believe the object of the questions now is to show the witness he did not answer according to the facts.

*By Mr. Powell:*

Q. Now, I call your attention to the poll book and see if you are not numbered there 88?—A. Yes, sir.

Q. Voter 88 that is so, is it not?—A. Yes, sir.

Q. I call your attention to this stub, 88?—A. Yes, 88.

Q. Then you believe that to be the ticket that was given you; was it not?—A. I cannot say for that, I never looked at the number.

Q. You never looked at the number. I call your attention to this fact. You see that is 87. There is 86, 87, and 88 with the stubs 87 and 88. Are all the stubs of ballots that have been used off this block? That is so is it not?—A. Yes, by the looks of things.

Q. Now, you see that?—A. Yes, sir.

Q. Now, and you see the nature of that pad, don't you? black ones with a white diagonal mark in the upper right hand corner. You see that?—A. Yes, sir.

Q. Now, sir, there are the votes that purport to have been cast for Mr. McLean. Now, I just ask you to follow that with your eye and see if there is one of these. I want you to mark if there is one of that series there at all?—A. There is one, ain't there?

Q. One there, yes, one gone in for Mr. McLean. Now, where are Mr. Holmes' ? Is there one in Mr. Holmes' ?—A. Only that one that is taken out.

Q. That is one for Mr. Holmes and one for Mr. McLean. Now which one of these ballots did you use, if any ?—A. I could not say.

Q. Eh ?—A. I could not say.

Q. Did you use that one ?—A. I could not say.

Q. You can't say whether you did or not ?—A. No.

Q. Did you use that one ?—A. I can't say, I didn't notice.

Q. Can you tell in any way from your cross ?—A. No, sir, I cannot.

The two ballots referred to were filed as exhibits 19-1 and 19-2, the unused ballots as exhibit 19-3, McLean's ballots as exhibit 19-4, and Holmes's ballots as exhibit 19-5.

Q. And you still say that you gave to the deputy returning officer the identical same ballot he gave you ?—A. Yes, sir.

Q. And you have no doubt about it ?—A. No doubt.

Q. And you say that positively ?—A. Yes.

Q. On your oath ?—A. Yes.

*By Mr. Sifton :*

Q. What was the deputy returning officer's name ?—A. McKay.

Q. What is his first name ?—A. Daniel.

Witness discharged.

DANIEL McLEOD, SWORN.

*By Mr. Powell :*

Q. Mr. McLeod, you live in the town of Goderich ?—A. Yes, sir.

Q. Did you vote at the last Dominion election ?—A. Yes, sir.

Q. That is the election at which Mr. McLean and Mr. Holmes contested the riding ?—A. Yes, sir.

Q. You were near the close of the poll, I understand ?—A. Yes.

Q. You are numbered here as 87, that is the second last ?—A. Yes.

Q. What poll was it ?—A. No. 7.

The poll book was put in as exhibit No. 19-6.

Q. For whom did you vote ?—A. I voted for McLean.

Q. Are you positive ?—A. Yes.

Q. No doubt about it ?—A. No, sir.

Q. Absolutely certain ?—A. Yes.

Q. How did you vote, do you remember ?—A. I voted by ballot.

Q. By ballot, yes, and you made a mark, did you ?—A. Yes.

Q. What kind of a mark ?—A. An X.

Q. Opposite Mr. McLean's name ?—A. Yes.

Q. Was there a place there for you to put the mark in ?—A. I would not say there was.

Q. This is "Holmes" and this is "McLean," where did you put your mark ?—A. Here.

Q. That is in the white disc opposite "McLean" ?—A. Yes.

Q. The ballot that you marked you gave back to the deputy returning officer ?—A. Yes, sir.

Q. And he put it in the ballot box ?—A. Yes, sir.

Witness discharged.

The committee adjourned until Thursday, 3rd inst., at 10.30 a.m.

# Privileges and Elections Committee.

HOUSE OF COMMONS,

THURSDAY, 3rd August, 1899.

The Committee met, Mr. FORTIN in the Chair.

Inquiry into the election for the West Riding of the County of Huron resumed.

W. F. CLARKE, (No. 10 on poll book) sworn.

*By Mr. Borden :*

Q. What is your first name?—A. William Fordyce.

Q. Where do you reside?—A. At Goderich.

Q. What is your occupation?—A. Veterinary surgeon.

Q. Were you living there at the time of the last Dominion election for the west riding of Huron?—A. Yes.

Q. Did you vote at that election?—A. I did.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. That is No. 3?—A. That is No. 3 in the town hall.

Q. No. 3 polling subdivision in the town of Goderich?—A. Yes.

Q. Did you receive a ballot from the deputy returning officer?—A. Yes.

Q. For whom did you mark it?—A. For Robert McLean.

Q. What kind of a mark did you put on it?—A. Just the usual cross.

Q. Where did you put it? I mean opposite whose name?—A. Opposite McLean's name in the disc.

Q. There was a disc for the purpose?—A. Yes.

Q. Do you remember the colour of the disc?—A. I think it was white.

Q. Well, after marking your ballot and folding it, what did you do with it?—A. I gave it to the returning officer, Mr. Farr.

Q. Did you give back to him the same ballot which you received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. I did not. I passed immediately out.

Q. You did not observe whether he tore the counterfoil off it?—A. No.

*By Mr. Britton :*

Q. Had it a counterfoil on?—A. Yes.

Q. Was there anything on the counterfoil?—A. Not that I noticed.

Q. There was not a number on it?—A. I did not notice.

Q. Well, if you saw a counterfoil on it, how is it you can't tell whether there was anything on it, any marking on it, if you noticed the counterfoil?—A. I noticed an extension of the ballot and I supposed it was a counterfoil.

Q. If you noticed the ballot enough for that, why can't you say whether there was anything on it or not?—A. I did not notice anything.

Q. Was there anything on the ballot?—A. Just the initials. I saw the deputy returning officer initial it.

Q. And you saw the initials after you had it in your hand?—A. I saw it while he was passing it to me.

Q. After you got the ballot did you see it before you delivered it back again, did you see the initials?—A. I didn't look for it, I did not notice it.

Q. All you say is you noticed him put the initials on a paper which you believe he handed to you?—A. He passed it to me.

Q. And after that you did not notice particularly the ballot?—A. Not the back of it.

Q. You don't know whether there was any number on the counterfoil or not ?  
—A. I do not.

Q. But at all events the same paper you got you handed back ?—A. Yes.

Q. You are a man accustomed to voting for many years ?—A. Yes, I have voted a number of years.

Q. And you generally watch what is done with your ballot ?—A. I was in a hurry at the time.

Q. Everybody is in a hurry at this election especially since they came here.

Mr. Borden objected to comment by counsel on what previous witness had said.

*By Mr. Britton :*

Q. The fact is then you were in a hurry ?—A. I passed in the ballot and moved on out, I didn't notice him put it in the box.

Q. You must have been, of course, very unsuspecting? or were you now ?—A. I was not at all suspicious.

Q. You thought he put it in ?—A. I did, I believe he put it in.

Q. You think you would have noticed if he hadn't put it in ?—A. I noticed him folding it just as I left the table and thought he put it in the box.

Q. You think you would have noticed if he had done what was wrong and not in accordance with the general practice at that time ?—A. I would have noticed if I had turned around but my back was towards him as I was going out. I handed my ballot to him and he started folding it and I moved off.

Q. Who were present then ?—A. Mr. Armstrong, and Mr. Clarke and Mr. Evans.

Q. Mr. Armstrong and Mr. Clarke who are they ?—A. Scrutineers I believe.

Q. For whom ?—A. For McLean.

*By Mr. Borden :*

Q. Mr. Armstrong was poll clerk ?—A. Yes, he was poll clerk and Mr. Evans was scrutineer for Mr. McLean.

*By Mr. Britton :*

Q. You now say you don't know who were the scrutineers there, is that right ?  
—A. Well I have been told they were scrutineers and I believed they were.

Q. When were you told that ?—A. On the day of the election I believe.

Q. How did you come to make the mistake of saying that Armstrong was a scrutineer ?—A. A slip of the tongue I guess, I knew Armstrong was a poll clerk.

Q. Who were the scrutineers for Mr. Holmes ?—A. I don't remember.

Q. Neither of them ?—A. I beg pardon.

Q. Don't you know neither of them ?—A. I don't remember. There were two young gentlemen sitting there that I thought were acting for Holmes and two that I thought were acting for McLean.

Q. Do you remember who they were ?—A. Evans and Clarke.

Q. Were they both there when you handed in your ballot ?—A. They were both there.

Q. Was there any one else in the room besides the deputy returning officer, the poll clerk, the scrutineers and yourself ?—A. The constable was standing inside the door.

Q. Any one else ?—A. No person.

Q. So there was no crowd or anything that would prevent any one in the room seeing everything that was done ?—A. No crowd.

Q. And any one could see just what the returning officer did if they looked ?—  
A. Yes.

Q. Did you make a declaration ?—A. Yes.

Q. When ?—A. Some days after the election.

Q. How many days afterwards ?—A. Perhaps a week or ten days, I don't just remember the date.

Q. You made it before any proceedings were taken here ?—A. Yes.

## Privileges and Elections Committee.

- Q. Before the matter came up in Parliament?—A. Oh, yes.  
Q. And you say a few days—how many would you say?—A. Perhaps three or four.  
Q. To whom?—A. Mr. Hays.  
Q. At his request?—A. At Van Every's request.  
Q. Who was Van Every?—A. He was a voter in our ward.  
Q. Any official position at all?—A. No, I think not.  
Q. What occupation?—A. Gentleman.  
Q. No occupation?—A. Not that I know of.  
Q. He lives in Goderich?—A. Yes.  
Q. What is his first name?—A. Edward.  
Q. Edward Van Every?—A. Yes.  
Q. At his request you went to Hays?—A. Yes.  
Q. To make the declaration?—A. Yes.

Witness discharged.

WILLIAM SHARMAN, JR. (No. 6 on the poll book) sworn.

*By Mr. Borden :*

- Q. You reside in the town of Goderich, Mr. Sharman?—A. I do, sir.  
Q. What is your occupation?—A. Shoemaker.  
Q. Did you vote at the last Dominion election for the west riding of Huron?—  
A. I did, sir.  
Q. That was in February, 1899?—A. Yes, sir.  
Q. Who was the polling officer at the polling place where you voted?—A. The polling officer?  
Q. The deputy returning officer?—A. James Farr.  
Q. And do you remember who the poll clerk was?—A. Harry Armstrong.  
Q. Did you receive a ballot from the deputy returning officer?—A. I did, sir.  
Q. For whom did you mark it?—A. For Mr. McLean.  
Q. What kind of a mark did you put on it?—A. An ordinary cross.  
Q. Was there any place for putting the cross on the ballot opposite the name?  
—A. Yes, a round dies.  
Q. A round place?—A. Yes.  
Q. What colour?—A. White.  
Q. A round white place?—A. Yes.  
Q. And you put your cross where?—A. Opposite McLean's name in that round place.  
Q. In the round white place opposite McLean's name. After marking your ballot and folding it what did you do with it?—A. I handed it to the deputy returning officer.  
Q. Did you hand back to him the same ballot which you had received from him and which you had marked?—A. Yes.  
Q. Did you observe what he did with it?—A. Well, he put it in the ballot box.  
Q. Do you remember what we call the counterfoil on it?—A. No, I can't say I do.  
Q. Do you recollect if he tore anything off?—A. No, sir.  
Q. You did not notice?—A. I didn't notice.  
Q. Where did you stand when you handed your ballot back to the deputy returning officer?—A. The ballot box might be there and I stood in front of him and watched him put it in.  
Q. You did not observe him tear anything off?—A. I could not say he did, I didn't take any particular notice.

*By Mr. Britton :*

Q. What time of day did you vote, Mr. Sharman?—A. Very shortly after the poll opened.

Q. Very early in the morning?—A. Very early in the morning.

Q. Where were any other persons present when you voted except those officially connected with the poll?—A. A gentleman named Dancy and I went in together.

Q. He is a voter?—A. Yes.

Q. Did he vote first?—A. I could not tell which voted first. I was standing on the sidewalk and he called me by my Christian name and said "We may as well go over and vote," but which went in first I could not say.

Q. Then apart from him the only persons present were those officially connected with the poll?—A. Yes.

Q. The two scrutineers for each side?—A. Well, I suppose.

Q. I am only asking you of your own knowledge?—A. I suppose they were.

Q. You do remember there were persons present?—A. Yes, in fact I do think I know them but I am not positive of the number.

Q. Farr gave you a ballot?—A. Yes.

Q. Did he do anything with it?—A. Nothing to my knowledge except to initial it?

Q. You saw him do that?—A. Yes.

Q. Did you look at the ballot when you got it?—A. No, just went and voted.

Q. Did you turn it over after you got it to see if the initials were on?—A. Well, I didn't, I seen them on but whether as he was writing them or after I don't know.

Q. Then you didn't see any paper there to be taken off?—A. No. I have heard a good deal about it since but didn't notice it at the time.

Q. Did you notice whether there was any number or mark or anything written on it after you got it?—A. No.

Q. And you didn't then notice these after he put them on?—A. No, I didn't.

Q. And after you handed him the ballot did you notice him do anything?—A. He put it in the box.

Q. But before that?—A. No.

Q. And what did he do, put it in?—A. He doubled it again and put it in the box.

Q. Then he did do something?—A. Yes.

Q. He folded it again?—A. Yes.

Q. How had you folded it?—A. I folded it to show his initials on the outside.

Q. Then you must have seen his initials then?—A. I suppose I must; I always in voting fold the ballot to show the initials.

Q. Then how did he fold it again?—A. So that it would go into the hole.

Q. The ballot box hole was round?—A. I would not be sure whether it was round or square.

Q. You have always been a Conservative?—A. Yes, sir.

Q. Did you mark your ballot in any way you could identify it?—A. I did not, sir.

Q. Did you mark in pen or pencil?—A. Pencil.

Q. Pencils were furnished?—A. Yes.

Q. How were the initials written?—A. I expect and think it was a pen, but I could not swear to it.

Q. Not sure of that, is that what you say?—A. No, not sure, I didn't take any particular notice.

Q. Did you make a declaration?—A. Yes.

Q. To whom?—A. R. C. Hays.

Q. At whose request?—A. Van Every asked me if I would do it.

Q. Had he anything to do with the election?—A. Had he anything to do with it?

Q. Yes, beyond being a voter?—A. I could not say he had, he takes an active part in elections.

Q. Does he hold any official position in Goderich?—A. No.

Q. What is his occupation?—A. I don't think he has any.

Q. Lives on his money?—A. I don't know that he does.

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Q. A man of means, at least reported to be?—A. No, he lives with his mother, I guess she has the money.

Q. Van Every asked you to make this declaration?—A. I had seen Hays first; Hays came to my place and asked if I would do it.

Q. And you made the declaration there?—A. Yes.

Q. How long after the election?—A. Some days, but I don't know how long.

Q. A month?—A. No, I don't think it was a month, but I don't think—

Q. Was Farr there?—A. No.

Q. In Goderich?—A. No, I don't think so, I understood he had gone to Toronto and was at a situation.

Q. His family were there, he has a family?—A. Yes, they are there as far as I know.

Q. But he had gone to Toronto at the time you say you made the declaration?  
—A. I am not certain he had, I didn't take any—

Q. As far as you know he had?—A. Yes.

Q. You know Abe Smith?—A. Yes.

Q. What is his occupation?—A. Tailor.

Q. The one who was here yesterday?—A. Tailor, dyer, cleaner or something.

Q. Tailor, dyer, cleaner or something?—A. Or something of that description.

Q. What is his reputation?

Mr. Borden objected.

Q. His reputation for truth?

Mr. Borden objected.

A. Well, I don't know, I don't think I should—

Mr. BORDEN.—Wait a moment.

The CHAIRMAN.—I think the proper thing is to ask the witness if he believes such a person is creditable under oath, then under cross examination.

*By Mr. Britton:*

Q. The question I put is this. Do you know what Abraham Smith's reputation is for truth and veracity?—A. I do not.

Q. Has this man no reputation for truth that you know of?—A. Has he any reputation?

Q. Yes?—A. I know nothing about the man.

Q. Do you know what reputation means?—A. Yes, sir.

Q. What is it please, what is a person's reputation, what do you mean by that?  
—A. Well, as to his character I should judge.

Q. But what do you mean by reputation; it is what is said of a man, isn't it?  
—A. Yes.

Q. In the neighbourhood in which he lives?—A. Yes, sir.

Q. Do you mean to say there is nothing said about him to your knowledge?—  
A. I have heard nothing said.

Q. Not spoken of at all as far as you know?—A. As far as I know as to his telling the truth.

Q. Only in other respects?—A. Yes.

Q. Well, what is his general character?

Question objected to by Mr. Borden.

The WITNESS.—I don't think I should answer that.

Mr. BORDEN.—I object to going into evidence outside his character for truthfulness.

The CHAIRMAN.—I think the objection is well taken. If you are to examine each witness upon the character of the previous witness we will be here for two years. I do not think it is relevant myself.

*By Mr. Borden:*

Q. You spoke of Mr. Dancy going into the poll with you. Do you know what his first name is?—A. Loftus, Loftus E. Dancy.

Q. He is a lawyer is he?—A. Yes, sir.

Q. Do you know whether he is now in Goderich?—A. A few days ago I went to his office on business and they told me he was not.

Q. How long is it since you have seen him as far as you can remember?—A. Oh, I think it is a couple of weeks I think since I seen him, sir.

Witness discharged.

MAITLAND WHITELY (No. 77 on the poll book) sworn.

*By the Chairman:*

Q. What is your name?—A. Maitland Whitely.

*By Mr. Borden:*

Q. You reside in the town of Goderich, Mr. Whitely?—A. Yes, sir.

Q. What is your occupation?—A. I am a druggist.

Q. Did you vote at the last Dominion election held in February last for the west riding of the county of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. For Mr. McLean.

Q. What kind of a mark did you put on it?—A. A cross.

Q. Where did you put the cross?—A. Opposite the name.

Q. Was there any place opposite the name for that purpose?—A. Yes, sir.

Q. What kind of place was it?—A. A disc.

Q. A disc. Do you remember what colour?—A. Light inside and dark around I think.

Q. Light inside and dark around?—A. Yes, sir.

Q. And you put your cross where?—A. In the centre.

Q. In the disc?—A. In the disc.

Q. After marking and folding your ballot what did you do with it?—A. I gave it to Mr. Farr.

Q. Did you give back to him the same ballot paper which you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. He put it in the ballot box.

Q. Do you remember whether there was any counterfoil or any space on the ballot?—A. I cannot say.

Q. Did you observe whether he tore anything off the ballot?—A. I don't remember.

Q. You don't remember that?—A. No, sir.

Q. Where were you standing when you gave him the ballot?—A. Just in front of the ballot box.

Q. Did you remain standing there while he put it in the box?—A. Yes, sir.

Q. And do not remember his tearing anything of it?—A. No, sir, I do not.

*By Mr. Britton:*

Q. What time of day did you vote?—A. I think it was either between twelve and one or one and two.

Q. Between twelve and one or between one or two?—A. Yes, sir.

Q. Do you remember whether you had had your dinner or not?—A. I had not.

Q. It was before dinner then?—A. Yes, sir.

Q. Before dinner, and you will safely say you didn't take your dinner later than one thirty?—A. 12.30, 1.30 or one.

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- Q. After you voted?—A. After I voted.
- Q. It was before you took your dinner?—A. Yes, sir.
- Q. And you say that you didn't take dinner later than one thirty that day? You remember that you took dinner?—A. Oh, it was either between 12.30 and one or between one and two that I took my dinner.
- Q. I was trying to fix the time a little nearer if I can. You have told me you voted before you took your dinner?—A. Yes, sir.
- Q. That is right. Now then, what time, speaking from recollection, and thinking back as to that, at what time did you take dinner?—A. I think it was about half-past.
- Q. Half-past what?—A. Half past twelve.
- Q. And you did vote before half-past twelve?—A. I cannot say for certain; I think it was.
- Q. You are sure you voted before you got your dinner?—A. Yes, sir.
- Q. Now, you have told me you got your dinner about 12.30 that day?—A. I cannot say when I got it.
- Q. Can you fix a time as the latest possible time you got your dinner that day?—A. It was not later than two. I think it was about one.
- Q. You think it was about one, and you think you voted then about 12.30?—A. Yes, or probably a quarter to one or a quarter to two.
- Q. A quarter to one or a quarter to two, do you say?—A. Yes, sir.
- Q. Can't you give it nearer than that?—A. I can't just say when I went home to my dinner.
- Q. Where did you take your dinner that day?—A. At home.
- Q. Are you a married man and keep house?—A. No, sir, I am single.
- Q. When you got the ballot you saw him put his initials on?—A. No, sir, I do not remember.
- Q. You saw them on after you got it?—A. No, sir. I do not remember if they were on or not.
- Q. And you said you didn't remember if there was any counterfoil on or not?—A. No, sir.
- Q. Did he take anything off them?—A. No, I cannot say.
- Q. But you saw him put the ballot in the box?—A. Yes.
- Q. You are sure of that?—A. Yes, sir.
- Q. And the same one that you gave him?—A. I cannot say that.
- Q. I thought you said you did?—A. I said I saw him put a ballot in.
- Q. You said he put in the ballot you gave him?—A. No.
- Q. You say you got a ballot from him and you gave him back the same one?—A. I voted.
- Q. Will you please listen to my questions. Did you hand him the same ballot you got from him?—A. Yes, sir.
- Q. What did he do with it?—A. I thought he put it in the box.
- Q. Did you see him put something in the box?—A. Yes, sir.
- Q. If he had made any change in it you would have noticed it, would you not?—A. I can't say, I suppose I would.
- Q. And you didn't notice any change?—A. I did not.
- Q. Or anything done by him except merely to take the paper he got from you and put it in the box. Is that right?—A. That is all.
- Q. I suppose if there had been any other letters or figures on the paper than the initials that you saw put there you would have noticed it?—A. Well, I don't know.
- Q. You, apparently, were not at all suspicious that day?—A. No, sir.
- Q. You thought everything was going on regularly?—A. I thought so.

*By Mr. Mills:*

Q. There has been one thing forgotten, one question, that is did you have soup for dinner that day or not?—(No answer.)

*By Mr. Borden :*

Q. It is not very important but you mentioned that you might have had dinner between half-past twelve and one, or between half-past one and two?—A. Yes, sir.

Q. Just explain that. Was it that you relieved some one else in the drug store?—A. I was not at the drug store at the time.

Q. Well, how is it you can remember whether it was between half-past twelve and one or between half past-one and two?—A. I beg your pardon.

Q. I want to know merely with regard to the time of voting?—A. I can almost swear positively that I voted about a quarter to one.

Q. Were you watching to see whether or not the deputy returning officer changed your ballot? Were you watching for the purpose?—A. No, sir.

Q. You had no suspicion at the time?—A. No, sir.

Witness discharged.

JOHN T. THOMPSON (No. 98 on the poll book) sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich Mr. Thompson?—A. Yes, sir.

Q. Did you vote at the last Dominion election for the west riding of the county of Huron?—A. I did, sir.

Q. That was in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

A. Did you receive a ballot paper from him?—A. I did, sir.

Q. Did you mark it?—A. I did.

Q. For whom?—A. For Mr. McLean.

Q. What kind of a mark did you put on it?—A. I put a cross on it.

Q. Opposite whose name?—A. McLean's name.

Q. Was there any place opposite his name for the purpose?—A. Yes, sir.

Q. What kind of a place was it? A place for you to put a cross on?—A. A round place.

Q. Do you remember the colour of the place where you put your cross?—A. It was blue.

Q. On the outside do you mean or the inside?—A. Outside.

Q. The outside was blue, the particular part of it where you put your cross, what colour was that, do you remember?—A. I didn't pay much attention to it.

Q. I will show you the ballot to see whether, looking at it, you can recollect. Did the ballot resemble that?—A. Yes, sir.

Q. Will you show me where you put your cross?—A. There.

Q. In the circular white disc opposite Mr. McLean's name?—A. Yes, sir.

Q. After marking your ballot paper and folding it, what did you do with it?—A. I gave it to Mr. Farr.

Q. Did you give back to him the same paper which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. I stood there about a minute, and I presume I saw him put it in the ballot box.

Q. Were you watching to see whether he put the same ballot or something else in the box?—A. Yes; I watched him pretty close.

Q. And, as far as you observed, he put it in the box?—A. Yes, sir.

Q. Did you notice whether he tore anything off it?—A. No; I don't think he did.

Q. You don't remember his doing so?—A. No, sir.

Q. Did you notice whether he put anything in his pocket?—A. No, sir.

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Q. You didn't observe him tear anything off the ballot before putting it in the box?—A. No, sir.

Q. Did you observe whether his initials were on the back of the ballot?—A. Yes, sir.

Q. Did you observe any other mark on the ballot, any number on any part of it?—A. No, sir.

Q. Did you notice whether there was—that the ballot had a piece of paper attached to it, a piece of paper called the counterfoil?—A. I think they were pinned together.

Q. You think they were pinned together?—A. Something to that effect.

Q. You noticed there was a piece of paper attached in some way to the ballot?—A. Yes, sir.

Q. What I want to get at is whether you noticed any number on that?—A. I don't think I did.

Q. You don't remember noticing anything on it?—A. No.

*By Mr. Britton:*

Q. What time of day did you vote?—A. In the afternoon.

Q. About what time?—A. About three o'clock.

Q. Was there anybody present when you voted except the deputy returning officer and the poll clerk?—A. The scrutineers were there.

Q. Who was the poll clerk?—A. I think it was ——. I forget his name now.

Q. Can't you tell?—A. I forgot his name.

Q. Who were the scrutineers for McLean?—A. Robert Clarke and Mr. —.

Q. Well, you remember Robert Clarke, any one else?—A. Yes, there was another one, there is always two you know.

Q. I am speaking about your memory, who was there?—A. Armstrong.

Q. What is his name?—A. Harry.

Q. He was scrutineer for McLean?—A. Yes.

Q. Who were the scrutineers for Holmes?—A. I can't tell you.

Q. Were they strangers to you? Did you recognize them as people living in Goderich?—A. One of them.

Q. Which was that?—A. I told you I didn't know the name.

Q. What made you think the ballot you marked was blue?—A. I thought you meant the mark I put on it.

Q. I didn't mean anything of the kind; it was an answer to a question asked you, and you said you thought the colour of the ballot round the place where you put your mark was blue?—A. I misunderstood, I thought it was the mark I put on it the gentleman alluded to.

Q. What did you think he meant?—A. I thought he meant the mark I put on it.

Q. And did you put a blue mark on it?—A. No. I put McLean's mark on it.

Q. And what mark was that, what is McLean's mark?—A. A pencil mark. I don't know just what colour it was.

Q. Do you say that McLean had a particular mark?—A. He had a good Tory mark.

Q. What is that?—A. Marked with pencil.

Q. You evidently mean it was some peculiar mark about it, and it was a good Tory mark, what was it?—A. It was marked with lead pencil.

Q. Do not be too clever, witnesses that are too smart sometimes miss it. You are to give evidence. Just let us have your answer. What is your answer, what is a good Tory mark? The mark with a pencil you made on the ballot that you were speaking about?—A. It was a cross.

Q. You said it was something that was blue, what was it that was blue?—A. There was a couple of pencils there.

Q. You said there was a couple of pencils there. Do you mean to swear that there were two pencils, because I think that is important? I want your evidence. Answer my question, please; were there two pencils?—A. I guess there was only one.

Q. Why did you tell me you expected there was two? Did you intend to trifle with you oath?—A. No, sir.

Q. What did you mean by telling me there were two when there were not two pencils?—A. I have seen cases where there were.

Q. That won't do, you must answer the question?—(No answer.)

Q. Did you think there were two pencils at that time in the polling booth; answer, please?—(No answer.)

Q. Did you think there were two pencils?—A. No, sir.

Q. You did not? Why did you say so?—(No answer.)

Q. Why did you say so? Answer the question, why did you say a little while ago that there were or that you guessed there were two there, have you no answer to make?—A. I have seen cases where there were? I did not.

Q. Why did you say you guessed there were two pencils there at that polling booth at that time?—(No answer.)

Q. Will you answer please? Why did you make that answer in that way that you guessed there were two pencils when you knew there were not as you have told us? you won't answer or is it you can't answer?—A. I do not just remember. I would not swear whether there was one or two, I am not just prepared to say whether there was.

Q. Now, you have got around that, you are not prepared to say that there was one or two? Do you say there was any blue pencil there that day or not?—A. I cannot say whether there was or not.

Q. Why did you say you thought it was blue on the place where you marked that ballot?—A. I have seen cases where there were two pencils of different colours.

Q. In a polling booth?—A. Yes.

Q. You will swear to that?—A. Yes, sir.

Q. In polling booths.—A. Yes, sir.

Q. Where?—A. Oh, in different places.

Q. Now, tell me one?—A. I voted in the North-west before to-day.

Q. You voted in the North-west?—A. Yes.

Q. Well, tell me in any place where there were two pencils provided for the voter, blue and red; is that what you said?—A. Blue and red.

Q. Tell me where?—A. One in Colborne or Leeburn.

Q. You mean in the county of Huron?—A. County of Huron.

Q. When?—A. Well, it is quite a time ago now.

Q. Perhaps you had one in your pocket?—A. No, sir.

Q. You say you saw two provided for the voter, is that what you say?—A. I don't know who they were provided for.

Q. What election was that?—A. I don't know.

Q. How long ago?—A. About 15 years.

Q. Fifteen years ago in Leeburn and Colborne, and that is the way you got out of that difficulty you got yourself into; now, sir, coming back to this what kind of pencil was it you marked with here?—A. I could not tell you.

Q. You can't tell whether blue or red or black or either?—A. No.

Q. Could you identify your ballot?—A. I don't think so.

Q. Now, you say you think there was something pinned to the ballot; where was it pinned; suppose it was where was it pinned, explain so the committee can see?—A. Well there was—there seemed to be something on the back, I didn't pay attention, but there was an initial on it or number or something of that kind.

Q. Well, now, there is a ballot, you see it; all I want to know is where you saw something pinned to it, the ballot that you had?—A. I guess it was up at this end of it.

Q. I don't want you to guess, I want you to remember; do you remember or not; I don't want you to guess, we can guess as well as you can.—(No answer.)

Q. So what did you say about anything being pinned to the ballot?—A. I said I thought there was something on it.

Q. I am not talking about that; you saw something pinned, and I want to know from you what you meant by that, that there was something pinned?—A. Either pinned or stuck.

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Q. Something either pinned or stuck ; now, I ask you the question what it was ?  
—A. I guess it was that thing there.

Q. And your evidence is so reliable you call that either pinned or stuck, is that what you mean?—A. I guess them whole things go together.

Q. Do you know what you said to me just now, do you know the answer you gave me?—A. No, what way?

Q. Do you remember the answer you gave me, and I will tell you, you said this, "I guess the whole thing goes together."—A. Those blank things.

Q. Now, I am not asking you to guess, I am asking you what you think yourself, you said you thought there was something pinned to the ballot he gave you ; do you stick to that ; do you stick to that ; now just answer me my question and we will get on ; what did you mean when you said you thought there was something pinned to the ballot?—A. I said I thought there was a number or something attached to it, that would be on the blank end I guess.

Q. You keep saying "I guess" ; I don't want you to guess ; have you any recollection there was anything pinned to it?—A. There was a number on it.

Q. Was the number on a separate piece of paper ; was there any paper pinned to the ballot you got from the deputy returning officer?—A. No.

Q. Was there any paper attached to the ballot you received from the deputy returning officer, stuck you said, stuck or pinned ; now was there any paper attached in any way to the ballot you got from the deputy returning officer?—A. No, I don't know that there was.

Q. And the number you say was on the ballot itself, or where was the number ?  
A. His initial and number was on the back of the ballot.

Q. We will suppose that is the ballot, look at it, nothing special about it?—A. Yes.

Q. Now, where were the initials?—A. Along the centre of the back of the ballot there.

Q. His initials were there and number?—A. Of the returning officer.

Q. His initials and number, is that what you say?—A. Yes.

Q. Now, from the way you answered my question a little while ago, of course, you are a good Tory ; you said you put a good Tory mark and you took pains to emphasize that ; and you have been so all your life, I suppose?—A. Yes.

Q. All your life ; I think I have got all I need about that ballot ; you distinctly remember there was a number on the ballot and the initial?—A. Yes, sir.

Q. We have got it down now ; I suppose you, being that way, would be very particular that the deputy returning officer put the same ballot in the box?—A. I presume he did.

Q. Well, did you see him?—A. Yes, sir, I rolled it up and gave it to him.

Q. You rolled it up and gave it to him, and what did he do with it?—A. Put it in the box.

Q. Did he do anything with it before he put it in the box?—A. Maybe gave another roll.

Q. Maybe gave it another roll ; you said maybe gave another roll and put it in the box, is that all ; he didn't tear it in any way?—A. I don't think so.

Q. You don't think he tore it in any way or tore anything off it?—A. No.

Q. And put it in the box ; and then you told afterwards, I suppose, how you voted?—A. No, sir.

Q. Never?—A. Oh, probably I have mentioned it to some particular friends.

Q. Probably you mentioned it to some particular friends, is that all?—A. That is all, yes.

Q. That is all. Now, you know you are not careful of what you say, are you ; you only told it to some particular friends?—A. Yes.

Q. Is that all?—A. That is all.

Q. Didn't tell it to any one for the purpose of this examination?—A. No, sir ; I had to be very careful for I was working for a Grit at the time.

Q. You had to be careful because you were working for a Grit at the time, and didn't tell it to any one?—A. No.

Q. How do you explain that with the fact that you made a declaration as to who you voted for; didn't you make a declaration?—A. I did.

Q. To whom?—A. To Robert Hays.

Q. At whose request?—A. Robert Hays' request.

Q. Anybody else?—A. I think Edward Van Every had asked me in the first place.

Q. You told Edward Van Every how you voted?—A. Yes.

Q. Then what did you mean by telling me you only told particular friends?—A. Van Every is a friend of mine.

Q. That is how you explain that, and you made a declaration?—A. Yes.

Q. How do you explain that, if working for a Grit at the time and having to be careful?—A. I quit my job since.

Q. When did you make the declaration?—A. I don't just remember how long ago.

Q. How long ago?—A. I don't remember to a day.

Q. How long ago?—A. I say I don't remember.

Q. How long, give me your idea of it?—(No answer.)

Q. Who was the Grit you were working for?—A. Alex. Saunders, if you know him.

Q. And he was the Grit?—A. Yes, sir.

Q. And when did you quit your job?—A. Four or five months ago.

Q. Four or five months ago; do you remember the month you quit him?—A. Not just exactly.

Q. Were you working for him when you made this declaration?—A. I was.

Q. You were, and while you were working for this man and afraid to tell except some particular friends you made this declaration at the request of Van Every?—A. Yes.

Q. And you think you are candid in coming here and giving this evidence to this committee?—A. Yes.

Q. You think you are candid?—A. Yes.

Q. What time of day did you say you voted?—A. Three o'clock.

*By Mr. Borden :*

Q. You say you saw initials on the ballot and you saw a number on the ballot which was banded to you?—A. Yes.

Q. Are you sure whether or not the number was on this part of it, or this part of it which we call the counterfoil?—A. Well, his initials were on the back of the ballot.

Q. Are you sure the number was on the back or the counterfoil?—A. Well, I could not be positive.

Q. You could not be positive; you spoke of something being attached to the ballot, being pinned or stuck, you mean something like this white thing here?—A. Yes.

Q. Something like that white part?—A. Yes.

*By Mr. Britton :*

Q. Now, when I asked you you marked out to the reporter where you thought the number was?—A. Yes, sir.

Q. Were you not giving evidence then?—A. Yes, sir.

Q. Do you still think the number was where you marked to the reporter?—A. His initial and name was on the back of the ballot.

Q. That is not what I asked you at all; now you have given me another answer and I will have to go back; do you still think the number was where you told the reporter, the centre of the ballot?—A. Somewhere there.

Q. You say his name?—A. His initials.

Q. You said name a minute ago, you didn't mean that?—A. No, sir.

Witness discharged.

## Privileges and Elections Committee.

JOHN A. ROBERTSON (No. 14 in the poll book) sworn.

*By Mr. Borden :*

Q. You live in the town of Goderich, Mr. Robertson?—A. Yes, sir.

Q. Did you vote at the Dominion election in February last for the west riding of the county of Huron?—A. I did.

Q. Who was the deputy returning officer at the poll at which you voted?—  
A. Mr. Farr.

Q. Mr. Farr, do you know his first name?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. I did.

Q. Did you mark it?—A. I did.

Q. What kind of mark did you put on it?—A. A cross or an "X."

Q. Opposite whose name did you put it?—A. Robert McLean's.

Q. Do you remember whether there was any place opposite Mr. McLean's name for putting the cross?—A. Yes.

Q. What kind of a place?—A. A round hole.

Q. What colour?—A. White.

Q. A round white space?—A. Yes.

Q. And where did you put your cross?—A. Opposite Robert McLean.

Q. I mean in that space?—A. Yes.

Q. In the round white space opposite Robert McLean's name?—A. Yes.

Q. After marking your ballot what did you do with it?—A. I folded it up.

Q. And what did you do then?—A. Gave it to Farr.

Q. Did you give to him the same ballot which you had received from him and which you had marked?—A. I did.

Q. Did you observe what he did with it?—A. Yes, he put it in the ballot box.

Q. Did he do anything with it before he put it in the ballot box?—A. Yes, tore off the stub.

Q. What did he do with the stub?—A. I don't know, I didn't watch him.

Q. Were you suspicious of anything at the time?—A. No, I was not.

Q. Did you watch to see whether he put the same ballot in that you handed back to him?—A. Yes.

Q. Are you sure he put that in as far as you observed?—A. So far as I know.

*By Mr. Britton :*

Q. Well, I understand you in answer to Mr. Borden, that he put the same ballot in?—A. I suppose it was the same.

Q. Did not leave his hands from the time you gave it to him till it went in?—  
A. No, I didn't see it.

Q. You believe that it did go in?—A. I believe it went in.

Q. So there is no one then can speak from that to say he put the same ballots in that he got from you?—A. Yes.

Q. And you gave him the same one that you got from him before you marked it?—  
A. Yes, sir.

Q. Now, you spoke of a stub. Then there was a stub on it when he gave it to you?—A. Yes, sir.

Q. What was on the stub or did you notice anything?—A. I didn't notice anything.

Q. Was there anything?—A. Perhaps there was, I couldn't say.

Q. Is your answer that you did not notice it? Or that you can tell the committee whether there was anything on it or not?—A. I can't tell; I didn't take that much notice.

Q. Was there anything on the ballot?—A. There was Robert McLean and Mr. Holmes.

Q. That was on one side, was there anything on the other?—A. His initials were on the other side.

Q. You know his initials were on the other side.—A. Yes, sir.

Q. You saw him put them on?—A. Yes, sir.

Q. How was the paper? Just take that paper in your hand and tell us if the ballot was like that?—A. Yes, so far as I know of.

Q. Lift the first ballot up in your hands and tell if it was like that one, that ballot. Now there is the ballot, was it just like that as near as you can tell?—A. Yes, just like that as far as I know.

Q. Had it a paper like that on it. Here is a blank space, here is Holmes name, here is McLean's name, here is a disc. Where did you put your mark?—A. Right there.

Q. Opposite McLean's name?—A. Yes.

Q. Had it this blank space on?—A. I suppose.

Q. Don't suppose?—A. I do not know whether it had or not.

Q. Well then say so?—A. I do not know.

Q. You don't know if that one had that or any counterfoil?—A. Yes it had that on, but I do not know whether there was anything else on it or not.

Q. Now, you say it had a counterfoil on. What do you mean by counterfoil?—A. That stub.

Q. Then you mean the ballot had this what you call a stub on it?—A. Yes.

Q. That white blank space like that?—A. Yes.

Q. You are sure of that?—A. Yes, sir.

Q. Was there anything on the back, any figures?—A. Not that I know of. I did not take any notice. It is so long ago since I marked it.

Q. You have given me three distinct answers on that. You have said "I do not know it is so long ago," "and I did not take any answer," and "I do not know," that is your answer, meaning you do not know if there was anything on it or not?—A. Yes.

Q. But there was as much as there is there on this one I am holding. He looks at exhibit 18-2 and says that the ballot he got was like the top ballot paper of that package. Is that right?—A. Yes, sir.

Q. And that it had as much blank space on it as there is on that ballot?—A. Yes, sir.

Q. That is right and you call that the stub?—A. Yes, sir.

Q. Yes, now you have said to me (it is only for the purpose of having it down) that you don't know whether there was any number or figure or letters on that stub or is that what you said?—A. Yes, that is what I said.

Q. Is that numbered?—A. There might be a number.

Q. I am asking what you remember?—A. To the best of my recollection.

Q. To the best of your recollection there was what?—A. Nothing on it that I know of.

Q. To the best of your recollection there was nothing on the ballot?—A. There was initials on the back.

Q. The initials were on the back?—A. Right there.

Q. Do you remember whether they were cross-wise on the ballot or length-wise?—A. Oh, I couldn't tell.

Q. You could not tell about it. At all events you gave back the same one?—A. Yes, sir.

Q. I suppose you didn't mark it in any way that you could identify it?—A. No, sir.

Q. So that if I were able to show you the very ballot you marked you could not tell it?—A. No, sir, I could not.

Q. Can you tell me what kind of lead pencil it was that you marked with?—A. A common lead pencil.

Q. You are not one of the blue and red men and, I suppose, you marked just the ordinary cross and would not be able to identify it if you saw it?—A. No.

Q. And you made a declaration afterwards to Mr. Van Every?—A. No, to Mr. Hays.

Q. Mr. Hays asked you?—A. Yes.

Q. And you went to his office and did it?—A. Yes.

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Q. How long after the election?—A. It was a month or two afterwards. No, it —

Q. Well how long?—A. I cannot exactly tell you how long.

Q. What is the best of your recollection, three or four days?—A. Oh, it was a couple of weeks I think.

Witness discharged.

JOSEPH HAMILTON (No. 29 on the poll book) sworn.

*By Mr. Borden :*

Q. Mr. Hamilton, you reside in the town of Goderich?—A. Yes, sir.

Q. What is your occupation?—A. I am a veterinary surgeon.

Q. Did you vote at the last Dominion election for the west riding of the county of Huron?—A. Yes, sir.

Q. Held on the 21st of February.—A. Yes, sir.

Q. Who was the deputy returning officer at the poll that you voted at?—A. Mr. Farr, James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. Did you put any mark upon it?—A. Yes, sir.

Q. What kind of a mark?—A. I put an "X."

Q. Opposite whose name?—A. Robert McLean's.

Q. Was there any place opposite his name for the purpose of putting your mark?  
—A. Yes, sir.

Q. What kind of a place was it?—A. A round hole.

Q. A round space, and what colour do you remember?—A. The place was white inside and dark around it.

*By Mr. Powell :*

Q. White on the inside and dark around it?—A. I won't swear to that.

*By Mr. Borden :*

Q. Did you put your mark in this space?—A. Yes.

Q. And opposite whose name?—A. Robert McLean's.

Q. Look at one of these papers, does that resemble the ballot you marked?—A. Yes, sir.

Q. And show me on that where you put your mark?—A. Right in there.

Q. Right in the round white disc opposite McLean's name?—A. Yes.

Q. After marking your ballot you folded it I suppose?—A. Yes, sir.

Q. Did you notice whether or not there was any number on the white space or counterfoil?—A. No, I didn't.

Q. You didn't notice that?—A. No.

Q. Well, after folding your ballot what did you do with it?—A. I handed it to Mr. Farr to tear the stub off.

Q. And did you hand back to him the same ballot which you had received from him and which you had marked?—A. Yes, sir.

Q. And what did he do with it?—A. I stood there till he gave it back to me and I put it in the box myself.

Q. What did he do with it before giving it back to you?—A. He put it down on the table and tore the stub off.

Q. Why did he hand it back to you to put in the box?—A. He went to put it in and I said I would put it in.

Q. And you did put it in yourself?—A. Yes, sir.

*By Mr. Britton :*

Q. And what did he do with the paper he tore off?—A. I don't know.

Q. You can't say whether he threw it on the floor or not?—A. I don't know what he done with it.

Q. How did he tear it off?—A. He laid the ballot on the table and just tore it off.

Q. Upon the edge of the table do you mean?—A. Yes, I stood and watched him.

Q. Did he lay it flat on the table with the back up?—A. I do not know what side was up.

Q. You would not notice?—A. I stood just and noticed him and could not say if it was the back or not.

Q. His initials were on it, were they?—A. I think so.

Q. When he handed you the ballot did you see him do anything with it?—A. Yes.

Q. What?—A. He marked it.

Q. He did mark it in some way. Did you notice if he put his initials?—A. No, I did not.

Q. You thought they were his initials I suppose?—A. Yes.

Q. No doubt they were. When he handed it back to you he had put it on the table with these initials up?—A. I don't remember. I didn't take notice.

Q. If he had put it with the vote side up you would have noticed?—A. I do not know.

Q. But you would have thought it was irregular would you not?—A. Yes.

Q. In that way you would have thought it queer because it would be looking to see your vote. So you will say you don't know which side was up on the table?—A. No, I don't.

Q. Then he tore off this stub?—A. Yes.

Q. Was there anything on the stub?—A. Not that I know of.

Q. You didn't notice?—A. No.

Q. And then he handed the ballot back to you?—A. No he was going to put it in the box and I said I would.

Q. But he did give it to you?—A. Yes.

Q. And you put it in. At what time did you say you voted?—A. Between a quarter past nine and a quarter to ten.

Q. Between a quarter past nine and a quarter to ten?—A. Yes.

Q. Early in the morning?—A. Yes.

Q. Who were present in the polling place when you were?—A. Farr, Mr. Clark, I do not remember who all was there.

Q. Who were Mr. McLean's scrutineers?—A. I do not remember.

Q. Who were Mr. Holmes' scrutineers?—A. I do not know, I think a Mr. Martin, but I could not swear to it.

Q. How many, without knowing their names, do you say were in the room when you voted?—A. There would be five or six I guess.

Q. You made a declaration did you?—A. Yes, sir.

Q. At Mr. Van Every's request?—A. Yes.

Q. And where did you make it?—A. At M. O. Johnston's office.

Q. Mr. Van Every came with you there?—A. No.

Q. He asked you to go there?—A. He asked me if I was willing to do it and I said I was, and he said to go to M. O. Johnston or Hays and I went there.

Q. How long after the election was that?—A. Five or six or seven days.

Q. Five or six or seven days after the election?—A. Yes, sir.

Q. You know Farr?—A. Yes, sir.

Q. Did you see him on that day after you voted?—A. No.

Q. You were not at the polling place after that once?—A. No, yes, I was in the afternoon, not inside though.

Q. Did you see Farr?—A. Yes.

Q. To speak to?—A. No.

Q. How do you mean you saw him?—A. Through the door.

## Privileges and Elections Committee.

Q. He was where he ought to be and you were outside and saw him. You were not talking to him?—A. Not to speak to.

Q. And you would not be able to say whether he had been drinking or not?—A. I could not.

Witness discharged.

WALTER PRIDHAM (No. 60 on the poll book) sworn.

*By Mr. Borden :*

Q. You live in the town of Goderich, Mr. Pridham?—A. Yes, sir.

Q. Is Mr. J. F. Pridham your brother?—A. Yes, sir.

Q. He is ill is he, he is sick?—A. He wasn't feeling well and not able to be around.

Q. He was not able to come down?—A. No.

Q. What is your occupation?—A. Tailor.

Q. Did you vote at the Dominion election for the west riding of the county of Huron in February last?—A. I did.

Q. Who was the deputy returning officer?—A. Mr. Farr.

Q. What was his first name?—A. James.

Q. Did you receive a ballot paper from him?—A. I did.

Q. Did you put a mark on it?—A. I put a cross.

Q. Opposite whose name?—A. Mr. McLean's.

Q. Was there any place opposite McLean's name for that purpose?—A. Yes, sir.

Q. What kind of a place was it do you remember?—A. It was white like, round, forming a ring.

Q. Was it black all round?—A. Yes, black all round, heavy black.

Q. And you put your cross in the white space?—A. In the white space.

Q. In the white space opposite McLean's name I understand?—A. I did.

Q. After marking your ballot you folded it I suppose?—A. Yes.

Q. And what did you do with it then?—A. I handed it to Mr. Farr the deputy returning officer.

Q. Did you hand back to him the same ballot which you had received from him and which you had marked?—A. I did.

Q. Did you observe what he did with it?—A. Yes.

Q. What did he do with it?—A. He put it in the ballot box.

Q. Did you watch to see whether or not he put in the same ballots you gave him?—A. I did not look very particularly, I saw him put in a ballot and I understood it to be the same I gave him unless he did some sleight of hand work.

Q. Did you see him tear anything off it?—A. Yes, he tore the stub off it.

Q. Before he put it in the box?—A. Yes, sir.

Q. Did you observe what he did with the stub?—A. No. At least if I did I forget now.

*By Mr. Britton :*

Q. You have lived in Goderich some time?—A. All my life.

Q. And I suppose you have voted at several elections?—A. Yes, sir, I have.

Q. And voted that way generally?—A. Yes.

Q. What time of the day was it when you voted this 21st of February?—A. It was nearly 1 o'clock.

Q. Do you remember whether there was anything on what you called the stub of the ballot?—A. Any initials, do you mean?

Q. Anything at all?—A. I did not take notice.

Q. You didn't notice whether there was a number or whether there were initials or anything on the stub?—A. I might have then, but I have forgotten now.

Q. You don't know now?—A. No.

Q. Was there anything on the ballot itself?—A. Nothing except the candidates names and the space for your mark opposite them, that is all I noticed.

Q. You mean then you don't know whether his initials were on the ballot he handed to you or not?—A. No, I forget; I might have noticed, but I forget now.

Q. That is what I want, at present you don't know whether there was or not?—A. No, I don't.

Q. You have no recollection about their being on or not, on that day?—A. No.

Q. All you recollect is you made a mark opposite McLean's name, handed it back to Farr, and you believe he put it in the box?—A. Yes, sir.

Q. He put something in anyway?—A. Yes, sir.

Q. And before putting that something in what did he do?—A. He tore the counterfoil off, I folded it twice, and he folded it once more.

Q. Was it like that?—A. As far as I can recollect.

Q. What do you call the counterfoil?—A. Well, I understood there was a part here to tear off.

Q. I am not asking you that, you are a witness and I am trying to get information; it is not what you understood at all, it is what you saw and what you remember?—A. Well, of course, it is a long time ago, and it is hard to remember distinctly.

Q. It is not so long ago; it is not six months ago?—A. Well, I understood, that is all I can say as far as I can recollect, there was a counterfoil on it, and he tore it off.

Q. What do you call a counterfoil?—A. Well, there is this here—there was a piece of paper extending here or there, I forget which.

Q. You think it extended there; do you mean it extended from the space there or was there something else?—A. It was something else.

Q. Where did the something else belong to the ballot?—A. As far as my recollection goes, it was perforated with holes, so as he could tear it off.

Q. Do you mean there was something on this that it was perforated?—A. I can't be too positive now.

Q. What is the best of your recollection?—A. That is what I believe; there was an extension on one side or the other that was to be torn off afterwards.

Q. Here is an extension here from here to there, do you mean it was extended over that?—A. No, I don't mean further on, it must have been here or it is different.

Q. It either must have been at the right end of the ballot or it must have been different?—A. As far as I can recollect it was there only different from that.

Q. It was over on the left hand only differently perforated?—A. As far as I can recollect.

Q. It was different than that in this respect it was extended further?—A. Oh, I don't say further, it seems to me it was perforated here and torn off there.

Q. Do you mean to say that when the stub was torn off it would leave it just as it is that way?—A. Yes.

Q. With a white space?—A. Yes.

Q. And you have no recollection as to whether any number was put on or whether there was initials placed on the back?—A. I am almost certain, I saw the initials on it after I folded it, I folded it twice.

Q. Where were the initials?—A. I can't say.

Q. Do you think it was on the back of the ballot?—A. Well, it must have been there if it was any place.

Q. And you don't know whether the initials were on the ballot?—A. No.

Q. I suppose you made a declaration?—A. Yes, sir.

Q. When?—A. I don't remember what day.

Q. About how long after the election?—A. I guess it was about a month.

Q. At whose request?—A. Mr. R. C. Hays.

Q. Van Every did not see you?—A. Yes, he asked me before if I was prepared to make a declaration.

## Privileges and Elections Committee.

Q. Did Van Every take part in the election or did his part come in afterwards to procure the declarations?—A. Oh, he was one of the workers before.

Q. He was on McLean's committee was he?—A. I don't know.

Q. Do you know whom Mr. McLean's organizer and manager was in the election?—A. For the town do you mean?

Q. Well, in the election generally now, and then we will speak about the town. Who was Mr. McLean's agent?—A. I don't know.

Q. Was Mr. Van Every chairman of the committee for the town or of any of the wards in the town?—A. I don't know.

Q. You don't know what part he took in the election?—A. I know he is always active in every election.

Q. And he was active in that election?—A. I believe so.

Q. And afterwards it was he who went around to see what declarations could be made?—A. Yes.

Q. And so you were willing to tell who you voted for and made a declaration?—A. I did.

Q. Have you taken any other part except that in this investigation?—A. That is all.

Q. When did you come down?—A. Yesterday morning.

Q. And you have taken no part except to vote at the election, make a declaration and then come down as a witness?—A. That is all.

*By Mr. Borden :*

Q. You spoke about the perforating of the ballot?—A. Yes, sir.

Q. You see these little dots?—A. Yes.

Q. These might possibly have been what you thought perforations?—A. It might possibly be.

Witness discharged.

WILLIAM BURROWS (No. 72 on the poll book) sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich?—A. Yes, sir.

Q. What is your occupation?—A. Seedsman.

Q. Did you vote at the Dominion election in February last for the west riding of the county of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at that poll?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. The ballot.

Q. Yes?—A. I marked it for Robert McLean.

Q. What kind of a mark did you put on it?—A. I put a cross.

Q. Where?—A. Opposite McLean's name in the column prepared for that purpose.

Q. What colour was the space where you put your mark?—A. That I can't recollect.

Q. What colour was the space?—A. That I can't recollect.

Q. Did the ballot paper which you received resemble this?—A. Yes.

Q. And will you show me on that where you put your mark for McLean?—A. There.

Q. In the circular white space opposite McLean's name?—A. Yes, sir.

Q. After marking your ballot, I suppose, you folded it; what did you do then?—A. Handed it back to the deputy returning officer.

Q. Did you hand back the same ballot you had received from him?—A. Yes, sir, I did.

- Q. Did you observe what he did?—A. Put it in the ballot box.
- Q. Did he tear anything off it?—A. No.
- Q. He didn't tear anything off it?—A. No, sir, the ballot was naked when I received it.
- Q. You see this ballot has a white space here which is called the counterfoil or stub; when you received the ballot had it any counterfoil?—A. No, sir.
- Q. You are positive about that?—A. Yes, sir, I know the nature of these ballots.
- Q. And you say it had no counterfoil on it?—A. It had not.
- Q. You stood there while he put it in the box?—A. I did, sir, watched him particularly.

*By Mr. Britton :*

- Q. Of course, you have voted a great many times?—A. I have, sir.
- Q. And you know what these ballots ought to have?—A. Yes, sir.
- Q. Well, when he gave you one without a counterfoil why didn't you object to it?
- A. Well, I didn't know but the election laws might have been changed and I didn't pay much attention except that the counterfoil was not there.
- Q. You had voted several times when the counterfoil was given?—A. Yes.
- Q. But you noticed this time there was none?—A. None.
- Q. And you thought the law was changed?—A. Yes, sir; I didn't notice much except there was no counterfoil.
- Q. Who was present when you voted?—A. Do you mean officials?
- Q. I mean in the room, did any one go in with you?—A. No.
- Q. About what time of the day was it?—A. About one.
- Q. And you came alone?—A. Yes, sir.
- Q. Well, who were in the room when you got there?—A. Well, I don't know as I distinctly remember who was there.
- Q. Well, as near as you remember?—A. Well, I think Dr. McMath was there for one; he was a voter and I think he was there, the only one I knew when I went there.
- Q. Dr. McMath?—A. Yes.
- Q. Had he voted?—A. No.
- Q. He voted after you?—A. Yes.
- Q. But he was in the voting place?—A. He was in the hall, he was not in the place allotted to the voters, and waited till I came out.
- Q. He was in the hall and waited till you came out; then we come back to the question who was in the polling booth where the election was being held?—A. I don't think there was anybody.
- Q. I mean the room, what officials were there?—A. I noticed Farr of course, he was the deputy returning officer; and this gentleman who gave his evidence here, Armstrong, those were the only ones I noticed particularly; I was in a hurry and got away.
- Q. You don't remember anybody present but Farr and Armstrong?—A. I do not, no.
- Q. Do you know as a fact the scrutineers for each candidate were there?—A. Well, no, I don't remember that.
- Q. Was there a constable?—A. Yes, I think there was.
- Q. Who was it?—A. A man named Campbell.
- Q. A man named Campbell?—A. I think it was.
- Q. What was his first name?—A. That I can't say.
- Q. Where was he standing?—A. Just inside the door.
- Q. Introducing voters, or seeing that only one got in at a time?—A. Yes.
- Q. And you got a ballot from the deputy returning officer and went in behind the screen I suppose, where did you go?—A. I went into the apartment allotted for that purpose, didn't go behind any screen.
- Q. A separate apartment; did you notice anything on the ballot?—A. No.
- Q. Had he put anything on before he gave it to you?—A. I don't remember.

## Privileges and Elections Committee.

Q. Do you remember?—A. I don't remember, I could not positively say, I don't think there was anything on the ballot except his initials.

Q. Did you see him put that on?—A. Yes.

Q. You saw that?—A. Yes.

Q. Was it with pen or pencil?—A. I think it was pencil.

Q. You think pencil?—A. I won't be positive but I saw him put them there.

Q. You saw him put them there?—A. Yes.

Q. And you went into the room?—Yes.

Q. Show me where it was?—A. It was folded this way and the initials were on the back of the ballot and about the end.

Q. The initials were on the back of the ballot and about the end?—A. Yes.

Q. On the end the discs are on?—A. Yes.

Q. Is that what you say?—A. Yes.

Q. The ends the discs were on and then you marked with what kind of pencil?

A. Lead pencil.

Q. Ordinary or coloured?—A. I would not be positive about that; I know it was lead pencil and I think it was common lead pencil.

Q. And would you be able to identify your ballot?—A. I don't think so.

Q. You did not mark it in any particular way?—A. No, I don't think I could identify the ballot.

Q. And you took it back and watched him put it in?—A. Yes.

Q. And you can swear he put in the same paper you had handed him?—A.

Yes.

Q. And you handed him the same paper you got?—A. Yes.

Q. So it was all regular up to that time?—A. Yes.

Q. And then you made the declaration?—A. Yes.

Q. At Van Every's request?—A. No, sir.

Q. At whose?—A. At Mr. Hays'; yes, I think Van Every did speak to me.

Q. He did?—A. Yes.

Q. When did he come to you after the election?—A. I could not state the day, three or four weeks.

Q. Van Every came to you?—A. Yes.

Q. And how long after that you made the declaration?—A. About a week.

Q. And you made the declaration in Hays' office?—A. Yes.

Q. And three or four weeks after the election Van Every came to you?—A. Yes, I wasn't paying much attention and the exact time I could not state, but I think it was about that time.

Q. Apart from voting did you take any part in the election?—A. No.

Q. On any committees?—A. No.

Q. Do any canvassing?—A. No, it is a thing I never do.

Q. Were you canvassed?—A. No, sir.

Q. By either side?—A. No, sir.

Q. What is your occupation?—A. Seedsman.

Q. In Goderich?—A. In Goderich.

Q. Do you know Mr. McLean's manager?—A. I could not say.

Q. Who was manager for Goderich?—A. I could not say, I paid so little attention to things I could not tell.

Q. So in no way did you take any part but vote?—A. No.

*By Mr. Borden:*

Q. Did you vote when McMath voted?—A. No, I came out before he voted.

Q. So you were not there when he voted?—A. No.

Witness discharged.

GEORGE SUTTON (No. 38 on the poll book) sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Sutton?—A. Yes, sir.

Q. What is your occupation?—A. Well, I keep a small store.

Q. Did you vote at the Dominion election for the west riding of Huron in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll where you voted?—A. Farr.

Q. What is his first name?—A. James.

Q. Did you receive a ballot paper from him?—A. Yes.

Q. For whom did you mark it?—A. McLean.

Q. That is Robert McLean?—A. Yes.

Q. What kind of mark did you put on it?—A. A cross.

Q. Was there any place to put your mark in?—A. Yes.

Q. What kind of a place?—A. I think a place similar to that. Of course, I am not—

Q. That is like the ballot you marked?—A. Something similar to that; I didn't pay much attention.

Q. You put your mark?—A. In that circular space.

Q. Opposite McLean's name?—A. Yes, sir.

Q. After marking your ballot I suppose you folded it?—A. Yes.

Q. And what did you do with it then?—A. I handed it to James Farr.

Q. Did you hand to him the same ballot which you had received from him and then marked?—A. Yes.

Q. Did you observe what he did with it after you handed it to him?—A. Well, to the best of my knowledge, I suppose he put it in the box; of course, I didn't pay much particular attention, but I handed it to him.

Q. Did you stay at all after you gave it to him, or pass along?—A. I passed along.

Q. Did you observe whether he tore anything off the ballot after you had given it to him?—A. No, sir.

Q. I mean whether he tore off this white stub?—A. I know; well, sir, I don't know.

Q. You did not notice whether he did or not?—A. No.

*By Mr. Britton :*

Q. About what time of day did you vote, Mr. Sutton?—A. Well, it was some time after dinner.

Q. What time do you take your dinner?—A. Between 12 and 1.

Q. And would you say if you could fix the hour?—A. About 2 o'clock.

Q. You would say you had voted about 2?—A. Yes.

Q. And you are sure it was after you had dinner?—A. Yes.

Q. Was there any other voter there when you voted?—A. There was no one in the room.

Q. Did any one come with you and wait in the room outside?—A. No.

Q. Did you see any body?—A. No.

Q. Do you know who voted next before or after you?—A. No.

Q. Your evidence is you voted about 2 o'clock?—A. About that time.

Q. And at all events it was after the dinner hour, after you got your dinner?—A. Yes.

Q. Then can you say who was in the room when you voted?—A. I can not. I did not pay any attention.

Q. You knew Mr. Farr?—A. Yes, sir.

Q. And would you know it was from him you received your ballot?—A. Yes.

Q. And you say you knew no one else?—A. I did not notice any one.

Q. Any of the officials taking part in the election?—A. No.

## Privileges and Elections Committee.

Q. Who was poll clerk?—A. To tell you the truth I didn't really notice who was or who was not; I have never mixed up with politics since I have been in Canada.

Q. Then you don't know?—A. No, I do not.

Q. Do you know who were the scrutineers for Mr. McLean?—A. No, sir.

Q. Who were the scrutineers for Mr. Holmes?—A. I don't know.

Q. Who was the constable, or was there a constable there?—A. I do not know that there was any one there for anything I know. I didn't see, and if there was I don't know.

Q. So as a matter of fact you didn't identify any one who was there except Mr. Farr?—A. That is all.

Q. You know Henry Armstrong?—A. Yes.

Q. You have known him a good many years?—A. Yes, sir.

Q. How many years?—A. Probably 20 years.

Q. And you don't know whether he was there or not?—A. I never paid any attention to any one.

Q. You never paid any attention?—A. No, sir.

Q. Do you think you would have known Mr. Farr only for this talk that was taking place?—A. Of course, he lives a pretty close neighbour to me.

Q. But Mr. Armstrong is not a very far neighbour?—A. I know him well, but of course I had no business with any one but Farr, and he gave me the ballot and I marked it and gave it back.

Q. Well, now, who took down your name when you went in?—A. Well, I suppose a man there, but I didn't notice and can't tell anything about it.

Q. You can't tell who took down your name?—A. No.

Q. Who was there looking over lists?—A. I do not know anything about it.

Q. You cannot tell anything about that either?—A. No.

Q. You got the ballot paper from Farr?—A. That is correct.

Q. And could you identify it if you saw it?—A. I do not think I could.

Q. You read and write?—A. Yes, sir.

Q. And you can tell, I suppose, what was on the paper that you got?—A. I understood that.

Q. What was on it?—A. McLean and Holmes.

Q. Yes.—A. I suppose similar to this. Of course, I understand that part.

Q. You understood the names of the candidates were on it. Was anything else on it?—A. Not to my knowledge.

Q. You don't know of this writing being on it?—A. No, sir.

Q. These initials?—A. No, sir.

Q. You didn't see any?—A. No, sir.

Q. You didn't notice Farr put any on?—A. No, sir.

Q. You didn't notice him put any on?—A. No, sir, I didn't.

Q. Did you notice any paper attached, or anything—a blank space to the ballot?—A. It was something similar to that.

Q. You mean that?—A. As far as I remember.

Q. That white space?—A. Yes; both, I suppose.

Q. Had it a white space like that?—A. I cannot tell.

Q. You don't know if it had any such thing on as that or not?—A. No, I do not; not to be certain.

Q. Do you think it had?—A. I don't know.

Q. You don't know. Did you notice any letters on it at all?—A. No, sir.

Q. Either back or front, apart from the name?—A. No, sir, I did not.

Q. You did not. Then you marked it on the front?—A. Yes, sir; I marked opposite McLean.

Q. You marked in the space in front of McLean?—A. Yes.

Q. And took it back?—A. Yes, sir.

Q. And handed it to—?—A. James Farr.

Q. After you marked it, what did you do with it?—A. I folded it, as I always do, and handed it to James Farr.

Q. You folded it lengthwise of the ballot?—A. Yes, sir.

- Q. Didn't you notice if there were initials?—A. I did not.
- Q. And you handed it to James Farr; what did he do?—A. I do not know. Of course, I passed on after I handed it to him, and passed through.
- Q. You handed it to James Farr and passed through?—A. Yes, sir.
- Q. And don't know whether he put it in the box or not?—A. No, sir, I don't.
- Q. Didn't you see the ballot box?—A. Yes, sir.
- Q. And the hole in the ballot box?—A. Yes.
- Q. Didn't you know it was to put the ballot in?—A. I minded my own business.
- Q. It was your business to see it put in, wasn't it?—A. My business was to put the vote in and after I cast the ballot I went away about my own business.
- Q. And you didn't watch whether he put it in or not, and didn't know these people present and cannot identify the ballot?—A. No, I cannot.
- Q. And as to colours, I suppose?—A. I don't know anything about colours.
- Q. About the colour of the ballot?—A. No, sir, I don't.
- Q. Or the colour of the lead pencil?—A. I think it was black.
- Q. An ordinary lead pencil?—A. I think so.
- Q. There was only one there?—A. I think so.
- Q. No different colours?—A. Not as I know.
- Q. You said you didn't take any particular part in the election?—A. No, sir, I did not.
- Q. Were you canvassed by both candidates?—A. I was canvassed by Holmes, but that is the only one.
- Q. Did you promise to vote for him?—A. No, sir.
- Q. Was there anybody with you when he canvassed you?—A. Yes.
- Q. Who?—A. Wynne.
- Q. What is his first name?—A. Well, I am not sure, I cannot tell you that. It was a man by the name of Wynne.
- Q. Where does he live?—A. In Goderich.
- Q. What is his business?—A. He is pensioned off by the Government as a mail carrier.
- Q. A superannuated mail clerk?—A. Yes, sir.
- Q. And now superannuated?—A. Yes, sir.
- Q. And this Mr. Wynne and Mr. Holmes canvassed you?—A. Yes, sir.
- Q. Did you promise to vote for him?—A. No, sir.
- Q. Or promise Wynne that you would vote for Holmes?—A. No, sir, I never promised a man I would vote for him yet since I came into the country.
- Q. Will you tell us what you did tell him?—A. I told him I voted without any interference.
- Q. You gave him to understand you would vote for him?—A. I told him I never promised any man.
- Q. But at the ballot place it would be all right?—A. I did not say anything about the ballot place or anything else. I simply said I didn't promise any man and didn't want any man to canvass me.
- Q. As you were so independent how did you come to make this declaration?—A. I heard the rumour about town they was taking it and went into M. O. Johnston and said I understood there—
- Q. Before you went into Mr. Johnston had anybody seen you?—A. No, sir, not that I remember. Just the rumour of the town. I went in under those circumstances.
- Q. I ask you, before you went into Maxwell Johnston's if Van Every saw you or anybody else?—A. Yes, Van Every came around.
- Q. That was before you went into Maxwell Johnston's?—A. Yes, sir.
- Q. What was the first anybody said to you about your vote?—A. That was the first.
- Q. And Van Every came to you and what did he say?—A. He asked me which way I voted. I told him McLean. He said, "Will you make a declaration to that effect." I said, "I will."
- Q. How did you come to be so willing to tell Mr. Van Every when you were so independent as to your vote?—A. I am not afraid to tell how I vote, for I am not ashamed of it, but I give my vote independently of any man.

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Q. But you regard it when persons are canvassing you as vote by ballot?—A. I don't want them canvassing me. I don't want to be bothered by their nonsense.

Q. But you were not willing you would vote for Holmes?—A. No, I didn't tell him.

Q. Who did you tell?—A. Nobody.

Q. Did you say the same thing to McLean?—A. Yes, I think the same thing, the election before that to McLean, and told him to get out.

Q. How long after the election was it that Van Every came to you?—A. I cannot tell that; it was some few weeks.

Q. A few weeks?—A. For anything I know; I didn't keep talley of the time.

Q. How long would it be?—A. It might be a few weeks.

Q. Three, four, five or six weeks? or how many?—A. I don't know.

Q. Five weeks?—A. I cannot say.

Q. A month?—A. I don't know.

Q. More than two weeks?—A. It might be.

Q. Do you think it was more than two weeks?—A. Well, I won't be positive of that.

Q. Do you think it was more than two?—A. I don't know.

Q. You can think you know?—A. I can think, but thinking is not knowing.

Q. I am asking you which you think it is, more than two?—A. I do not know, I cannot answer. It might be about two weeks, it might be more or less, I cannot answer.

Q. How long after Van Every spoke to you was it before you went to Johnston's?—A. It might be four or five days. I was going past and I said, "I understand you are taking declarations and of course I will make mine."

Q. What time did you say it was when you voted?—A. Some time after dinner.

Q. What is the hour?—A. He put it down about two o'clock.

Q. That is what you gave me?—A. That is as near as I can tell.

Q. You are sure it was after dinner?—A. Yes.

*By Mr. Borden:*

Q. You understood it was Mr. Farr's business to put this ballot in the box?—A. Yes, well, of course, I understand that.

Q. And on that account you passed right along out, did you not?—A. I did.

Q. You understood it was his business to put it in the box?—A. In the round hole.

Q. I observe, Mr. Sutton, that your name is No. 38 on the poll book and that would seem to indicate you must have voted before dinner?—A. I do not think it; I do not know what the number was.

Q. But I am directing your attention to the fact that your name is No. 38 on the poll book?—A. I have generally made a practice of going after dinner to vote. I have made a practice of that ever since I have been in the country.

Q. As far as your recollection goes you did that in this case?—A. As far as my recollection serves.

Q. You say that because it was your practice?—A. Yes, sir.

Q. Do you remember how you went to the poll?—A. I always walked.

Q. You are a short distance away?—A. I always walk, I don't take any nonsense.

Q. You live only a short distance from the poll?—A. Yes.

Witness discharged.

WILLIAM MITCHELL (No. 20 on the poll book) sworn.

*By Mr. Borden:*

Q. You reside in the town of Goderich, Mr. Mitchell?—A. Yes, sir.

Q. What is your occupation?—A. Town clerk.

Q. I beg pardon?—A. Town clerk.

Q. You voted at the Dominion election for the west riding of the county of Huron held in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes.

Q. For whom did you mark it?—A. Robert McLean.

Q. What kind of a mark did you put on it?—A. A cross.

Q. Do you remember whether there was any place opposite McLean's name for the purpose of marking it?—A. Any place?

Q. Yes?—A. There was a disc.

Q. A disc. You remember the colour of it?—A. A white disc.

Q. And you put your cross where?—A. Opposite Mr. McLean's name.

Q. With reference to that disc did you put it in the disc or outside the disc?—A. In the disc.

Q. After marking your ballot I suppose you folded it?—A. Yes.

Q. And what did you do with it?—A. I handed it to Mr. Farr.

Q. Did you not take to him the same ballot paper which you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. He put it in the ballot box.

Q. Did you wait to see him put it in the ballot box?—A. Yes, sir.

Q. Did you observe whether he tore anything off it?—A. He tore a piece off, the counterfoil.

Q. Did you notice what he did with the counterfoil?—A. He put it in his pocket.

Q. Did you observe whether he put the counterfoil in his pocket before or after he put the ballot in the box?—A. He tore it off, shoved the counterfoil in his pocket and then put the ballot in the box.

Q. Did he fold the ballot up again before putting it in the box—do you remember?—A. I cannot say, I was not paying very much attention to it.

*By Mr. Britton:*

Q. You are town clerk of Goderich?—A. Yes, sir.

Q. And have had experience in voters' lists as well as elections?—A. Oh, yes.

Q. So that you would know whether there was anything irregular in the conduct of an election or not?—A. Yes.

Q. And there was nothing irregular as far as you saw?—A. Not as far as I saw.

Q. What time of the day did you vote?—A. Shortly after the poll opened.

Q. What time do you think?—A. Probably half past nine.

Q. And he gave you a ballot?—A. Yes.

Q. Did you see him mark anything on it?—A. I don't remember.

Q. You don't remember?—A. No.

Q. After he gave it to you, did you see anything on it?—A. Well his initials were on the back of the ballot.

Q. Just where?—A. I would not be positive. I wouldn't positively say now; but it would be on the back of it.

Q. I am asking you, from your recollection, it is not whether they ought to be, or where you guess. Do you remember?—A. No, I do not.

Q. You spoke about a counterfoil. Did you see a counterfoil on the ballot?—A. Yes.

Q. Just about where was it, there?—A. Just about like that.

Q. Was there anything on that?—A. I don't remember.

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- Q. On the front or back?—A. No.
- Q. He tore that off?—A. He tore this off when I handed it to him.
- Q. And put that in his pocket?—A. Yes, and the ballot he put in the box.
- Q. Had you anything to do with the election on that day beyond voting?—  
A. No.
- Q. Did you act for McLean in any way?—A. Oh, no.
- Q. Who were there?—A. The scrutineers and Armstrong, the poll clerk and the deputy returning officer.
- Q. You know the scrutineers?—A. Yes.
- Q. Who were they?—A. There was one stranger.
- Q. Who were there, as far as you know?—A. There was Evans and Clarke and Parsons.
- Q. Evans and Clarke were acting for whom?—A. I presume they were acting for McLean.
- Q. And Parsons? Who did he act for?—A. He would be acting for Holmes.
- Q. You do not know who the other one was?—A. No.
- Q. Who was the constable?—A. Mr. Yates.
- Q. Was anybody named Campbell there?—A. No.
- Q. You would be surprised if there was anybody named Campbell there as constable?—A. I would.
- Q. When did you make a declaration?—A. Which declaration do you mean?
- Q. Did you make a declaration as to how you voted?—A. Yes, sometime ago.
- Q. How long after the election?—A. I can't tell you exactly.
- Q. What do you think about it?—A. I can't say exactly. It was five or six weeks ago.
- Q. Five or six weeks ago?—A. Sometime ago—I can't say exactly.
- Q. At whose request did you make it?—A. Robert Hays.
- Q. At his request?—A. Yes.
- Q. It was not at Van Every's request?—A. No.
- Q. Mr. Hays is a barrister? Was he at his office?—A. No, at Radcliff's office—the telegraph office.
- Q. Did you make it before or after proceedings were taken in Parliament?—  
A. Oh, before, it was after the election, but I can't tell exactly.
- Q. You said five or six weeks ago?—A. Somewhere about that time, it was before it was mentioned here anyway.
- Q. Could you identify your ballot?—A. No.
- Q. Was there any peculiarity of making that mark?—A. No.
- Q. You had no peculiar way of making your cross?—A. No, I have not.
- Q. You made it inside the disc?—A. Yes.
- Q. But you can't tell it by any curlycues on it?—A. No.
- Q. So that it would not be any use my asking you this?—A. No.
- Q. You can't tell me how many pencils there were in the booth?—A. I suppose there would be one, that is all I saw.
- Q. What kind of a pencil would it be?—A. I don't remember. It was an ordinary pencil.
- Q. A black lead pencil?—A. Yes.
- Q. Any colours about it?—A. No.

*By Mr. Sifton :*

- Q. Did you make a declaration who you voted for?—A. Yes.
- Q. When did you make it?—A. I don't remember. It seems to me about six weeks ago.

Witness withdrew.

ROBERT McClymont, sworn.

*By Mr. Borden :*

- Q. You reside in the town of Goderich?—A. Yes, sir.  
 Q. What is your occupation?—A. Printer.  
 Q. Did you vote at the Dominion election for the west riding of Huron in February last?—A. Yes.  
 Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.  
 Q. Did you receive a ballot paper from him?—A. Yes, sir.  
 Q. Did you mark it?—A. Yes, sir.  
 Q. What kind of a mark did you put on it?—A. A cross.  
 Q. For whom?—A. Mr. McLean.  
 Q. Was there any place opposite Mr. McLean's name for the purpose?—A. I think there was.  
 Q. What kind of space?—A. I cannot recollect distinctly.  
 Q. You recollect you put your cross opposite his name?—A. Yes, sir.  
 Q. Will you look at this paper and see where it was?—A. I can't remember distinctly.  
 Q. You put your mark opposite McLean's name?—A. Yes, sir.

*By Mr. Powell :*

- Q. But it was a plain ballot like that?—A. Yes, sir.

*By Mr. Borden :*

- Q. After marking the ballot you folded it, I suppose?—A. I folded it once, where I marked it in the little side entrance.  
 Q. And after marking it what did you do with it?—A. I folded it and came outside and put it in the ballot box.  
 Q. Did you hand it to the deputy returning officer?—A. No, sir.  
 Q. Did you put in the ballot box the same ballot you had received from the deputy returning officer?—A. Yes, sir.  
 Q. The same one?—A. The same one.  
 Q. Why didn't you hand it to him?—A. He didn't ask me. I suppose that is the reason. I only voted twice before and I was green at voting. That is the only reason I know.

*By Mr. Sifton :*

- Q. Your vote got in all right?—A. Yes, I put the vote in.

*By Mr. Borden :*

- Q. Do you remember whether it had any stub?—A. No, I don't remember.  
 Q. Did he tear anything off?—A. I believe he tore something off the ballot book he had there. I wouldn't say he tore it off. I would say he picked it off.  
 Q. Do you remember whether the ballot you received had a stub like this, a white stub?—A. I don't remember.  
 Q. Do you remember when you took it back to put it in the ballot box whether he tore off any stub?—A. I didn't give it to him to tear off.  
 Q. He didn't get it back at all?—A. He didn't get it back at all.

*By Mr. Britton :*

- Q. So then, do I understand you to say there was some piece like that on the one you marked?—A. I wouldn't say whether there was or not.  
 Q. So we can't follow that matter up?—A. I don't know about following it up.  
 Q. If you put it in yourself, if there was such a thing there, it is quite clear it ought to be there when it was taken out of the box?—A. It must have been there. I didn't take it off myself.

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Q. We will get that clear, first. You didn't take anything off?—A. No, sir.

Q. If it was on when it was given you, it was on when it went into the box?—  
A. Yes, sir.

Q. Have you any recollection now, as a matter of fact, whether there was any space, such as there is on that one, on the ballot which you received?—A. I have no recollection.

Q. You have no recollection?—A. No remembrance distinctly.

Q. What is your impression as to it?—A. I can't say anything about it. I have printed ballots and I can't tell you how I printed them—whether or not there was a white space there.

Q. I am not asking you how you printed ballots, but as to your recollection of the ballot you received from Mr. Farr?—A. I cannot recollect what it was like.

Q. So you don't remember whether there was a stub on it or not?—A. No.

Q. Did you see him put his initials on it?—A. No, I did not.

Q. Do you remember whether there was initials there or not?—A. I remember, when folding it up, there was some writing on which looked like initials, but I wouldn't say whether they were his or not.

Q. Were the initials "J. F."?—A. I would not say that they were. I do not remember.

Q. Who were there when you voted?—A. Mr. Farr, Mr. Armstrong and Mr. Clarke. I remember seeing him, and a gentleman named Parsons, I saw him there and the policeman, Mr. Yates, I remember seeing him. That was all I remember seeing. I did not take much notice.

Q. Do you remember who Clarke was acting for?—A. No, I do not. I do not know anything about him at all.

Q. Or Parsons?—A. I don't remember anything about him.

Q. But you remember Farr and Armstrong and Clark and Parsons and the policeman were there?—A. Yes.

Q. And when did you make a declaration about your vote?—A. It was on a Thursday evening.

Q. How long after the election?—A. Well, I could not say that.

Q. A month?—A. I would not say, but I should judge a month.

Q. Two months?—A. No.

Q. About a month?—A. I would not say distinctly, but it was about a month.

Q. It was at the request of Van Every?—A. No, sir.

Q. At whose?—A. Mr. Hays asked me.

Q. Had you any peculiar mark you put on the ballot?—A. No.

Q. Could you identify it if you saw it?—A. No, sir, I could not.

Q. You marked with ordinary black pencil?—A. Yes, sir.

Q. You have no recollection whether there was a round space?—A. I believe, now that I have seen that and you ask me, I believe it was like that.

Q. After seeing it and having your memory refreshed by questions you believe it was like that?—A. Yes.

Q. But you didn't remember till you saw this?—A. No.

Q. You say you only voted twice before?—A. Yes.

Q. Were you known as a Conservative?—A. I never gave any one reason to say what I was.

Q. But you are a Conservative?—A. I don't indulge in politics, I am not on either side.

Q. Why did you vote for Mr. McLean?—A. Mr. McLean and my father are great friends.

Q. He canvassed you?—A. No.

Q. Didn't seem to be much canvassing there?—A. Some people say there was lots.

Q. You were not canvassed?—A. No.

Q. And voted out of personal friendship between your father and Mr. McLean?  
—A. Friendship for Mr. McLean.

Q. Do you know Farr?—A. Yes.

Q. Did you ever tell him how you would vote?—A. No.

Q. Never asked you?—A. No.

Q. Had No conversation on the subject?—A. Never spoke to him on the subject at all.

Witness discharged.

Committee adjourned until five o'clock.

The Committee resumed at five p. m.

B. C. MUNNINGS (No. 76 on the poll book) sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Munnings?—A. Yes, sir.

Q. Did you vote at the Dominion election for the west riding of the county of Huron, in the month of February last?—A. Yes.

Q. Who was the deputy returning officer at the poll where you voted?—A. Farr.

Q. James Farr?—A. Yes, sir.

Q. Did you receive a ballot paper from him?—A. From him, yes, sir.

Q. For whom did you mark it?—A. I marked it for McLean.

Q. What kind of a mark did you put on it?—A. I put a cross on it.

Q. And do you remember whether there was any place to put the cross in opposite his name?—A. There was a circular place.

Q. And where did you put your cross?—A. Opposite McLean's name.

Q. But inside or outside the circle?—A. Inside.

Q. When you had marked it what did you do with it?—A. Returned it to the deputy returning officer.

Q. Did you give back to him the same ballot which you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. He put it in the box.

Q. Did you see him?—A. Yes, I saw him put it in the box.

Q. Did he do anything with the counterfoil before he put it in?—A. Well, he tore that off, I would not be positive I saw him tear it off, but I remember him saying to fold it so he could tear the counterfoil off.

Q. That was before he gave it to you?—A. Yes.

Q. You would not say whether he tore it off?—A. No, but I saw him put the ballot in the box.

Q. Then you don't know what he did with it?—A. No.

*By Mr. Russell :*

Q. Did you make any declaration about it?—A. Yes.

Q. When did you make that?—A. I could not say exactly, it was later on than a great many of them made their declarations; I was asked about it the next day and I said I would make one.

Q. The next day or two after the voting you were asked if you would make a declaration and shortly after you did make a declaration?—A. Yes.

Q. Was it McLean got the declaration?—A. McLean hadn't said anything to me.

Q. Who was it got the declaration?—A. I made my declaration to Hays.

Q. Did you know if Hays was getting declarations at the same time?—A. Yes, and previous to that.

Q. That was a few days after the election?—A. Yes.

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- Q. Declarations that they had voted for McLean?—A. Yes.
- Q. You made one then?—A. I made one.
- Q. I suppose you don't know whether most of the declarations in your subdivision were before Mr. Hays or somebody else?—A. No, sir.
- Q. Yours was made before Mr. Hays?—A. Yes.
- Q. Were you sworn to it?—A. No.
- Q. What form did you go through?—A. I don't know, I did nothing more but sign.
- Q. Was it read over?—A. Yes, we both sat at the table and read it over together.
- Q. He signed in your presence?—A. Yes.
- Q. You signed and then he signed it?—Yes.
- Q. Was anything said to you about the nature of the declaration, whether it was like an oath or had any solemnity?—A. Well, I would not be positive whether there was or not, I took it to be an oath.
- Q. From what did you take that, from what you read in it?—A. Well, perhaps.
- Q. Do you remember what there was in it?—A. No.
- Q. There was nothing of that in it that struck you at the time?—A. Not particularly.
- Q. Did I understand you to say at the time you signed it that you understood it was like an oath or not?—A. Well, I thought it was almost equal to it; I was not sworn on the Bible or anything; I would not have made a declaration if I had not known I was making it truthfully.
- Q. I have no doubt, and that you are telling the truth now. And this was a short time after the election these declarations were made as far as you are concerned?—A. Yes.
- Q. Were the other officers in the booth looking at what was going on?—A. Well, they were right there; it was at the dinner hour when I was there.
- Q. Who was there?—A. Farr, Armstrong and Clark and one or two others whom I am not prepared to say who they were.
- Q. They were sitting near Mr. Farr?—A. Yes.
- Q. Watching the proceedings?—A. Well —.
- Q. Apparently watching the proceedings?—A. Yes.
- Q. What sort of hole is there in the box, circular or slit?—A. Slit.

*By Mr. Sifton:*

- Q. Did anybody canvass your vote before the election?—A. Well, I don't think they did; no, sir.
- Q. Do you remember?—A. No, I was not canvassed at all.
- Q. You were not canvassed by either party?—A. No, sir.
- Q. Or anybody for either McLean or Holmes?—A. Well, I can't say exactly I was canvassed; Mr. McLean asked me—I was with Worsell and he in his store door, but he was apparently talking to Worsell.
- Q. Did he ask you to vote for him?—A. No, sir.
- Q. Did anybody ask you to vote for Holmes?—A. No.
- Q. You live in Goderich?—A. Yes.
- Q. What is your occupation?—A. Carpenter and builder.
- Q. Then nobody asked you to vote for Mr. Holmes?—A. No.
- Q. Did you say after you had voted to anybody how you had voted?—A. No, sir, not until I was asked if I would make a declaration and I said I would.
- Q. Who asked you?—A. Mr. Hays.
- Q. Did he ask first how you had voted?—A. No, he asked me if I would make a declaration I had voted for McLean.
- Q. Did he first ask how you had voted?—A. No.
- Q. He took it for granted you had voted for McLean?—A. He knew I would vote that way.
- Q. How long after was this?—A. Four or five days after.
- Q. And you said you would?—A. Yes.

Q. And you made it?—A. Yes.

Q. Where?—A. In Hays' office.

Q. You were told, were you, that the declaration was of the same legal effect as an oath?—A. Well, I would not say positively I was told that.

Q. Did you understand that?—A. It was an understanding in my mind, it was equal to an oath.

Q. Then to your mind you made it equal to an oath?—A. Yes, and I was prepared to stand by it.

Q. You knew you would perjure yourself if it was untrue?—A. Yes.

Q. And the declaration was made immediately after Hays' conversation with you?—A. Four or five days after the election if I doubt not; he asked me on the street and I had occasion to be in his office shortly after and he mentioned it and I made the declaration.

Q. How long after was that?—A. About a week or ten days, I would not be positive about that.

*By Mr. Borden :*

Q. Do you know whether Mr. Dancy is in Goderich, Mr. L. E. Dancy, you know him?—A. Yes.

Q. Do you know whether he is in Goderich now?—A. No, sir, I do not.

*By Mr. Russell :*

Q. What hotel are you stopping at?—A. The Brunswick.

Q. The Brunswick Hotel?—A. Yes, sir.

Q. Is Mr. Clark stopping there?—A. Yes, I think he is, I saw him there any-way.

Q. I suppose you hadn't any conversation with him about the evidence to be given at the trial here?—A. No, sir, I haven't.

Q. Do you know whether he has been conversing with any of the witnesses in your presence?—A. No, he has not, not that I am aware of.

Q. Not in your presence?—A. No.

Witness discharged.

ROBERT CLARK, sworn.

*By Mr. Borden :*

Q. You voted at the Dominion election of which we have already spoken, Mr. Clark?—A. Yes, sir.

Q. At the polling booth at which James Farr was deputy returning officer?—A. Yes, sir.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. Mr. McLean.

Q. What kind of a mark did you put on it?—A. A cross.

Q. Opposite whose name?—A. Mr. McLean's.

Q. In what place?—A. In the bull's eye.

Q. In what place on the ballot, was there any place on the ballot for putting the mark?—A. I put it opposite the name in the end.

Q. Opposite Mr. McLean's name, I know, but do you remember if there was any place for putting the cross on the ballot? Was the ballot like that?—A. Yes, sir.

Q. Was there a circular white space on it like that?—A. I didn't notice it.

Q. Your memory is, you put your cross opposite his name?—A. Yes, sir.

Q. You folded your ballot?—A. Yes, sir.

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Q. After you folded your ballot what did you do?—A. I returned it to Mr. Farr.

Q. Did you give him back the same ballot you had received from him?—Yes, sir.

Q. Did you observe what he did with it?—A. Yes.

Q. Tell us what it was?—A. Well, he tore the counterfoil off, put the counterfoil in his pocket and put the ballot into the box.

*By Mr. Russell :*

Q. I suppose you also made a declaration about the voting afterwards?—A. Yes, sir.

Q. How did you come to make it, Mr. Clark?—A. I was requested to.

Q. By whom?—A. Mr. Hays.

Q. Well, how did Mr. Hays know that you could make a declaration?—A. Sir?

Q. How did Mr. Hays happen to know that you could make a declaration?—A. I don't know. He asked me if I would.

Q. He simply asked you if you would make a declaration to that effect?—A. That I voted for Mr. McLean.

Q. You hadn't told him that you had voted for Mr. McLean?—A. I don't think so. I don't think I told him I had voted for Mr. McLean.

Q. You are the same person who was in the witness box before?—A. Yes, sir.

Q. How long after the election was that?—A. I don't just remember whether it was that week or the week after; it was not long after.

Q. Not long after the election?—A. No.

Q. Was Mr. Hays procuring declarations from other persons to the same effect, do you know?—A. He told me he was.

Q. From the parties who had voted for him?—A. Yes, sir.

*By the Hon. Mr. Sifton :*

Q. You said Mr. Hays said he was getting declarations from other parties?—A. From other parties?

Q. Yes?—A. Yes.

Q. That was when you had the conversation in which he asked you to make a declaration?—A. Yes.

Q. And how long would that be after the election?—A. Well, I cannot say whether it was that week or the week after.

Q. It would be more than two weeks?—A. No, I don't think so.

Q. Did he say what was the result of his efforts to get declarations from other witnesses?

Question objected to by Mr. Borden.

*By the Hon. Mr. Sifton :*

Q. He said to you at that time he was engaged in getting other declarations?—A. Yes, sir.

Q. And that led up to his request to you to make a declaration?—A. Yes, sir.

Q. And you say that was not more than two weeks after the election?—A. I do not think it was more than two weeks.

*By Mr. Borden :*

Q. And then you made a subsequent declaration at Calgary about the tearing up of the ballots didn't you, after you had gone west?—A. Yes, sir.

Q. Do you remember what time that was?—A. Somewhere in the neighbourhood of about the 1st of May, I think.

Q. The 3rd of May it is dated. That was made before Senator Lougheed?—A. Yes, sir.

Witness discharged.

E. VAN EVERY, sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Van Every?—A. Yes, sir.

Q. You voted at the Dominion election for the west riding of the county of Huron, in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Farr, Mr. Farr, James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. Did you mark it?—A. Yes, sir.

Q. For whom did you mark it?—A. I marked it for Mr. McLean.

Q. What kind of a mark did you put on it?—A. Just a cross.

Q. And did you intend to put a cross on it?—A. Yes, sir.

Q. Opposite whose name did you put the cross?—A. Robert McLean's.

Q. Was there any place for the purpose?—A. Yes, sir.

Q. What kind of a place?—A. A round white space.

Q. A round disc? And you put your cross in there?—A. Opposite McLean's name in this disc.

Q. After you had marked your ballot and folded it what did you do with it?—A. I gave it to Mr. Farr.

Q. Did you give back to him the same ballot which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. Well, he took the ballot in his hand and tore off the stub.

Q. The counterfoil?—A. And I asked him when he took it off, I said, "What are you going to do with that?" and he said, "I am going to put it in my pocket," and he put it in the pocket and he had the ballot in his hand and I said, "Be careful and don't put that in," and he put it in the box and I walked out.

*By Mr. Russell :*

Q. He didn't have to fold it any more to put it in the box than it was already folded, I suppose?—A. I do not think he would.

Q. Did you observe any opening in the box through which the ballot goes?—A. Oh, yes.

Q. It was not a circle, it was a slit?—A. I think it was a circle.

Q. Do you think it was a circle?—A. I think it was.

Q. How did you fold your ballot paper?—A. I folded it—of course it was not as long as this—with the initials so they could be seen.

Q. You folded it more than once?—A. Yes, sir, and the initial could be seen here and I just handed it and he tore it off this way.

Q. Lengthwise of the ballot?—A. Yes, so he could get the counterfoil off.

Q. Just tell us from one of these ballots how he would fold it? That is about the size of the ballot and this would represent the counterfoil?—A. Yes, something of that nature.

Q. Well, that would be representing the counterfoil?—A. Yes, sir.

Q. Now, tell us what you did with the ballot?—A. I folded it in that way.

Q. You folded it lengthwise?—A. Yes, sir.

*By Mr. McAlister :*

Q. His initials were lengthwise?—A. His initials were lengthwise.

*By Mr. Russell :*

Q. And he tore the counterfoil off, and you think he tore off what was blank that way?—A. Yes.

Q. And then he put it through the circular hole, you think.—A. Yes, I didn't pay particular enough attention to it.

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Q. Then, Mr. Van Every, he didn't have to make any refolds in it, in order to get it into the ballot box?—A. I don't think he did.

Q. He just took the counterfoil off with one hand, and put the ballot in with the other?—A. Yes, sir, and put the counterfoil in his pocket.

Q. And the ballot in the box with the other hand?—A. I would not be sure he put it in, he took it up and put it in his pocket, and whether he put it in the other hand before he put it in, I am not positive.

Q. You saw him put it in?—A. I am not sure he put it in.

Q. And your impression is the way you have described it?—A. Yes.

Q. You have made a declaration?—A. Yes.

Q. How did you come to make that?—A. I thought the vote was not exactly right.

Q. What led you to do it? It was not of your own motion you did it?—A. From a talk we had, some of us, we thought the vote had not turned out right.

Q. And you were one of the parties that arranged about getting up a declaration?—A. Well, it was talked over, and I went to some of them.

Q. And you arranged to get up declarations, how soon after the election was that?—A. I went to some of them the next day after the election.

Q. And how soon after that, then, were the declarations actually drawn up, so far as you can tell us?—A. Well, I cannot exactly say, but it must have been—probably—there was not a declaration made four or five days after the election.

Q. There was not, you say?—A. I do not think there was.

Q. Until four or five days after the election?—A. I do not think there was any declarations made so far as I know for at least two days after.

Q. Then, about a week after the election, at all events, these declarations were in process of being prepared?—A. Yes, sir.

Q. You were among those who were engineering the business of getting up the declarations?—A. Well, I went to some of them.

Q. Well, they were pretty much all prepared, I suppose, reasonably soon after that?—A. Yes, sir.

Q. Within about a fortnight after the election they would be pretty well under way, would they not?—A. Well, I suppose, probably a fortnight. If they were not all made in a fortnight, probably in two or three weeks.

Q. Give me an outside limit of the time when you had sufficient declarations made showing there was something wrong at the booth?—A. It may have been more than three weeks; it would not be more than four weeks probably.

Q. After the election?—A. I think so.

Q. The election was on the 21st of February?—A. Yes.

Q. And by about the 21st of March anyway, you would have the matter pretty well in hand?—A. Yes, sir.

Q. And you know then you had good grounds for petitioning against the return of Mr. Holmes?—A. Yes.

Q. Was Mr. McLean taken into your councils in regard to this, the candidate himself?—A. Oh, yes.

Q. He was at these conferences which you arranged about getting these declarations—some of them?—A. Yes. There wasn't much conference about it. He was there sometimes.

Q. But he was there in conference with you and was aware of what proceedings were in progress about the declarations you were preparing, and how these were getting along and all that?—A. Yes.

Q. And he knew when it was you had sufficient material?—A. I can't say he did.

Q. Why would you have a difficulty about that?—A. I had more conversation with Hays about it than I had with him.

Q. Mr. Hays had that knowledge? If I had said Hays instead of McLean it would have been all right?—A. Yes, I had more conversations with Hays.

Q. Hays knew at that time you had all material that was required to show that there was something wrong at the polling booth?—A. Yes.

Q. And that would be about the 21st of March?—A. About that time.

Q. Some considerable time before the end of March, that would be?—A. Yes.

Q. You were not present at the execution of any of these declarations, or the signing of them except your own?—A. Yes, I was I think, but I wouldn't like to swear about that.

Q. Then, of course, you would not like to say which declaration it would be you had this impression about?—A. No, I would not.

Q. Was the form of declaration printed or written or typewritten?—A. It was partly printed.

Q. The body was printed and the name filled in?—A. Yes.

Q. Tell us the form you went through in making it?—A. I signed my name.

Q. Who read it?—A. I read it.

Q. You read it over yourself and signed your name?—A. Yes.

Q. And that was all that was done about it?—A. Yes.

Q. In the other case at which you were present was it done in the same way?—

A. Well, I wouldn't like to swear I was there when any other person made the declaration.

Q. You would not be one of those men that would need to be canvassed?—A. I would not have to be canvassed.

Q. You would be canvassing others more likely than be canvassed yourself?—

A. I didn't do much canvassing.

Q. You were a member of McLean's committee?—A. Yes.

Q. Did they have any regular meetings to organize for the campaign?—A. Oh, yes, they had a committee meeting.

Q. They had committee meetings. About how many were present. I am speaking about the local committee, and you are, too, I suppose?—A. That is for the town?

Q. Yes?—A. Oh, I can't exactly tell the number. Sometimes there would be quite a few. We had a room not quite as large as this, and sometimes there would be a number there.

Q. And your canvassing would consist in putting a tick against the names of the voters supposed to be friendly and a cross against those unfriendly?—A. Yes.

Q. Did you have reports from men sent out to find how many men were going to change?—A. When we had meetings, of course, those that were there if they had seen any person would report upon it.

Q. You didn't have things down very fine, I suppose?—A. Oh, yes, we had it down pretty fine.

Q. As fine as you could get them?—A. Yes, pretty fine.

Q. You couldn't have it down any finer than your knowledge would go?—A. We knew pretty well, that is a straight Grit and Tory ward.

Q. Were there no doubtful voters?—A. There were doubtful ones as there are in other places.

Q. Especially in towns there is more of the doubtful ones than in the country?—A. I don't know. This particular division isn't that way.

Q. Well party lines were broken up in your riding more or less by the previous election. Were they not? There was an independent candidate out at one time?—

A. Yes, sir.

Q. From the next previous election for the Dominion?—A. Yes.

Q. That upset things for you pretty badly?—A. For the time.

Q. Party lines were not screwed up to as high a pitch as they were in the time of Mr. Cameron?—A. They had recovered a little from that.

Q. Did they not also recover from the extreme rigidity that marked it in the time of Mr. Cameron?—A. How do you mean?

Q. I mean that he was a hard fighter and people would naturally range themselves on one side or the other and since his time there has not been the same stiffness in regard to political conviction as there was in his day, is not that so, more or less?—A. Oh, I don't know.

Q. You cannot give us any opinion, or have you that impression? If you don't know anything about it, don't say anything. Anyway there was a split in the party at the previous election?—A. Yes.

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Q. That is the general election?—A. Yes.

Q. And there had been a change of government in the meantime?—A. Yes.

Q. All that would tend to disturb party lines some?—A. Well, as I say, they had recovered from that.

*By Mr. Borden :*

Q. Do you remember what the vote was at the Beck-Garrow election in December in that ward?—A. In December?

Q. Yes, in December that was the second election?—A. I think at the second election Garrow had 13 of a majority.

Q. He had 13?—A. Yes.

Q. Garrow was the Liberal candidate?—A. Yes.

*By Mr. Russell :*

Q. How many majority? Do remember what the vote was?—A. I forget what the vote was.

Q. You don't remember what it was in the Beck-Garrow election?—A. No, sir, I do not. I think it was 13 majority.

Q. But you can't give the figures?—A. No. Beck had a majority in the election before.

Q. There seems to have been some change in this division since there was a change of government?

Witness discharged.

M. O. JOHNSTON sworn.

*By Mr. Borden :*

Q. Mr. Johnston you reside in the town of Goderich?—A. I do.

Q. You are a barrister?—A. Yes, sir.

Q. Practicing in the courts of Ontario?—A. Yes, sir.

Q. Of how many years standing?—A. I was called in the spring of 1891.

Q. Did you vote at the Dominion election for the west riding of Huron in February, 1899?—A. Yes.

Q. Who was the polling officer at the poll at which you voted?—A. James Farr was the deputy returning officer.

Q. Did you receive a ballot from him?—A. Yes, sir.

Q. Did you mark it?—A. I did.

Q. What kind of a mark did you put on it?—A. I marked it in the usual way with a cross opposite the name of Robert McLean, one of the candidates.

Q. I suppose you put it in the space for that purpose, or where there is a place for that purpose?—A. Yes, within the disc.

Q. After marking and folding your ballot, what did you do with it?—A. I handed it to Farr.

Q. Did you hand back to him the same ballot which he had given to you, and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. No.

Q. What did you do?—A. I passed out immediately. I was in a hurry as I had some work, and I passed out hurriedly.

*By Mr. Russell :*

Q. You made a declaration yourself, I suppose, about how it went before Mr. Hays?—A. Before Mr. Hays.

Q. When did you make the declaration?—A. Really it was some considerable time after the election and it is quite a considerable time ago. I can't tell you exactly.

Q. It was not within a week or a fortnight after the election?—A. No, I think it would be rather longer.

Q. Do you live in Goderich?—A. Yes, sir.

Q. Do you know Van Every?—A. Yes, sir.

Q. And Mr. Clarke? Mr. Van Every in particular? Do you remember any consultation with him about getting declarations?—A. No, I don't think I had any conversations with him. Well, probably I had better qualify that. We might have talked it over, but not at the inception of it.

Q. I want you to tell me as a matter of fact?—A. I am thoroughly satisfied we did. Because it is a small town and we talked things over frequently.

Q. You must have met and discussed the matter of getting out declarations with Van Every?—A. Oh, yes, certainly I must have.

Q. Do you remember anything about his own declaration? You do not?—A. I don't think it was taken before me.

Q. It was taken before Mr. Hays?—A. Yes.

Q. What I was going to ask you was whether it would not be your impression that these declarations were made within a week or ten days or a fortnight after the election?—A. Well, I think rather longer than that but I would not like to be positive.

Q. When you say rather longer, would you go so far as to double the time I have named?—A. It strikes me that most of the declarations that I took—

Q. I am not speaking of what you took, but I got the impression you didn't take much in your office?—A. Only as an occasional voter dropped in.

Q. Mr. Hays took them in Goderich, for the most part?—A. Yes.

Q. Now, in regard to these, as far as you know?—A. Well, I should say these were made some time in March and towards the latter end of March; that would be probably a month.

Q. You think about a month after the election they would be pretty well all completed?—A. Well, yes, I think they would be pretty well on.

Q. In conference you had gone far enough to know you had more persons ready to make declarations they had voted for Mr. McLean than there were votes counted for him?—A. Well, excuse me, my conferences with Mr. Van Every were not in the nature of gathering or preparing them; it was more casual, a matter of gossip.

Q. You had the same part as he had?—A. It was more political gossip or talk.

Q. You were an active politician, a supporter of Mr. McLean?—A. Yes.

Q. And he was?—A. Yes.

Q. You met in the committee, of course?—A. Yes.

Q. Canvassing, going over the lists, of course?—A. Yes.

Q. That is the strict meaning of canvassing voters?—A. Yes.

Q. And in the more modern use of the term, you would go out and solicit voters?—A. Yes.

Q. Well, as an active supporter, you would consult with Van Every and others with regard to getting all these declarations?—A. Well, no; hardly in that way; there was no organization looking after it.

Q. In regard to getting declarations?—A. No.

Q. There was in regard to the election?—A. Oh, yes.

Q. I say in this way you and other parties interested in the matter discovered before the end of March you had a sufficient number of persons who had made declarations?—A. Well along about April or that time it was known.

Q. The latter end of March or the beginning of April?—A. Yes.

Q. Now mind we are getting a long way from the election, the election was on the 21st of February?—A. Yes.

Q. Well, will you agree that about a month, or at the end of March, had elapsed?—A. No, I would not like to—

Q. Well, hadn't they begun to get these within a week of the election?—A. Well it might have begun in the way of gathering in these; in No. 3 Goderich it

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went over a long way; they—— (Witnesses hesitated.) They were asked to call at the office and necessarily a length of time was consumed in waiting for these men to come around.

Q. But before this it had been ascertained by you——?—A. No, I didn't.

Q. It had been ascertained?—A. Yes, I understood that.

Q. The actual signatures may have been delayed, but the ascertaining of the fact that you had a sufficient number of persons ready to make declarations took place at the end of March?—A. Well, about that time, I would not like to be tied down to it; I hadn't any connection with it. I was not responsible in any way for the information.

*By Mr. Mills:*

Q. I didn't understand for whom you voted?—A. I voted for Mr. McLean.

Q. You put it in the disc opposite Mr. McLean's name?—A. Yes.

*By Mr. Borden:*

Q. I see that among some of the declarations which I have here, Mr. Johnston, there are two taken before you on the 30th March—John E. Bridges and Patrick Nugent?—A. Yes, I recollect these; that date will be correct, as it is there.

Witness discharged.

W. H. HOPPENS sworn.

*By Mr. Borden:*

Q. Where do you live, Mr. Hoppens?—A. Parry Sound.

Q. What is your occupation?—A. Saw filer.

Q. Have you had anything to do with organization in connection with elections in Ontario?—A. Yes, sir.

Q. For how many years?—A. Well, the first time that I ever did any was in 1883 or 1884.

Q. 1883?—A. Or 1884.

Q. Have you been connected with organization since then?—A. Off and on.

Q. What elections have you participated in within the last two years?—A. Several elections; by-elections and general elections, in our own district.

Q. Well in 1896 I suppose you were in the general election?—A. Yes, in our own district.

Q. You were not out of your own district in that election?—A. No.

Q. Well in any subsequent by-elections were you out of your own district?—A. In 1896, no.

Q. In 1897 were you?—A. No.

Q. In 1898 were you?—A. No.

Q. Not in 1898?—A. Well let me see, some in 1898.

Q. Do you remember what they were?—A. They were Lennox, Halton, West Huron—West Huron is it that is under investigation or South Huron?

Q. West Huron; you were in Lennox and what other?—A. Halton.

Q. And West Huron?—A. Yes.

Q. You mean the Dominion election in West Huron?—A. Yes.

Q. Were you in West Elgin?—A. Yes.

Q. Were you in Brockville?—A. No.

Q. Not in Brockville?—A. No.

Q. When was West Elgin?—A. When was it?

Q. When was the election in West Elgin?—A. Well, I don't remember the exact date, it was in January.

Q. January of what year?—A. Of 1899.

Q. And the West Huron election was in February?—A. February of 1899.

Q. At whose request did you go into these counties?—A. Which one?

Q. We will take one at a time; at whose request did you go into West Elgin?

—A. Who requested me?

Q. Yes.—A. Mr. Preston.

Q. And at whose request did you go into West Huron?—A. Mr. Smith.

Q. Who is Mr. Smith?—A. The Liberal organizer for Ontario.

Q. Who is Mr. Preston?—A. I don't know who he is, only Mr. Preston.

Q. Who was the Liberal organizer?—A. Mr. Smith.

Q. You know more about Mr. Smith?—A. I suppose I do.

Q. How do you know more about Mr. Smith being organizer than about Mr. Preston?—A. Well, Mr. Smith is called through the papers the Liberal organizer and has an office in Toronto, which I don't think Mr. Preston had.

Q. Mr. Smith had an office as Liberal organizer and Mr. Preston hadn't?—A.

Yes.

Q. You don't understand Mr. Preston ever was Liberal organizer?—A. Yes, at one time.

Q. At one time?—A. Previous to Alex. Smith.

Q. When he told you to go to West Elgin was he Liberal organizer?—A. He was.

Q. Who was?—A. Mr. Preston, but he was not Liberal organizer for Ontario.

Q. For where then?—A. For West Elgin.

Q. Mr. Preston was organizer for West Elgin but not Ontario?—A. Yes.

Q. He was special organizer for West Elgin?—A. Yes.

Q. Who was special organizer for West Huron?—A. Mr. Smith.

Q. Mr. Smith was?—A. Yes.

Q. About what time did you go into West Huron?—A. The 11th or 12th of February, it was a Friday.

Q. How long did you remain?—A. I remained till the morning of the election.

Q. Were you paid for your time?—A. No.

Q. Were you paid your time?—A. No.

Q. Not paid your time or expenses?—A. No.

Q. Just went at Mr. Smith's request?—A. He asked me if I could go and I said yes.

Q. You were not paid in West Elgin either?—A. No.

Q. Not your expenses?—A. No.

Q. Not paid anything directly or indirectly?—A. No.

Q. What is your occupation?—A. Saw filer.

Q. Were you paid while away from work?—A. We don't work at it in winter.

Q. You don't work at it in winter, you are at leisure?—A. Yes.

Q. What time do you commence?—A. About the 1st of April, seven months from the 1st of April.

Q. And you have no employment at all during the rest of the year?—A. No.

Q. That is correct, no employment during the rest of the year?—A. No.

Q. Well, what were your particular duties in this election?—A. To see that the committees had meetings, to make arrangements for getting out the vote, if there was anybody that would not come out, to see that the meetings were advertised and that the speakers got to the meetings.

Q. That was your duty in both these elections was it?—A. Yes.

Q. Do you know John Sullivan, Captain John Sullivan, I think he is called?—A. Yes, I have seen him.

Q. Was he in West Huron?—A. I didn't see him.

Q. What part of West Huron did you operate?—A. I was in four and five West Wawanosh and three Ashfield.

Q. Four and five West Wawanosh and three Ashfield, and no other part of the county?—A. No.

Q. You formed committees or did you?—A. Yes, in only two divisions, there was one division in West Wawanosh I do not remember which I do not know whether it was four or five.

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Q. Who were the deputy returning officers in the places where you operated?  
A.—I don't know.

Q. You don't know?—A. No.

Q. You have no idea?—A. No.

Q. What were you doing on election day?—A. I was on the train.

Q. On the train going where?—A. Going to London.

Q. You left on election day?—A. At six thirty in the morning.

Q. You left in the morning?—A. Yes, sir.

Q. You had got through with your work?—A. Yes.

Q. And you say you have no idea who the deputy returning officers were in these places?—A. No.

Q. Or who were the scrutineers for Holmes?—A. No.

Q. That was no part of the business you had in hand, was that right?—A. Yes

Q. How many meetings did you hold?—A. Well, two or three.

Q. Altogether?—A. Yes.

Q. Between what dates did you say you went there?—A. I was in Goderich on the night of the 11th. I think it was, on a Friday and I got to Lucknow on Saturday night.

Q. On Saturday?—A. Sunday morning, Saturday night.

Q. Who were the speakers at the meetings which you formed?—A. Mr. McMullen, I sent Mr. McMullen down to Dungannon.

Q. Mr. James McMullen?—A. Yes. Mr. Paterson.

Q. Where did you send Mr. Paterson?—A. Mr. Paterson and Dr. Macdonald, they spoke in Lucknow.

Q. Yes?—A. And there was some sent out to Mr. Grant's school-house, to a place called Grant's school-house, and some place about four miles beyond that. Although I took the bills around myself I forget the name of one place.

Q. You say you didn't see Captain Sullivan there?—A. No.

Q. You have seen him in previous elections?—A. Yes.

Q. You saw him in West Elgin?—A. No.

Q. Did you see any of the deputy returning officers in West Elgin?—A. No.

The CHAIRMAN.—What have we to do with West Elgin? It seems to me we are going beyond all possible limits now.

After argument.

The CHAIRMAN.—We had some questions regarding previous elections in the same riding, in the same polling division, but now we are altogether in another field. I think we are going too far altogether. We should have concluded this investigation now. I think we should limit it to the two ridings mentioned in the order of reference, West Huron and Brockville, to ask who was there and who organized such a riding and all that I think is altogether irregular or irrelevant.

I admit that there has been a great deal of evidence adduced which was totally irrelevant, but I did not like to interfere. I thought the parties would object when the proper time arrived, but now we are going altogether outside the order of reference, and that is why I called attention to it.

After further discussion.

The witness so far has not shown any want of memory. He has answered the questions put to him and is that to be made a pretext for going over West Elgin, Lennox and all other ridings mentioned there. I must admit that I do not know exactly what are my duties and powers as chairman of this committee, but some evidence seemed to me to be illegal? I allowed it because I thought the parties on both sides were able to protect themselves, but here is another matter to my mind. We are here appointed to investigate the conduct of the returning officers and deputy returning officers of the two ridings and if we go to another riding we might as well go to the whole province of Ontario and the whole province of Quebec. I have no objection to make myself, I only call your attention.

After further argument.

If the argument is over, here is the authority of Bourinot in which he says, "It is a clear and indisputable principle of parliamentary law that a committee is bound by and is not at liberty to depart from the order of reference.

Now, this is the authority. If that be true this is the order of reference, "for the purpose of inquiring into and investigating the conduct of the respective returning officers and the several deputy returning officers at and in connection with each of the said elections." That is West Huron and Brockville. Now, under that authority and under the order of reference, I must tell you, gentlemen, that I fail to see how we can legally inquire into what took place in other ridings, whether it should be West Elgin or another riding and the conduct of the witnesses more particularly in those ridings. I fail to see the connection there could be between the conduct of witnesses in either riding and that of the returning officer and deputy returning officer in West Huron or Brockville.

*By Mr. Borden:*

Q. Mr. Hoppens, you say you didn't see Sullivan there during the West Huron election?—A. No.

Q. Did you hear of his being there?—A. Not at the time. I heard afterwards he was there.

Q. From whom did you receive your instructions to go into the district you have mentioned?—A. From Mr. Smith.

Q. Alexander Smith? Yes, any one else?—A. No.

Q. Did you know of Mr. Tom Lewis of London being in the riding?—A. No.

Q. Did you see him?—A. No.

Q. You didn't hear of him being there?—A. No.

Q. Was Dan Ferguson of London there?—A. No.

Q. You didn't hear of him?—A. No.

Q. Was there any other person besides yourself outside the speakers from outside. I do not mean to include the speakers?—A. No.

Q. Will you state your work in these districts?—A. To find the chairman, call meetings of the electors, see that the vote was got out and make arrangements for a hall to have the meetings held in if there were any advertised, to see that the meeting was advertised and that the speakers got to that meeting.

Q. These were your duties in these three districts?—A. Yes.

Q. And you did nothing else beside that?—A. That is all.

Q. Did you have any interview with any of the deputy returning officers?—A. I didn't know them.

Q. Did you see the returning officer?—A. I did not know them—you mean the returning officer.

Q. Yes?—A. I never saw him.

Q. Did you see the election clerk?—A. No.

Q. Whom did you see in Goderich?—A. James Vance.

Q. Who is he? What is his position?—A. He was there, I suppose, organizing the town of Goderich.

Q. Where does he come from?—A. Toronto.

Q. I thought you told me you didn't know any person from outside other than you have named?—A. I thought you meant in the three divisions.

Q. Very likely I did put it that way. Speaking of the county as a whole, what persons from outside do you know of?—A. James Vance and Alexander Smith.

Q. Is that all?—A. Yes.

Q. In the work of organizing?—A. Yes.

Q. Was there any of this work that a local man could not have done equally well?—A. Possibly he could.

Q. What was the most difficult work you had to do, do you think?—A. I suppose it would be to get the meetings advertised.

Q. You think that was the most difficult thing?—A. I think so, in the winter especially.

Q. What did you have to do in order to get the meetings advertised?—A. Had to get a horse, get the posters printed and take them around.

Q. Where did you get them printed?—A. In Lucknow.

Q. Where was your headquarters?—A. At Lucknow.

## Privileges and Elections Committee.

Q. Getting the horse and getting the bills posted was the most difficult work to do?—A. Yes, sir.

Q. Do you think there would be any difficulty in local men getting a horse and getting the bills printed?—A. No.

Q. You don't think there would be any difficulty in that?—A. No, I don't think so.

Q. You said you were there from the 12th to the morning of the 23rd?—A. Not the 23rd.

Q. The morning of the election?—A. Yes, the morning of the election. The 21st.

Q. How many chairmen did you see?—A. Three.

Q. How many times did you see them?—A. Once.

Q. Once each?—A. Yes. At their division. Of course I saw them different times in the town of Lucknow, but I only went once to see them.

Q. You saw them different times in Lucknow?—A. Oh, I met them casually.

Q. You got out advertisements for 3 meetings?—A. For three or four.

Q. Did you do anything else you can recollect?—A. That is all.

Q. That is all you were doing during the 9 days?—A. That is all.

Q. You are serious about that Mr. Hoppens?—A. I am positive.

Q. Getting out posters for 3 or 4 meetings and seen three chairman once each, was all you did during the 9 days?—A. Yes.

Q. I suppose under the circumstances you did not feel justified in asking for expenses?—A. I did not ask for it but I would not mind receiving something for it if they had offered it to me.

Q. They didn't think it was worth your expenses, I suppose?—A. I don't know about that.

Q. What were you doing the rest of the time when not engaged in this work?—A. I was loafing about part of the time.

Q. Not doing any work in connection with the election?—A. No.

Q. What proportion of time were you loafing around and what proportion working?—A. One day I might be loafing around all day and another day I might, have a horse driving.

Q. You mean a horse driving in connection with the election?—A. I might going to see the chairman of the division.

Q. You saw the 3 chairmen on different days, I suppose?—A. Yes.

Q. Did you see any of the voters?—A. No—the chairmen would be voters I suppose.

Q. I mean outside the chairmen? You did not see any person for the purpose of canvassing or anything of that kind?—A. No, I didn't canvass.

Q. That is all you can recollect doing during the 9 days?—A. That is all I was doing.

Q. You saw Vance in Goderich. Did you have a conversation with him?—A. No, only I went there, he was to tell me where I was to go.

Q. What is his particular business in connection with these elections?—A. Well, he is an organizer under Alexander Smith.

Q. He is under Smith?—A. Yes.

Q. The same kind of an organizer as you are?—A. He is more extensive. He is in elections all the time.

Q. A sort of deputy organizer?—A. I suppose you might call him that.

Q. You didn't see Smith himself in the riding of West Huron?—A. No.

Witness withdrew.

The Committee adjourned.

## HOUSE OF COMMONS,

FRIDAY, 4th August, 1899.

The Committee met, Mr. FORTIN in the chair.

Inquiry into the last Dominion election for the west riding of the county of Huron resumed.

HARRY ROSS sworn.

*By Mr. Borden:*

- Q. You reside in Toronto, Mr. Ross?—A. Yes.  
 Q. You are in the employ of D. W. Thompson & Co.?—A. Yes, sir.  
 Q. How long have you been in their employ?—A. Since last Christmas.  
 Q. What is your work?—A. I am a cabinet maker by trade.  
 Q. A cabinet maker?—A. Yes, sir.  
 Q. Do you know James Farr?—A. Yes, I know James Farr.  
 Q. Did you know him before he entered the employ of D. W. Thompson & Co.?—A. No, I didn't know him, no.  
 Q. You didn't know him?—A. No.  
 Q. He came there, I believe, about April last?—A. I think he did, somewhere about that, in the first part of the spring somewhere.  
 Q. And he left in July, last month?—A. Yes.  
 Q. When did you see him last, do you remember?—A. I cannot just remember, it is two or three weeks ago, anyway.  
 Q. Where was it you saw him last?—A. I saw him on Church street last.  
 Q. That was in Toronto?—A. Yes.  
 Q. Did you room at the same place?—A. We did for a while.  
 Q. Not at the time he left?—A. No.  
 Q. Have you any idea where he is at present?—A. No.  
 Q. You haven't?—A. No.  
 Q. Do you know where he went when he left Toronto?—A. No.  
 Q. No?—A. No.  
 Q. Did he have any conversation with you about his going away?—A. He told me he was going away, he didn't say where.  
 Q. He didn't say where?—A. No. He said he might go to Dakota. Then again he said he didn't know where he would go and so that was all he told me.  
 Q. Did he talk to you about it more than once?—A. Oh, yes, I was with him two or three times after he left D. W. Thompson's.  
 Q. You spoke of it?—A. Yes, sir.  
 Q. Did he give you any idea as to the reason he left?—A. Well, no he didn't, but he knew, I knew, you know and didn't say anything about the reason he left.  
 Q. He knew that you knew? How do you know?—A. He talked to me that way.  
 Q. What did he say that indicated that you knew?—A. Well he asked me if I knew the reason why, I told him I thought I did. I heard all about it, of course I saw it in the paper you know.  
 Q. Yes, did he speak at all of what appeared in the papers to you?—A. Yes, sir.  
 Q. He spoke of what appeared in the papers?—A. Yes.  
 Q. Respecting what?—A. The West Huron election.  
 Q. And told you that he supposed you knew why he was leaving?—A. Yes.  
 Q. Did this occur more than once?—A. Well, no.

## Privileges and Elections Committee.

Q. Did he refer to it more than once?—A. No, he didn't refer to it more than once.

Q. Not more than once?—A. No.

Q. And you told him in reply that you did understand why he was leaving?—A. Yes.

Q. That is substantially what was said about that?—A. Yes.

Q. Did he say anything to you as to a railway ticket?—A. Well, he did say he bought a railway ticket to Dakota.

Q. He said he bought a ticket to Dakota?—A. Yes, he said he had bought one for North Dakota.

Q. Did he say anything about being furnished with money, a cheque?—A. No, he didn't.

Q. He didn't say that to you?—A. No.

Q. Nothing to that effect?—A. He didn't say he was furnished with money but he told me he was going to be.

Q. He told you he was going to be furnished with money?—A. Yes.

Q. Did he name any amount?—A. Well, he said somewhere around \$500 and more if he could get it.

Q. He said he was going to be furnished with \$500 and more if he could get it?—A. Yes.

Q. He didn't show any cheque?—A. No.

Q. Did he tell you from what source he expected to be furnished with the money?—A. No, no he didn't.

Q. Did he say anything on that subject at all?—A. No.

Q. You are quite certain about that are you, Mr. Ross?—A. Yes.

Q. Did you ascertain from him at any time whether he had been furnished with money?—A. No, I didn't.

Q. You didn't and as I understand you the only conversation respecting money was the statement by him that he expected to be furnished with \$500 or more?—A. Yes.

Q. And was that before or after he had left Thompson's employ?—A. After he had left Thompson's employ.

Q. How long did he remain in Toronto, as far as you know, after he had left Thompson's employ?—A. I think about two weeks as near I can guess.

Q. About two weeks?—A. Yes.

Q. Do you mean he was there to the end of August?—A. Not far off.

Q. The end of July I mean?—A. Yes, the last week in July I think he was there.

Q. I thought you told me a while ago you saw him last two or three weeks ago?—A. That is the first time I saw him since he left D. W. Thompson's & Co.

Q. You saw him subsequently in Toronto?—A. Yes.

Q. At what time did you cease to board at the same place?—A. Oh, I guess it would be about March, about May I think. I think I left the boarding-house that we were boarding together at.

Q. Do you know where he was living in Toronto at the time that you saw him on Church street?—A. Yes.

Q. Where was he living in Toronto then?—A. 414 Church St.

Q. What is the number?—A. 414 Church St.

Q. And you say that was how long ago?—A. That was about the latter part of July.

Q. The latter part of July?—A. Yes.

Q. Yes, were you aware at that time that a summons had been issued for his appearance before this committee?—A. That is what he told me.

Q. He told you a summons had been issued?—A. Yes.

Q. And what did he say about that?—A. Oh, he said he was keeping hiding. He didn't want to be served with this summons. Of course I don't know anything about that you know.

Q. He told you he knew a summons had been issued for his appearance here and he was keeping out of the way and evading it?—A. I said that I didn't think he was because he was staying in this house and he and I went out walking.

- Q. He told you that he was hiding?—A. Yes.
- Q. And you didn't think he was?—A. It didn't look like it because he could have been served easy enough.
- Q. You didn't see him after that?—A. Not after he left.
- Q. After he left where?—A. After he left the city.
- Q. You haven't seen him since?—A. No.
- Q. Have you ever been at his boarding-house since that?—A. Last night. I went up to tell the landlady I was coming here.
- Q. Was he staying at his boarding-house?—A. No.
- Q. Did you inquire for him?—A. She told me he hadn't been there for a long while.
- Q. He hadn't been there what?—A. For quite a while.
- Q. Have you had any letter from him?—A. No.
- Q. Do you know of any one who has heard from him since he left?—A. No.
- Q. Do you know any one who has seen him produce a cheque for \$500?—A. No.
- Q. You don't know any one?—A. No.
- Q. Did he show you this railway ticket that you spoke of?—A. No.
- Q. Did he tell you what he was going to do in Dakota?—A. No, he didn't say.
- Q. Do you know what wages he was getting?—A. No, I have no idea.
- Q. I mean in Thompson's employ?—A. No, I have no idea.
- Q. You have no idea of what wages he was getting? Were you an intimate friend of his, on intimate terms with him?—A. No, I was not.
- Q. Any one else that was on more intimate terms with him?—A. Most likely some of the people that was boarding in the house he was at at that time.
- Q. Do you know the names of any of them?—A. I know two, Mr. Priest and one young fellow in the house, Marshall his name is. His mother runs the boarding-house.
- Q. What is his first name?—A. Tom Marshall is one.
- Q. And what is the other?—A. I think it is Samuel Priest.
- Q. What is his occupation?—A. I cannot tell you.
- Q. You do not know?—A. No.
- Q. Marshall lives at the place you have named, and Priest also, does he?—A. Yes.
- Q. They both live there now?—A. Yes.
- Q. There was a period between the time when he left the employ of D. W. Thompson & Co. and when you saw him again in Toronto?—A. Yes.
- Q. During which you didn't see him?—A. Yes, I think there was.
- Q. Did you ascertain from him where he had been during that time when he was absent from Toronto?—A. No, I did not. He told me he was at Goderich, and then again I understood him to say he hadn't been out of Toronto at all.
- Q. He wasn't out of what?—A. Out of Toronto in that week.
- Q. One time you understood he had been at Goderich, and again that he hadn't been out of Toronto?—A. That is for the week he left Toronto. He went on Saturday and then he came back the next week after his pay.
- Q. Well, I understand from Mr. Keough and Mr. Endress that he was paid on Thursday the 13th of July, and you say he left Toronto on a Saturday?—A. I am not positive, you know.
- Q. I mean what you understood from him?—A. Hm, hm.
- Q. You understood from him he left Toronto on the Saturday after he was paid?—A. Hm, hm. I didn't take any interest in it at the time, and I kind of forget.
- Q. And then you didn't see him again till the end of the week?—A. It may have been the centre of the week, I just forget.
- Q. You are not just sure as to the date when you saw him again?—A. No.
- Q. How long from the time he was paid off till you saw him again?—A. Well, after that, maybe two or three days.
- Q. Two or three days?—A. Yes, sir.
- Q. Two or three days?—A. Yes.
- Q. And then you saw him two or three times?—A. Yes

## Privileges and Elections Committee.

Q. Covering that period altogether after he had returned to Toronto?—A. Oh, I met him one day at noon. He called me; I was surprised to see him; I thought he was out of the city.

Q. Yes.—A. And then he told me to come around that night. I came around that night.

Q. When he called you were you at the works, at the shop, at the ware-house?—A. No, I was going to work and he called me from his boarding-house.

Q. He called out to you from the boarding house?—A. Hm, hm.

Q. You were passing the boarding-house?—A. Yes.

Q. And what conversation did you have with him then?—A. He told me he was in a bad fix and told me it was just like being in jail and a few things like that. You know of course he didn't tell me any particulars of the case that night.

Q. Well, just give it to us as definitely as you can; he told you he was in a bad fix and about the same as being in jail?—A. Yes.

Q. And what else?—A. I asked him the reason why, and he said there was a summons out for him and he was trying to keep hid; and that was all happened that noon hour.

Q. And that he was keeping hid for what reason?—A. In case he would get the summons.

Q. So the summons would not be served on him?—A. Yes, sir.

Q. When you left him he asked you to come around at night?—A. Yes.

Q. What took place at night?—A. Well, he told me—I asked him what he did that he was going to be-summoned; of course he told me what he did as far—

Q. He told you what he did?—A. Yes.

Q. What did he say he had done?—A. Well, he told me he was returning officer at the election in Goderich, and told me he voted 22 times himself; that is about all he could tell me.

Q. He told you he had voted 22 times himself?—A. Yes.

Q. That was all?—A. Said he was in a bad fix, that was about all his told me.

Q. Did he gave you any information as to how he had voted 22 times himself, how he had done it?—A. No.

Q. Didn't tell you that?—A. No.

Q. Then after that night did you see him again?—A. Yes, he called at my boarding-house one night.

Q. How long after?—A. Oh, may be it was the second night after that.

Q. The second night after that?—A. I won't say for sure what night.

Q. Did you have any conversation on the subject then?—A. Well, no we didn't.

Q. No conversation on the subject then?—A. No, only we talked about him going away, and he would say one thing one time and another thing another time and I could not believe what he did say.

Q. He gave different statements as to what he was going to do?—A. Yes, I took so little interest in it that I forget what he really did say.

Q. In the conversation in the evening at his boarding-house he referred distinctly to the West Huron election, as I understand?—A. Yes.

Q. Was it on that occasion also or only at noon that he told you he was in a bad fix and the same as in jail?—A. It was at noon he told me he was in a bad fix.

Q. It was in the evening he told you about voting?—A. Yes, me and him went for a walk.

Q. And when out walking he told you?—A. Yes.

Q. State again what he said; he told you he had voted?—A. Twenty two times.

Q. Himself?—A. Himself.

Q. And did you understand it was that he was in a fix about?—A. Well, I did then, and from what I saw in the papers and heard in the factory before that.

Q. You heard this from himself?—A. Yes.

Q. And that it was in respect of that he was in a fix?—A. Yes.

*By Mr. McAlister :*

Q. What was his employment in Thompson's?—A. He was running a machine while he was there.

*By Mr. Britton:*

Q. What kind of a machine?—A. A planer.

Q. What was his trade?—A. He told me he was a carpenter.

Q. Your recollection seemed to have been a good deal better at the last part of giving your evidence from the first?—A. It just depended on how I was asked the questions.

Q. It depended on how you were asked questions, which seemed to refresh your memory a good deal?—A. I think so.

Q. And you said at the last, specially you mentioned, that you didn't take much stock in what he said?—A. Yes.

Q. Didn't seem to believe him?—A. Knew he was in a fix but didn't bother—

Q. How did you know he was in a fix?—A. I saw it in the papers—

Q. By what was in the papers—what were you going to say?—A. You didn't let me finish.

*By Mr. Mills:*

Q. I understand you to say you knew he was in a fix by what you had seen in the paper, and what else?—A. By what he told me.

*By Mr. Britton:*

Q. Apart from what he told you you knew nothing of what transpired up in Goderich?—A. No.

Q. You were not up there at all?—A. No.

Q. And apart from what was in the papers you had no knowledge from anybody else of what had taken place except your conversations with him, which I will come to?—A. No.

Q. Now, about his conversations, why didn't you take much stock?—A. Because he changed the subject and I will tell you he was a little the worse for liquor.

Q. He was a little the worse for liquor?—A. Yes.

Q. He was on a prolonged spree?—A. He was not really what you call drunk, but he was drinking.

Q. And he was drinking during these days you had conversations with him?—A. Yes.

Q. Are you working for Thompson's still?—A. Yes.

Q. And had been all the time he was there?—A. Yes.

Q. When did you say he left Thompson's?—A. July.

Q. You cannot give the date?—A. No, I won't swear to the week either.

Q. And what do you say in regard to the time he got his pay, the same week he left?—A. No, the week after, I am not sure but I think it was the week after.

Q. But what we want—suppose you try to recollect; it is a little important to me when that was; the week after?—A. Yes, but I would not be sure.

Q. What reason have you to think so?—A. Well, he left the shop and it was supposed in the shop he had gone away?

Q. I don't want what was supposed in the shop, I want your knowledge, every one has to know for himself?—A. You didn't let me finish my story.

Q. Well finish it?—A. It was supposed —

Q. Now, we don't want what was supposed?—A. I am not swearing.

Q. You can't swear to what was supposed?—A. No.

Q. Tell me of your own knowledge; you know the time he left, I don't mean the day but the time?—A. Yes.

Q. Well, do you say it was the same week or next week he came back?—A. No, I won't be sure.

Q. Nor the day of the week?—A. No.

Q. Up to the time of his leaving had you any conversation about this West Huron affair?—A. No.

Q. When did you first see him after the time he left?—A. I should judge he was away about a week and then he came back, and it might have been a couple of days after that I was going to work at noon and he called me.

## Privileges and Elections Committee.

Q. Then this conversation going to work at noon was the first conversation you had with him?—A. Yes.

Q. That was the very first?—A. Yes.

Q. And that was as you were passing his boarding-house?—A. Yes.

Q. Where was that?—A. 414 Church street.

Q. And were you boarding there?—A. Not at that time.

Q. You had left?—A. Yes.

Q. He had gone back to the same boarding-house where he was before leaving Thompson's?—A. Yes.

Q. You saw him going to work at noon along Ann street; would you pass his boarding-house on Church street; Church street runs north and south?—A. Yes.

Q. And Ann street east and west?—A. His house was there and I was going down Ann street.

Q. You were going east on Ann street?—A. No, I was going west.

Q. And passing his boarding-house at noon—where was he in the boarding-house?—A. Up stairs in a window.

Q. And he called you in?—A. Yes.

Q. Now, then will you state the whole of that conversation as it took place; what was it?—A. He just told me that noon hour——

Q. What did he tell you?—A. Told me he was in a bad fix, a summons out for him and was keeping hid; and that was all he told me.

Q. He called you and asked you to go in?—A. Yes.

Q. You went in?—A. Yes.

Q. Up to his own room?—A. Yes.

Q. Where?—A. Upstairs.

Q. Anybody else there?—A. No.

Q. When you got into the room what was first said?—A. He told me he was in a bad fix.

Q. He began speaking?—A. Yes.

Q. What did he tell you?—A. He told me he was in a bad fix.

Q. Use his own words to you; I want you just to tell what he said?—A. I went into the room and he said, "Well I am in a bad fix."

Q. "I am in a bad fix"?—A. Yes, and I asked him the trouble; of course I had an idea what it was.

Q. Don't keep that interjection about it; I want the conversation; he said "I am in a bad fix"?—A. Yes.

Q. What next?—A. And said there was a summons out for him.

Q. Well, give it in his words?—A. "There is a summons out for me and I am keeping kind of shady."

Q. Now I have that: "I am in a bad fix, there is a summons out for me, and I am keeping kind of shady;" was that what he said?—A. Yes.

Q. Was that all?—A. About all.

Q. Now, don't say "about all;" tell me the whole conversation?—A. He may have told more but I don't think of just what they were.

Q. "There is a summons out for me and I am keeping shady?"—A. Yes.

Q. Was that all?—A. That is about all.

Q. That was about all; now was there no more conversation?—A. I won't swear to anything like that; he may have said more.

Q. That is all you would swear to?—A. Yes.

Q. What did you say to him?—A. I can't swear to that either.

Q. Can't swear to any words?—A. No, I can't.

Q. And you have kept that in your memory ever since?—A. Yes.

Q. And these are the exact words, you will swear to it?—A. Yes.

Q. In what way do you say you were intimate with him before he left?—A. Oh, well, merely to walk up with him from dinner.

Q. You didn't room with him?—A. No.

Q. And you had walked up with him from dinner often?—A. Oh, yes.

Q. And that is all?—A. That is all.

Q. No other intimacy between you?—A. No more.

Q. Belonged to no society together?—A. No.

Q. No relation?—A. No.

Q. Your occupation in the shop was entirely different?—A. No, not entirely different.

Q. What was yours?—A. At the time and now I was running a machine.

Q. At the time?—A. I was running a machine in the same shop.

Q. The same machine?—A. No, a different machine.

Q. And in the same shop?—A. In the same shop.

Q. But you were not working with him in Thompson's in any way?—A. No.

Q. And he called you in and made that statement and that is all you say was said?—A. Yes.

Q. Who did you tell that to?—A. Who did I tell that to?

Q. Yes?—A. In fact I told it to Mr. Kidd.

Q. Who is Kidd?—A. Well, he was here not long ago, yesterday.

Q. You mean Kidd in town?—A. No, in Toronto.

Q. Kidd, the witness in Toronto?—A. Yes.

Q. When did you tell it to him?—A. Well, I am not sure when I told it to him; I can't say the date.

Q. You can't?—A. No.

Q. You don't remember?—A. No.

Q. Did you tell it to anybody else?—A. I think I did.

Q. To whom did you tell it?—A. I can't tell you that, either.

Q. When did you know you were to come here?—A. Yesterday afternoon.

Q. Did you ask to come?—A. No.

Q. And how did you find out?—A. The manager in the shop got a telegram.

Q. From Mr. Todd, or do you know?—A. I think it was.

Q. Do you know? Was the telegram to you?—A. No; the manager had a telegram.

Q. It was not handed to you?—A. Mr. Todd's name was on it.

Q. And then you came down?—A. Yes.

Q. And who did you see?—A. In this city?

Q. In reference to this committee?—A. I don't know which of the gentlemen I saw when I came into the House here.

Q. I mean who did you go over your evidence with?—A. Since I came to the city?

Q. Yes?—A. Nobody.

Q. Did you see Mr. Borden?—A. No.

Q. Did you see Mr. Powell?—A. No; only passing in the hall.

Q. Did anybody talk to you with reference to it?—A. No.

Q. You have had no conversation till you came into this room?—A. I was talking about the case, but I didn't give any particulars about what I was going to say or anything of that kind.

Q. Who were you talking with?—A. Mr. Cummings.

Q. Any one else?—A. We met at the hotel and walked up here.

*By Mr. Mills :*

Q. What Mr. Cummings?—A. The gentleman behind you.

Q. The returning officer?—A. I do not know what he is.

*By Mr. Powell :*

Q. Is that the gentleman over there?—A. Yes.

*By Mr. Britton :*

Q. Now we have done with the first conversation. When was the second?—  
A. A night or so after; I would not say when it was.

Q. When was it?—A. I just told you.

Q. Tell me again?—A. I am not sure, I cannot tell you within a night or two.

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Q. Within a night or two?—A. That is all I can tell you.

Q. Within a night or so, where?—A. In Toronto.

Q. Locate it in Toronto?—A. I cannot tell you the street, we went for a walk, but I cannot tell the street. We was on several.

Q. I am talking about the next conversation after the one you had at noon with him in his room?—A. That is what I am trying to tell you.

Q. It was a night or two after. He and you had gone out and where was it?—A. I cannot tell you where it was, it was on the street. I told you that before.

Q. How did you meet him?—A. I called for him.

Q. Where?—A. At the house.

Q. At his boarding-house?—A. Yes.

Q. And then you went for a walk?—A. Yes.

Q. And you are not sure it was the same night?—A. Yes it was the same night I called for him I had the conversation.

Q. Why did you say it was a night or two after?—A. It was the night we had the conversation.

Q. That was the same night you had the conversation in the day?—A. Yes, sir.

Q. You had had a conversation at noon?—A. Yes.

Q. Why did you tell me a minute or two ago it was a night or two after but you would not say which?—A. He just got me mixed up a little.

Q. You were mixed up a little. If you wanted to tell the truth would you be mixed up?—A. A person might make a mistake.

Q. And you did make a mistake although trying to tell the truth?—A. Yes.

Q. And you made a mistake that way that you told Mr. Borden you were to call that night and did call that night and you told me it was a night or two after?—A. I just told you I cannot tell as to the hour or that.

Q. You didn't say the hour?—A. That is what I meant.

Q. When was this conversation?—A. The first was that night. He told me that night he had voted 22 times. That is all I have to say.

Q. You will have to say a good deal more before you are through that is all, unless you are mulish and won't. You started for a walk?—A. Yes.

Q. From his own boarding place?—A. Yes.

Q. Which was 414 Church street?—A. Hm, hm.

Q. And you went somewhere; where did you go?—A. We went around the city for a walk.

Q. Where?—A. I cannot say where, a number of places.

Mr. BORDEN objected that it was not competent for counsel to ask the witness the same question five or six times over.

*By Mr. Britton :*

Q. I was asking you about the second conversation and I asked you where you were going?—A. Yes.

Q. Where?—A. We went for a walk. We was on a number of streets that night.

Q. Tell me where you went?—A. I cannot tell you where we went.

Q. Now, what did you say in the conversation?—A. I didn't say anything—I had nothing to say.

Q. You had nothing to say in this walk that you had?—A. No.

Q. Nothing to say, and what did he say?—A. He told me he was in a bad fix of course.

Q. I would like if you would give me his words as near as you can?—A. I am doing so, he said he voted 22 times in the one day.

Q. Give me his exact words as near as you can?—A. He told me he voted 22 times in the one day.

Q. Yes?—A. That is all he told me, of course the other little things that we we talked about—

Q. I am asking for them?—A. I do not know, I forget.

Q. All you can remember is that he said he voted 22 times in one day?—A. That is the principal point, and that is the reason I remember it.

Q. That is the reason you remember it?—A. Yes.

Q. And you remember nothing else?—A. No.

Q. So there is no need of my wasting the time of this committee which is valuable and especially the time of these men at the end, that is all you can remember?—A. That is all I can remember. That is all I can swear to.

Q. No matter how I ask you you would not know?—A. No really I can not.

Q. Can not say anything else but he voted 22 times in one day?—A. Yes, that is what he said.

Q. And that is all?—A. Hm, hm.

Q. And that is all he said?—A. That is all I can remember he said.

Q. Now, were there any other conversations, we have got the two?—A. He called on me one night or so after that again. It might have been the next night, I won't swear to it.

Q. Called on you where?—A. At my boarding-house.

Q. And where is that?—A. 120 Ann street.

Q. And what took place then?—A. We went for a walk and nothing. He didn't tell me anything about the election.

Q. He didn't tell you anything. Had you any other conversation?—A. No.

Q. No other. So that the two conversations are all you said about the elections?—A. Yes.

Q. One at noon in his house, and the other that evening on a walk?—A. Hm, hm.

Q. You had a third conversation but nothing was said about the elections?—A. No.

*By Mr. Mills:*

Q. Did he tell you for whom he voted these 22 times?—A. No, he didn't, I didn't ask him.

*By Mr. McInerney:*

Q. You say Farr told you he was to get \$500 before he went away?—A. Yes.

Q. Did he tell you from whom?—A. No, he didn't.

Q. Did he mention Mr. Smith's name in connection with it?—A. No.

Q. Do you remember?—A. No, he didn't.

Q. At any time?—A. No, no.

*By Mr. Russell:*

Q. Mr. Ross, did you have any conversation with anybody here about your evidence? Did you have any talk with anybody before you came here?—A. Before I came to the city?

Q. Before you came to the city?—A. Yes, I told Mr. Kidd what Mr. Farr told me.

Q. Who began the conversation between you and Kidd, you or he?—A. I don't know I'm sure.

Q. Try and think?—A. We just met on the street.

Q. You just met on the street and one or other of you opened up a conversation about what you know of this case?—A. Yes, he had a newspaper in his hand and that is what caused it.

Q. He had a newspaper in his hand and you didn't see what was in the newspaper I suppose?—A. No.

Q. And you would infer it was he who started the conversation?—A. Likely it was.

Q. He began the conversation with you about the matter that you supposed was in the newspaper. You didn't see the newspaper?—A. No.

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Q. And he began a conversation with you about this case?—A. Most likely, it might have been me, I would not say.

Q. Had he been here then?—A. No, it was before he came here.

Q. How long ago?—A. It might have been—I think it was a week ago last Tuesday as near as I can tell. I know the shop was closed down for a day and that is how I remember.

Q. You cannot recollect anything that he said to you?—A. No.

Q. You know what you said to him?—A. That is what I have sworn to.

Q. What you said to him was what you have said here?—A. Yes.

Q. The whole of it?—A. Yes.

Q. Did you tell him about the \$500 business?—A. No.

Q. You didn't tell him anything about this?—A. At least I don't think I did.

Q. Did you tell him anything about the 22 votes which Farr said he had voted?—A. Yes.

Q. What else did you tell him?—A. I cannot tell you.

Q. You don't remember your conversation with him?—A. No, I don't remember it at all.

Q. It occurred how long ago you say?—A. A week ago last Tuesday.

Q. And you cannot recollect your conversation with him?—A. No.

Q. You cannot recollect the terms of your conversation with him. Of course the fact of your conversation, nobody was questioning that but you cannot recollect your conversation with him which took place a week ago last Tuesday? But you can recall perfectly the conversation you had with Mr. Farr?—A. Yes.

Q. How many months ago?—A. Last July.

Q. That you talked with Mr. Farr?—A. Yes.

Q. Last July?—A. Yes.

Q. Well you can't tell anything Mr. Kidd said to you?—A. No.

Q. You can't recall one single word Mr. Kidd said to you?—A. No.

Q. Does it not strike you as strange that you can't remember one word Mr. Kidd said to you and everything Mr. Farr said?

Mr. Powell objected.

Q. Mr. Ross, you remember a great deal of the conversation that you had with Farr, don't you?—A. Well, I told you all.

Q. Tell us then, haven't you given the substance of the whole of the conversation with Farr?—A. As near as I remember.

Q. Haven't you given us the whole of his conversations?—A. All the points.

Q. And the gist of everything Farr said you have given us to-day?—A. Yes.

Q. You have then told to us the whole substance of the conversations you had with Farr?—A. Yes.

Q. How long ago—it was in July?—A. Yes.

Q. And you had a conversation only a week ago last Tuesday with Mr. Kidd and don't remember a word Mr. Kidd said; isn't that it?—A. Yes.

Q. Now, I would like you really to search your memory about what Mr. Kidd said to you?—A. I cannot.

Q. You cannot?—A. No.

Q. And you won't; you don't mean you won't?—A. I would if I could.

Q. Will you not make an effort to recall what Mr. Kidd said?—A. I can't; never thought of it again.

Q. Never thought of it again?—A. No.

Q. He was talking to you about this election trial?—Yes.

Q. And he was talking to you about what Farr had said to you, was not that it?—A. Yes.

Q. You can remember what you said to him?—A. Well, no, we were talking about—

Q. And your memory is practically a blank in regard to conversations with Mr. Kidd which took place Tuesday before last?—A. Yes.

*By Mr. McInerney:*

Q. Did you regard what Kidd said to you as very important?—A. Oh, no.

*By Mr. Borden :*

Q. Your conversation with Mr. Kidd was casual, on the street?—A. Yes.

Q. Did it last long?—A. No.

Q. Were you going the same direction?—A. No, he was sitting on one of the door steps of the factory and I stopped a moment.

Q. And you stopped a moment?—A. Yes.

Q. And you recollect the conversation was about the Farr investigation?—A. Yes, but I don't remember the words.

Q. It didn't impress itself on your memory, as it was a mere casual conversation?—A. No.

Q. You told us that Mr. Farr mentioned to you he expected to get \$500 and had bought a railway ticket; did that occur in the conversation at noon when you were passing—

Mr. Britton objected that the witness had already been examined and cross-examined about this.

The CHAIRMAN.—There is only half of the question put yet.

Q.—or at the conversation in the evening when you called and went for a walk?—A. I think one part of it was at noon, I think he told me he had the ticket.

Mr. Britton renewed his objection and asked for a ruling.

After argument.

The CHAIRMAN.—I am not in a position to rule on this, because I was away part of the time of this examination, and in a case of doubt I allow the question.

The previous questions and answer were read and the witness added to his answer these words:—He told me this, but I am not positive whether it was at noon or night you see, but he told me that in either one of the conversations.

Q. Either one or other of the conversations?—A. I am not swearing to which it was but he told me that at any rate.

Q. Now, you told me in your direct examination that on one of these occasions he said to you that it was the same as if he was in jail, or something to that effect, and you didn't repeat that when Mr. Britton asked you about these two conversations; I want to know if he did say that to you?—A. Yes.

Q. He did say that to you?—A. Yes.

Q. Your not mentioning it to Mr. Britton was from inadvertance, because it didn't occur to you at the time; you do recollect he said that to you?—A. Yes, he said that.

Q. You were talking to Mr. Donald Cummings about this?—A. Oh, I didn't. He just came up and showed me where to go.

Q. He was not talking to you about your evidence?—A. Oh, no.

Q. You are staying at the same hotel?—A. Yes.

Q. Did you ever have a word of conversation with me before you went on the witness stand to-day?—A. No.

Q. I never spoke to you?—A. No.

Q. Now, this gentleman, who has been taking an active part, Mr. Powell, did he have any conversation with you before you went on the witness stand?—A. No.

Q. Now, Mr. Ross, you told us that Farr had been drinking to some extent?—A. Yes, he had.

Q. Did you mean to refer to both the conversations you had with him or only one?—A. Well, I can't say about the first.

Q. You can't say whether he was drinking at noon?—A. No.

Q. But in the evening he had been?—A. Yes.

Q. But not drunk?—A. No.

Q. Had he been drinking so he did not understand what he was talking about?—A. No.

Q. Perfectly able to take care of himself?—A. Yes.

Q. How did you know he was drinking, by the odour of the liquor?—A. Yes.

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*By Mr. Russell :*

Q. I didn't understand about Farr saying he was the same as in jail?—A. Well, when I went in the room he said "Harry." he says, "this is as bad as being in jail," or something of that sort.

Q. He said "Harry, this is as bad as being in jail" or something of that sort?—A. Yes.

Q. That is, you won't undertake to say what his words were?—A. Yes.

Q. You won't undertake to say the exact words?—A. No.

*By Mr. Borden :*

Q. Something to that effect?—A. Yes.

*By Mr. Britton :*

Q. How do you explain, Mr. Ross, that when I was trying to be so careful about the questions that you didn't remember these things, when answering to me of what took place between you and Mr. Farr?—A. Well, you put them in a different way. You tried to get me mixed up, I suppose.

Q. That is not correct. I didn't try to get you mixed up. I am asking you again now, how do you explain that although I asked you particularly as to the conversation that you didn't tell that to me?—A. Did you ask me the same?

Q. What do you say? Why didn't you tell me that when I asked you to give me all that took place between you and Mr. Farr?—A. I just cannot tell you now.

Q. You cannot tell why?—A. No.

Q. Can you tell now when the conversation took place between you, that about the votes, that he voted 22 times?—A. It was the night after I met him that day at noon.

Q. That was at night?—A. Yes.

Q. That is your recollection?—A. Yes.

Q. And when was it he told you about going to Dakota?—A. It was that night or it might have been that day at noon he told me that about the ticket. I am not sure. Of course I said that before.

Q. Well, now, you are saying it now?—A. I mean to say it was in the evening or noon that day.

Q. Do you now, notwithstanding the examination, say that all that took place in that connection between you and Farr took place on either one of the two occasions?—A. Yes.

Q. At his room at the noon hour or in the walk at night?—A. Yes.

Q. Yes, and at no other place and at no other time?—A. No.

Q. There was no other conversation about the election at all?—A. No.

Q. And at night he had been drinking?—A. Yes, he had been. He was not drunk, you know.

Q. That is he could walk?—A. Yes.

*By Mr. Russell :*

Q. "He was na fu' but just had plenty"?—A. Yes.

*By Mr. Britton :*

Q. Would you say he had any at noon?—A. I cannot say. He may have had. I was not close enough to him to tell.

*By Mr. Borden :*

Q. This reference he made, he voted 22 times, you said had reference to that election?—A. I guess the Ontario election.

Q. The West Huron election you mean, the Goderich election?—A. Yes. Anyway the case is going on now.

Q. It was with reference to the case that is going on now?—A. Hm, hm.

*By Mr. Russell :*

Q. How many conversations did you have with Mr. Kidd?—A. Mr. Kidd is in the same shop as I was.

Q. About this?—A. None at all only he would sometimes come up and ask if I saw Farr just as I would with anybody else.

Q. Did you have any conversation besides the one you had last Tuesday week?—A. Yes.

Q. Did you have any letters from anybody in regard to it?—A. No.

Q. Within the last fortnight or so?—A. No, I never got any letters at all.

*By Mr. Flint :*

Q. Did you write any letters to anybody about it?—A. No.

Witness discharged.

WILLIAM L. HORTON sworn.

*By Mr. Russell :*

Q. Mr. Horton, I want to call your attention to a statement attributed to Mr. Farr to the effect that he came down town and Willy Horton took him—he came down to the committee room, and Horton took him to Craig's and put him through his facings to see whether he could do the job or not; that means something in reference to the ballot business; is that statement correct or not?—A. That is utterly untrue.

Q. Well, will you tell us if anything did take place with reference to Mr. Farr; your name is William Horton?—A. Yes.

Q. You belong to Goderich town?—A. Yes.

Q. What office do you hold in Goderich?—A. Town treasurer.

Q. Well, now, tell us what did take place between you and Mr. Farr, if anything did, in regard to his position as deputy returning officer?—A. The conversation I had with Mr. Farr previous to the election—it was commonly reported around town that he was under the influence of liquor or was drinking, and the day before the election I intended to—

*By Mr. Borden :*

Q. You had better state facts, Mr. Horton, common report is not evidence.—

A. I intended to go up and ask him if he hadn't better allow some person else to act as deputy returning officer; well, he lives quite a long way up the street and I met Dr. Hunter and I asked him if he would go—he was driving in a carriage, he would save me a walk, I didn't want to go if I could help—well we were talking when Mr. Yates came along; Dr. Hunter had a call and I asked Yates if he hadn't better go up and ask him if it wasn't better for him not to act, and I believe Yates did—

*By Mr. Russell :*

Q. Did Yates agree?—A. Yes.

Q. He was present with Dr. Hunter, and you and he agreed to undertake the mission?—A. He agreed to undertake it.

Q. Well there is another statement that relates to you which was made by Mr. Clark, to the effect that either you called Mr. Farr out or Mr. Farr called you out, I

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don't know which, I guess it was that you called Mr. Farr out of the polling booth; well can you tell us what took place on that occasion?—A. The way that happened, I was around the town and some boy came to me and said Farr wished to see me.

Mr. Borden objected.

Q. You got a message from Farr?—A. I went up to the polling booth and called Farr out and asked what he wanted; he asked "can't you get me some whisky?" I said I would try and walked off.

Q. And he didn't get the whisky?—A. Didn't get whisky from me, whether he got any I don't know.

Q. That was the only occasion?—A. Yes.

Q. That was the only occasion to which this reference can refer?—A. As far as I am aware of.

Q. You didn't go back with the whisky or do anything further in pursuance of his request?—A. None whatever.

*By Mr. Borden :*

Q. Had you been acquainted with Farr before this?—A. Oh, yes.

Q. For how many years?—A. Oh! I could not say that; I was acquainted; I have known the man; I was never familiar with him; I would not like to say how many years; I was never very well acquainted with him.

Q. You are town treasurer?—A. Yes.

Q. How long have you held that position?—A. I think since 1886.

Q. You got a message from him that he wanted whisky?

Mr. Russell objected.

Q. You got a message?—A. I got a message from a young man that Farr wanted to see me; that is what Farr told me when I arrived.

Q. Had you any business relations with him?—A. None whatever.

Q. You went to the town hall?—A. Yes.

Q. Did you see him inside or outside?—A. Outside, he came to the door.

Q. Did you know what the business was?—A. None whatever.

Q. Were you surprised at getting the message?—A. I hadn't the slightest idea what he wanted and I had no business transactions with him.

Q. Were you doing any work on election day?—A. Not much.

Q. None in connection with the elections?—A. No.

Q. You voted?—A. Yes.

Q. You are a Liberal?—A. Yes.

Q. A Liberal worker?—A. Yes.

Q. Do any work in West Huron?—A. Not more than usual. I was working around town.

Q. You worked in the election?—A. Yes.

Q. But not election day?—A. No.

Q. What were you doing?—A. I was walking around town.

Q. Walking around the town, for your health?—A. I think principally, yes.

Q. How many miles did you walk all day?—A. Oh, I could not say.

Q. When did you begin to walk?—A. I came up town the usual hour, ten o'clock.

Q. And began to walk?—A. I went to my office.

Q. When did you begin to walk around town?—A. I could not say, I was walking around off and on; I would go to my office and then walk round the square.

Q. You would go to your office then walk round the square?—A. Go in there and see if there was anything to do, and then walk around the square.

Q. You didn't speak to any one?—A. Except in a general way to wonder how things were going.

Q. When did you leave off walking?—A. I went home at four.

Q. Did you walk much afterwards?—A. Yes, I suppose I walked around the square four or five times in the afternoon, after lunch.

Q. You say you are not particularly acquainted with Farr?—A. No.

Q. You told me you were not surprised to get a message from him?—A. Well, I don't know that I was really surprised.

Q. You had no idea what it was for?—A. Not the slightest.

Q. The sole thing he spoke to you about was getting whisky?—A. No, he said he was very dry and wanted whisky.

Q. Had you ever got him whisky before?—A. No, never.

Q. Were you surprised at his request?—A. Well, knowing his condition the day before, it was quite natural he might want a drink.

Q. Were you surprised you should be asked to get whisky for him?—A. Well, I cannot say that I was surprised.

Q. You never got any spirituous liquors for him of any kind before?—A. None whatever.

Q. Now, there was some effort, as I understand, made to substitute some other returning officer for him, is that it?—A. Well, we wished him to resign or not to act that day.

Q. Who wished him to resign?—A. I did.

Q. Who had suggested him?—A. I don't know as anybody had suggested it; it was currently reported on the town Farr had been drinking.

Q. I don't wish that, one of the statements of current rumour; I want to know who nominated him?—A. Oh, I could not say anything as to that, I have never heard it.

Q. None whatever?—A. No.

Q. Were you acting for the returning officer in any way?—A. No.

Q. Had the returning officer given you any authority to try to get him to resign his position?—A. No.

Q. He hadn't?—A. No, sir.

Q. You were just acting the part of public benefactor?—A. For the good of the cause.

Q. What time was it when this idea entered into your mind?—A. Oh, I think it was somewhere in the afternoon between three and five.

Q. Between three and five of what day?—A. The day before the election.

Q. How long do you say he had been drinking?—A. Well, I could not tell you that; I know that he was dismissed from his position the week previous to that or two weeks, I would not be positive, for drink.

Q. And on this particular day did you see him drunk yourself?—A. No, but I saw him.

Q. On that day?—A. Yes.

Q. And saw he had been drinking?—A. I could not tell, he had been drinking.

Q. Were you at his house that day?—A. No.

Q. Where did you see him?—A. He passed me on the street.

Q. Is that the only occasion?—A. That was the only occasion.

Q. And you say Mr. Yates undertook the mission of going up to see him on the subject?—A. Yes.

Q. What time of day was that?—A. Well, I could not tell you what time Mr Yates—it was about five.

Q. When you met him?—A. Yes, about five.

Q. At whose suggestion did Mr. Yates go?—A. Well possibly on mine or Dr. Hunter's, we were all there together.

Q. Was Dr. Hunter acting for the returning officer?—A. Well, I don't know.

Q. Can you tell whether it was Dr. Hunter's suggestion or yours?—A. Oh, it was mine.

Q. Had any one authorized you to send Yates to him for the purpose?—A. No.

Q. Was the idea that Hunter was to take his place?—A. No, I had no idea.

Q. What was Yates to go to him for?—A. Simply because he lived—

Q. For what purpose was Yates to go?—A. For the purpose of telling him he had better not act.

Q. For the purpose of getting the ballot box from him?—A. I don't know anything about that. I do not think so. He didn't mention the ballot box to me.

Q. You didn't mention it?—A. No, sir.

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Q. If you were to procure him not to act you understood that it would be necessary for some one to supply his place, I suppose?—A. I suppose so.

Q. Did you communicate with the returning officer concerning that?—A. No, sir.

Q. You did not?—A. No, sir.

Q. What was to be done if he did say he would not act?—A. I don't know.

Q. You have no idea on the subject?—A. None whatever.

Q. Then you want us to understand you were to procure him not to act and took no further interest in the matter?—A. That was all I had to do with it. Yes.

Q. Did you understand the election was going on without a deputy returning officer?—A. I suppose somebody could be very easily obtained.

Q. By whom?—A. By the returning officer.

Q. You didn't see him on the subject?—A. No, sir.

Q. Was there any other deputy returning officer whom you saw in reference to it?—A. No, sir, none.

Q. What part did you take in the election?—A. I do not know as I took any part any more than Mr. Smith would ask me about certain parties or about getting speakers or the best place—

Q. What Mr. Smith?—A. Mr. Alex. Smith, the organizer.

Q. Did he have his headquarters in Goderich?—A. I suppose so; he stopped at the—

Q. What hotel?—A. The British Exchange.

Q. Did you see any other organizers besides Mr. Smith?—A. I do not know whether you would call them organizers or not.

Q. Call them anything you like?—A. There was several gentlemen there.

Q. Did you see a man by the name of Mr. Dan. Ferguson?—A. Yes, sir.

Q. Where does he live?—A. In London, I believe.

Q. In London. Where did he have his headquarters?—A. I met him at the British.

Q. Was he stopping there, do you know?—A. He was stopping there, yes.

Q. And Mr. Smith was staying there?—A. Mr. Smith was staying there.

Q. What was Mr. Ferguson's business in the riding, do you know?—A. I do not know, sir.

Q. Have you no idea?—A. No more than that I suppose he was organizing, I suppose that was what he was doing.

Q. What particular part of the organization had he charge of?—A. The only thing he ever asked me about was with reference to some outsiders who voted in Goderich.

Q. Some men who lived outside the county?—A. Men who lived outside the county.

Q. Did he ever discuss returning officers with you?—A. No, sir.

Q. Did you meet a gentleman by the name of Lewis, Mr. Tom Lewis of London?—A. No, sir.

Q. Did you see him?—A. The night of the election about eight o'clock there was a gentleman walked into the British and I asked some one standing by, "who is that" and he said, "that gentleman's name is Lewis."

Q. You don't know what part of the riding he was organizing?—A. No, sir, I don't.

Q. Did you meet Mr. William Milloy?—A. Yes, I met him.

Q. Where does he live?—A. I don't know.

Q. Does he live in Goderich?—A. I don't know, no he don't live in Goderich.

Q. Do you know anything about where he lives?—A. I never heard.

Q. Do you understand he was from outside the riding?—A. No I could not say that, he may probably have lived in the riding for all I know.

Q. Did you have any conversation with him?—A. No, I was merely introduced to him in the British Exchange.

Q. Who introduced you?—A. I cannot tell you, I do not remember now.

Q. Do you remember whether it was Mr. Smith?—A. I cannot tell you.

Q. Did you meet a gentleman of the name of John O'Gorman?—A. Not O'Gorman.

Q. Gorman?—A. Yes.

Q. You are more familiar with the name than I am. Perhaps as you know his name so well you know his residence?—A. I understood he lived in London. I have heard since he lives in Toronto and I cannot tell which place.

Q. Do you know what branch of the work he had charge of?—A. No, sir, I do not know anything about him.

Q. Did you have any conversation with him?—A. No, just talking off and on, sitting around having a smoke.

Q. About election matters?—A. I do not know anything, probably I suppose we were talking election matters.

Q. It didn't impress itself on you?—A. No, sir.

Q. Not as much as this incident you told us of?—A. What incident.

Q. Do you not think you told Mr. Russell?—A. I didn't tell Mr. Russell anything more about Gorman.

Q. Do you remember it as well as the evidence you gave Mr. Russell?—A. I didn't give any evidence to Mr. Russell.

Q. What do you mean. I don't quite understand you; are you aware you have been giving evidence?—A. I am aware now I am giving evidence.

Q. Only just now waking to that fact?—A. Not at all.

Q. You have been aware of it for some time?—A. Ever since I came in here.

Q. I ask you whether or not you remember the incident of your conversation with Mr. Gorman as well as you do the incident of your conversation with Mr. Yates?—A. Quite as well I think.

Q. Will you tell me what your conversation with Gorman was?—A. I told you I didn't know we were talking about anything particularly, because there was nothing particular came up, I never had anything to do with Gorman, we often had a cigar and drink and talked about different subjects.

Q. Where, at the British?—A. At the British, at different hotels.

Q. At Mr. Craig's?—A. At Mr. Craig's.

Q. Were any of these gentlemen staying at Craig's?—A. I think they moved down there afterwards.

Q. After what?—A. I think they stayed for some time at the British, I do not know how long, I think they then went down to Mr. Craig's.

Q. About what day did they remove?—A. I cannot tell you.

Q. Were they at Mr. Craig's at the time of the election day, immediately previous to election day were they at Mr. Craig's?—A. I think they were, yes, sir.

Q. Were you at Mr. Craig's the night before election day?—A. Yes, sir.

Q. Who were there?—A. Well, I cannot tell you, I remember going down there with Mr. Smith; I do not remember anybody else.

Q. Mr. Alexander Smith?—A. Yes, sir.

Q. How long did you remain?—A. Oh, probably an hour.

Q. An hour, what were you doing?—A. We were having a smoke.

Q. Just went down to have a smoke?—A. Yes, sir.

Q. Was there not any place for smoking up at the British?—A. Well, it was quieter down at the other.

Q. Quieter, you had a quieter room to yourselves there I suppose?—A. No, it was a public room, any one might walk in.

Q. Who else were there?—A. Oh, I don't know, I cannot remember now, others may have dropped in.

Q. If it was a public room at Craig's how does it happen it was so much quieter than the British?—A. Well, because it is quite a distance off his bar, at the British the drinking rooms are right adjoining. This is down the hall.

Q. And you wanted to get as far away from the drinking room as possible?—A. As far away from the public.

Q. As far away from the drinking room and from the public as possible? Where did Farr live at this time? I mean what part of Goderich?—A. He lived in the eastern part, up near the depot, I think on Newgate street.

Q. Had you ever been at his house?—A. Never, sir.

Q. You had never been at his house?—A. No, sir.

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Q. How far away from Craig's did he live?—A. Oh, it is quite a long distance. When I say a long distance, half a mile or something like that.

Q. Did Mr. Yates ever report to you the result of his mission to Mr. Farr?—A. I do not remember him ever speaking to me.

Q. I didn't ask you that. I asked you if he ever spoke to you about it?—A. Not that I remember.

Q. Will you say?—A. I do not remember. I do not know if I saw him again.

Q. Did Dr. Hunter speak to you?—A. No.

Q. Neither one of them?—A. No.

Q. So you remained in blissful ignorance until next day whether he was going to act or not?—A. Next day whether he was going to act.

Q. And you had no communication with the returning officer in the meantime?—A. No, sir.

Q. Where does the returning officer live?—A. Is that Mr. Sands?

Q. Yes?—A. He don't live in the town at all. He lives in Colborne.

Q. I understand that; how far away is it?—A. It is, I suppose, two miles from the centre of the town.

Q. Have you seen Farr in Goderich within the last two or three weeks?—A. No, sir.

Q. You haven't?—A. No, sir.

Q. Have you seen him anywhere?—A. No, sir.

Q. Have you heard of his being in Goderich?—A. Haven't heard of him.

Q. Nor seen him?—A. I haven't seen him.

Q. Have you heard from him?—A. No.

Q. Do you know L. E. Dancy?—A. Yes.

Q. Is he in Goderich now? Do you know?—A. I do not think so.

Q. What makes you think so?—A. I live right across from him, and I think I would know if he was living there.

Q. How long since you have seen him?—A. Probably two weeks.

Q. Have you heard where he is?—A. I have heard.

Q. Where did you hear he was?—A. I heard he was in Detroit.

Q. Were you a member of any committee?—A. No, sir.

Q. Not a member of any committee?—A. No, sir.

Q. What was the work you did, in the election, what did it consist of?—A. Oh, I don't know, probably advising Mr. Smith, any little local thing, as I told you before with reference to speakers.

Q. Just advising him?—A. That is all; being an old settler there, he asked me about different things. I don't know whether I had anything particular to do.

Q. Do you know whether you did or not have anything particular to do?—A. I do not think I had, I was not placed at anything particular to do.

Q. Without being placed had you anything to do?—A. I was a free lance.

Q. What did you do as a free lance?—A. Advising Mr. Smith, anything he wished to know I would tell him if I could.

Q. Well, did Mr. Smith see you in Godrich recently, during this investigation, Mr. Alexander Smith?—A. No, sir.

Q. Did a gentleman by the name of Grant come to see you?—A. Grant?

Q. Mr. Grant, yes, from Toronto?—A. Yes, sir, I met him there one evening.

Q. He did, you couldn't recollect that at first?—A. Which?

Q. You seemed to hesitate at first?—A. There is a Mr. Grant lives up there, that I am very familiar with and I didn't know if you meant him.

Q. You didn't know which one I referred to? Do you know what Mr. Grant's business in Goderich was?—A. I suppose something in reference to this.

Q. You suppose it was?—A. He asked me if I knew anything about it.

Q. About what?—A. In reference to this trial that is going on.

Q. In reference to this investigation?—A. Yes.

Q. You mean in reference to the matters which are being investigated?—A. Yes, sir.

Q. And you told him what you have told us, I suppose?—A. I don't think I told him very much, I don't know anything.

Q. You didn't know anything; did you tell him what you told us?—A. I do not think I did, I spoke in a general way.

Q. Did you tell him anything?—A. I don't think I did.

Q. Do you know?—A. I do not remember what our conversation was, he wished to see some one and I left.

Q. Whom did he wish to see?—A. I think he wished to see Mr. McGillicuddy.

Q. He wished to see Mr. McGillicuddy and you left? Do you mean he had no conversation with you about this matter?—A. None no more than he asked if I knew anything about it.

Q. And you told him you didn't?—A. I didn't know.

Q. Is that all that took place?—A. I think it was.

Q. Do you know?—A. I do not know anything else that took place.

Q. Do you know Mr. J. C. Martin of Goderich?—A. Yes, sir.

Q. What is his business?—A. Well he is a retired gentleman now, sir.

Q. Did you ever see him at Mr. Craig's during the election?—A. I do not think I ever did.

Q. You do not think you ever saw him there?—A. No, sir.

Q. Do you know what part he was taking in the election?—A. No, sir.

Q. Did you see the returning officer at all during the campaign?—A. The returning officer?

Q. Yes?—A. I don't ever remember the man, I very seldom ever see him.

Q. Did you communicate with him?—A. I don't know.

Q. By letter?—A. No.

Q. Do you remember?—A. I don't ever remember speaking to him.

Q. What is Mr. Yates' business?—A. At that time or now; well he is a merchant, keeps a book store.

Q. He did at that time?—A. Yes.

Q. He has it now?—A. Yes, he still carries it on.

Q. Well, he has something else now?—A. Yes, sir,

Q. What is it?—A. Division court clerk I think they call it.

Q. You say Mr. Grant wanted to see Mr. McGillicuddy and you left?—A.

Yes.

Q. What place was it you left?—A. At the British.

Q. It was at the British you met Grant?—A. Yes.

Q. Had you gone there to see him?—A. No, I happened to be standing there when the bus came in and we had a cigar together.

Q. Did you know him before?—A. Yes, I met him before.

Q. When did you meet him before?—A. I think I met him at the time of the Garrow election, I would not be positive.

Q. The Beck-Garrow election?—A. Yes.

Q. That was the previous December?—A. Yes.

Q. Do you remember the vote at the Beck-Garrow election?—A. I don't know.

*By Mr. Powell :*

Q. Do you know a gentleman by the name of Allan Murray?—A. Allan Murray

Q. Yes?—A. Yes, sir.

Q. Do you recollect having any conversation with him about the time of the election?—A. No, I do not.

Q. Well, I will be more particular; do you recollect previous to the election having a conversation with him respecting William Macdonald and Peter Macdonald?—A. Yes, I do.

Q. You know William Macdonald?—A. Slightly.

Q. Peter?—A. No, I don't know him at all.

Q. But you knew of him?—A. I knew he had a son.

Q. And these men are two voters in that ward or booth?—A. Which ward?

Q. Ward 3, I think?—A. No, sir.

Q. Well, in some city ward?—A. Yes, sir.

Q. In some city booth, and do you remember what booth they voted at?—A. I don't know what booth they voted at, I know what poll they should vote at.

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Q. And you were anxious these two men should vote for Holmes?—A. Certainly.

Q. And with this object in view you had a talk with Murray?—A. I don't know I had any particular talk with Murray; I think he said something about it that he should get them.

Q. Well, don't be in a hurry, think it up; I am not going into any bargaining for votes, but you and Murray had talked about getting these people to vote for Holmes, had you not?—A. I think he spoke to me about it.

Q. I don't care who spoke first or last: you had a conversation about getting these people to vote for Holmes?—A. No doubt about that.

Q. How long did it last?—A. Not over three minutes.

Q. When did you see Murray again after this?—A. Some time after the election.

Q. And the conversation again turned on Peter and William Macdonald, did it not?—A. Yes, sir.

Q. And about the way they voted?—A. About the way they voted.

Q. He claimed they had voted for Holmes, did he not?—A. Yes.

Q. And you claimed they didn't?—A. I did.

Mr. Britton objected. How was it going to be connected with this election.

Q. Now, Mr. Horton, in this subsequent conversation you had with him he claimed that these two men had voted for Holmes and you claimed they didn't; didn't you tell him, Mr. Horton, in that conversation subsequent to the election that Billy Macdonald, that is William, did not vote for Holmes and that you could prove he didn't vote for Holmes?—A. I might have told him that.

Q. Didn't you tell him that, sir?—A. I probably did

Q. And if you did tell him that you told him the truth, did you not?—A. No, I did not.

Q. Didn't you tell him, sir, that you knew he hadn't voted for Holmes because you had his ballot in your office?—A. I don't remember telling him that.

Q. Now, sir, didn't you tell him?—A. I don't remember.

Q. Will you swear you didn't?—A. I won't swear one way or the other.

Q. I asked if you didn't tell him?—A. I don't know, I may have.

Q. Don't you believe you did?—A. I don't remember my saying I could prove it, I might have said in fun I had his ballot.

Q. You might have said in fun you had his ballot; now, sir, as a matter of fact didn't you say you had his ballot?—A. No, sir, I don't think I told him that.

Q. Will you swear that?—A. Yes, sir, I will, because I didn't have it and could not have it; I might have made a bluff at him.

Q. Now, let us see, Mr. Horton, your reason for swearing you had not his ballot in your office; that is what I understand you to say?—A. Certainly.

Q. And that is your reason for swearing?—A. If I had his ballot I don't think I would have told him.

Q. You swear conclusively, you swear positively that your reasons for stating you didn't tell him you had his ballot in your office, was the fact that you hadn't his ballot in the office; is that so?—A. Yes.

Q. Didn't you tell me a minute ago you could swear that Billy Macdonald didn't vote for Holmes; you told me that?—A. I don't think I said that.

Q. Didn't you tell me inside of five minutes?—A. I said I might have.

Q. Will you please explain to me; as I understand you could not prove Billy did not vote for Holmes?—A. Yes

Q. Now, how can you explain that; you might have told him you could have proved the contrary?—A. Yes.

Q. And you didn't tell him you had the ballot in your office, and your reason for swearing so positively to that is you hadn't the ballot and so didn't tell him; the reason you can swear positively that you didn't tell him you had the ballot in your office is the fact that you hadn't the ballot in your office?—A. I hadn't the ballot.

Q. And will you state as a matter of fact that you hadn't the proof to the contrary that Billy Macdonald hadn't voted for Homes?—A. Certainly, I hadn't the proof.

Q. And will you again swear that you didn't tell him that you had the proof that Billy didn't vote for Homes?—A. I cannot swear that because I hadn't.

Q. You are not willing to swear to me you didn't tell him that you could not prove that Billy voted for Holmes?—A. I swear I didn't have the ballots; I might have told him that I knew that Macdonald hadn't voted for Holmes.

Q. You might have told him that?—A. Yes.

Q. And might you have told him you could prove it?—A. Yes.

Q. And if you did, it was not true?—A. Yes.

Q. You were telling a falsehood?—A. I was.

Q. And now I would like to know how in one case you can swear positively and in another you can't swear positively, when, as a matter of fact, it was not true in either case?—(No answer.)

Q. You neither had the ballot in your office nor proof in your office that Billy had not voted for Holmes?—A. I had neither.

Q. You had neither; to that one thing you can swear positively?—A. I can swear both.

Q. We know you can swear positively to both these, very good; still in respect to one thing you didn't tell me and although you can swear positively to both these things as I understand you, Mr. Horton, you swear that you may have told him that you had the proof?—A. That I had the proof.

Q. Do you swear that you didn't tell him that you had the ballot?—A. Yes, I will swear that.

Q. And then you give me as your reason for not telling him that you had the ballot, was, as a matter of fact, you hadn't the ballot?—A. I hadn't the ballot.

Q. Would not that reason apply equally to the other and enable you to swear positively to it?—A. It might possibly.

Q. I would like you to explain your position?—A. To tell you the honest truth, I can't explain it.

Q. "To tell the honest truth I cannot explain it," now to come back.

Question objected to by Mr. Russell, on the ground that this was not what the witness said.

Answer read to the witness by direction of the chairman as follows: "To tell you the honest truth I can't explain it."

A. I cannot explain it.

*By Mr. Powell:*

Q. That is what you said?—A. "I do not know how to explain it," I think that is what I said.

Q. Now, sir, had you any further conversation with Mr. Murray?—A. None that I remember.

Q. Did you proceed to tell Mr. Murray how you knew that Bill Macdonald hadn't voted for Holmes?—A. I don't think so, I don't remember anything about it.

Q. You don't remember anything about it?—A. Nothing more than what he has taken down.

Q. Do you know who was the deputy returning officer at the booth where these men voted?—A. No, I do not know.

*By Mr. Borden:*

Q. Did you see a man by the name of Vance?—A. Yes, sir.

Q. Where was he from?—A. Toronto, I believe.

Q. What part of the election had he charge of?—A. Well, I think he was sending out all the notices. He was about the committee room.

Q. Where was the committee room?—A. On Hamilton street.

Q. Just one committee room for the whole town?—A. Yes, sir.

Q. And he was employed there?—A. Yes, sir.

Q. What did you do in the committee room?—A. I rented the committee rooms. I have always given them to the Liberal party and I used to go down to see that the room was not abused or anything. I would walk in and walk out again.

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Q. You went down to see that they were not destroying your property, was that it?—A. That is all about it.

Q. Did you find they were using it pretty well?—A. As well as most committee rooms are used.

Q. Where did this conversation with Mr. Murray take place?—A. Right on the street.

Q. In the town of Goderich?—A. Yes, sir.

Q. When?—A. I cannot tell you, some time after the election.

Q. You cannot fix it?—A. No, I cannot tell you the date. No, sir.

Q. Do you remember what took place, what was said?—A. Not any more than what I have already said.

Q. Was Dr. Hunter present when you had the conversation with Mr Yates?—A. In reference to what, sir?

Q. The one you told me about you know, about going to Farr?—A. Yes, sir.

Q. During the whole conversation?—A. I think, all the time, I think we all parted together.

Q. And did Dr. Hunter go with Yates?—A. No, he had some professional call and he went off and I went off and Yates went off.

Q. I didn't get a definite answer as to what you told Yates on that occasion?—A. I just merely asked him if he would not go and persuade Farr not to act, that I didn't think he was fit, that he was drinking.

Q. Was that all?—A. That was all, sir.

Q. The whole thing?—A. Yes, sir.

Q. And that is all that passed between you?—A. That is all that passed between us.

*By Mr. Powell :*

Q. Just another question, after the election and previous to your second conversation with Allan Murray had you been informed as to how Billy Macdonald had voted?—A. No, sir.

Q. You hadn't?—A. No, sir.

Q. Nor as to how Peter had voted?—A. No, sir.

*By Mr. Borden :*

Q. Had you any belief on the subject as to how he had voted?—A. None whatever, one man I don't know at all.

Q. And you didn't take any action founded on that belief?—A. No, sir.

Q. Are you sure about that; that you took no action or refused to take action?—A. I just merely judged by the account of the way the ward went, I didn't think he voted.

*By Mr. Powell :*

Q. You didn't think he voted?—A. I didn't think he voted for Mr. Holmes.

Q. You had a belief?—A. I just merely judged. I hadn't any reason more than the way the ward turned out.

Q. Was not that belief so strong that it induced you not to do something you had promised to do if he voted?—A. Probably it did.

Q. I want to know really?—A. I think it did, the way the vote turned out.

Q. But your belief at that particular time that Bill Macdonald hadn't voted was sufficiently strong to induce you to break your promise with respect to something you promised to do if he did vote?—A. Yes.

*By Mr. Britton :*

Q. What poll was it; what number was it that these Macdonalds voted at?—A. I think it is No. 5.

Q. Has there been any charge of any irregularity at that polling place?—A. A. None that I have heard of, sir.

Q. And, as a matter of fact, did you have any conversation with the deputy returning officer?—A. No, sir.

Q. Or with any one else with regard to the ballots put in at this place?—A. No, sir.

Q. And did you have any of these ballots?—A. No, sir.

Q. Did you have a look at any of them?—A. No, sir.

Q. Was there any way in which you could have told how any one voted at that subdivision?—A. None whatever.

Q. Your doing so then must have been bluff on your part?—A. A good deal of bluff. It's a game we have to play sometimes.

*By Mr. Powell:*

Q. You told Mr. Britton it was No. 5?—A. I think it was No. 5.

Q. You told me you had no idea what number it was?—A. No, I didn't say that. You spoke first about No. 2 if they voted in No. 3, I said they didn't vote there.

Q. Didn't I ask you if you knew the booth at which William and Peter Macdonald voted?—A. I don't remember your asking if I thought they should vote at No. 5.

Q. Didn't I ask you if you knew the booth at which William and Peter Macdonald voted. Didn't I ask you that question if you knew the booth in which Peter and William Macdonald voted?—A. I don't remember your asking that question.

Q. Don't you know you were asked this a moment ago and said you did?—A. Oh, no, I didn't. You made a remark about their voting in No. 3 and I said they didn't vote there.

Q. But since I have got to my feet on this present occasion I asked you that question and you said yes, did you not? You acknowledge I did ask you that question and you did state you didn't know. Didn't I ask you sir, in the course of this examination since you have taken the stand didn't I ask you if you knew the booth in which these Macdonalds voted. Didn't I ask you that?—A. I don't remember your putting it in those words.

Q. Didn't you say in reply to that question that you didn't know the booth where they voted?—A. I said I knew the booth they should vote in.

Q. You told me that?—A. Yes.

Q. You said that to me did you?—A. Yes, that is what I said to you.

Q. When I first examined you, or this time?—A. When you first examined me.

Q. Did I ask you whether you knew the returning officer at the booth where they voted, and you said you didn't?—A. I said I didn't.

*By Mr. Borden:*

Q. You say you had a belief as to how this man voted which was strong enough to induce you to break a promise?—A. I did, merely on the way the vote went in the ward.

Q. Don't go into results; that is the fact, is it not?—A. Yes.

Q. And you had no conversation with either the deputy returning officer or either of the scrutineers, or any one else, on the subject how they had voted?—A. None whatever, sir.

Q. And the result of the poll, you say, was the only ground you had for entertaining the belief which was strong enough to induce you to break your promise?—A. Break my promise.

Q. And you said also it was necessary to play these games sometimes?—A. I did make that remark.

Q. What kind of games are you referring to?—A. Well, I might say poker.

Q. On your oath, is that what you meant?—A. That is what I meant at the time.

Q. When you made the statement that it is necessary to play these games, in the case you were referring to, you referred to poker?—A. I did.

Q. You were referring to poker?—A. Yes.

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Q. You will tell this committee that seriously?—A. Yes.

Q. Now, I want to put that question to you again, and for your own credit I want you to think about it. Concerning the breaking of your promise, which you have referred to, you said it was necessary to play these games sometimes, and you have also said, on your oath, that in using that expression you referred to the game of poker?—A. I did. Just at that present moment I was thinking about the game of poker, and nothing else.

Q. What had the game of poker to do with your breaking your promise to this man?—A. None whatever, only I was asked if it was a game of bluff, and I said yes.

Witness discharged.

WILLIAM MITCHELL recalled.

*By the Chairman :*

Q. You have been sworn, Mr. Mitchell?—A. Yes.

*By Mr. Russell :*

Q. Mr. Mitchell, I just want to ask you if you know how Mr. Farr voted at the last election?—A. He voted for Mr. McLean.

*By Mr. Borden :*

Q. You saw him mark the ballot, did you?—A. Yes, sir.

Q. And how did that happen?—A. Well, it occurred just as I got through my own voting Farr saw me and called me back and said "I want you to see how I am going to vote for Holmes, they have got it all over town, I am going to vote for McLean", and he marked the ballot for McLean.

Q. And he showed you that?—A. Yes, I told him "I don't want to see how you vote" but he insisted on showing me.

Q. Did you believe as a matter of fact that he had voted for McLean?—A. I did certainly.

Q. You did believe it?—A. Yes.

Q. That he put a ballot in for McLean?—A. Yes, for the reason I saw him mark a ballot and put it in the box.

Q. Did you watch to see whether he put in the same ballot he had marked?—A. Well, I could not say that.

Q. You saw him mark it and — ?—A. He showed that to me and put it in the box.

Q. You don't know whether it was the same ballot or not?—A. No, I don't.

Q. Now, had he told you anything about this before?—A. Well, he did tell me the night before.

Q. He had told you he was going to vote?—A. For McLean.

Q. The night before?—A. Yes.

Q. Had you asked any questions?—A. No, he told me the night before.

Q. He volunteered it?—A. Yes.

Q. I suppose he knew you were a Conservative?—A. Yes.

Q. And then what time did you vote?—A. I voted about half-past nine.

Q. He showed you this ballot?—A. Yes.

Q. And his showing you the ballot was entirely voluntary on his part?—A. Yes, and I told him I didn't want to see his vote at all.

*By Mr. Britton :*

Q. When he told you the night before, you believe him of course?—A. Yes.

Q. That he was going to vote for McLean?—A. Yes.

Q. And then the next day you saw him mark a ballot and put it in; did you believe it was the same ballot?—A. Eh?

Q. When you saw him mark a ballot and put it in the box did you believe it was the same ballot that you saw marked for McLean?—A. Oh, yes.

*By Mr. Mills :*

Q. What time did he vote?—A. Just after me.

Q. When was that?—A. I told you about half-past nine. I think his ballot would be the next vote after mine.

*By Mr. Borden :*

Q. And at the time you didn't watch to see what ballot he put in?—A. No, I never thought.

Q. Had he been a Liberal or a Conservative?—A. Well, I could not tell you that.

Q. You don't know?—A. No.

*By Mr. Russell :*

Q. He was appointed by?—A. Appointed by the Liberals this time, of course.

Q. Previously appointed by the Conservatives?—A. No, he acted for the municipality.

Q. Well, the municipal council was Conservative when he acted for the council?—A. I don't think so, the first time there was a Reform majority.

Q. He was appointed by the Conservative majority of the council?—A. Since.

*By Mr. Borden :*

Q. But you say that first he was appointed by a Reform council?—A. Yes.

*By Mr. Russell :*

Q. Appointed by a Reform council first and afterwards by Conservatives, they continued him?—A. Yes.

Q. A sort of permanent returning officer?—A. Yes.

*By Mr. Borden :*

Q. On election day you can tell whether he had been drinking?—A. I could not tell.

Q. Well, any time?—A. I could not tell.

Q. What time was it you saw him?—A. Between eight and nine I saw him.

Q. Anything to indicate he had been drinking?—A. No.

*By Mr. Mills :*

Q. Who were present when he voted?—A. Well, the scrutineers would be there and myself.

Q. Were you acting as scrutineer?—A. No.

Q. Well, how were you present when he voted?—A. I was coming up from voting when he called me back to show me his vote.

Witness discharged.

## Privileges and Elections Committee.

JAMES YATES sworn.

*By Mr. Russell :*

Q. Mr. Yates, the statement has been made here and attributed to Farr that you were up—I had better read it: “That Mr. Yates had been up after the ballot box the night before and that he didn’t think Farr would be able to do the job;” I suppose that means you didn’t think Farr would be able to do the voting; did you go to see Farr about election day?—A. Yes, sir.

Q. For what purpose?—A. I went for the purpose of trying to get him to resign the position as deputy returning officer for polling subdivision No. 3 Goderich, for the reason that I done so was——

Mr. Powell objected.

Q. At whose suggestion was that done?—A. W. L. Horton and Dr. Hunter.

Q. W. L. Horton and Dr. Hunter?—A. Yes.

Q. Had you been in consultation with them or had any conversation with them then, before or after, on this subject?—A. Only just that one time before I went I met them on the street and Dr. Hunter was going to go up and he hadn’t time—he was going to see a patient or something—and asked me to go and I said I would, and I went, and Mr. Farr, he refused to resign.

Q. What reason did you give Farr for wishing him to resign?—A. On account of him being drunk at the time; I knew he had been drunk and was drunk then, and I thought that being the case, if he would not sober up he better not act as deputy returning officer; and he said to me he was sobering up and was going to keep that way, to keep straight, and would be all right.

Q. I suppose you didn’t know whether he had sobered up?—A. No, sir, I did not of course; he speaks there of the ballot box, I didn’t seek the ballot box of him directly or indirectly.

Q. That is not right?—A. No, I was not there after it; I didn’t ask for it and if he wanted to give it to me I would not have taken it because I had no right to take it.

Q. So far as you know, had Farr been returning officer before this?—A. Yes, returning officer for Goderich for five or six years.

Q. They have annual elections?—A. Yes.

Q. He would be at each election for five or six years?—A. Yes.

Q. Had he been returning officer at local elections?—A. Yes.

Q. More than one?—A. I could not say whether more than one; he was returning officer at local elections; he was deputy returning officer at the plebiscite vote. I was returning officer and he was a deputy returning officer; I appointed all the municipal deputy returning officers for the plebiscite vote and he was one of them and I appointed him.

Q. He had been appointed by the municipal council?—A. Yes.

Q. Well, was the council Conservative or Liberal?—A. It was Conservative in majority.

Q. A Conservative majority?—A. Yes.

Q. It is by vote of council he got his appointment?—A. Yes.

Q. It was by a Conservative vote of council he got his appointment as deputy returning officer for the municipality?—A. Yes.

Q. You hold some office?—A. I am division court clerk, sir.

Q. When did you become division court clerk?—A. The 1st of May this year.

Q. You also hold an office under the Dominion Government?—A. It is under the local government.

Q. Not under the Dominion?—A. Both under the local Government.

Q. What is the other?—A. Fishery inspector and division court clerk. I got the fishery inspectorship on the 1st of April and on the 1st of May the division court clerkship.

*By Mr. Borden :*

Q. You were appointed to this position on the 1st of May?—A. I think on the 1st of May.

Q. When did you become an applicant for it?—A. About ten days or two weeks before I received the appointment.

Q. Ten days or two weeks before?—A. Yes.

Q. The office was not vacant at the time of the election?—A. No.

Q. Who held it then?—A. Charles Seager.

Q. The police magistrate?—A. Yes; I knew nothing about its being vacant till ten days or two weeks before I got it.

Q. You went to Farr at whose suggestion?—A. W. L. Horton and Dr. Hunter.

Q. Did you understand that they were authorized in any way to appoint any one in his place?—A. Well, they were not authorized, but if he tendered his resignation I suppose they would have told.

Q. You need not tell that; they were not authorized?—A. I cannot say as to that.

Q. You went to his house?—A. Yes.

Q. You found him?—A. Yes.

Q. Was he under the influence of liquor?—A. Well, he was not very bad.

Q. He was able to talk to you?—A. Yes, and told me he was sobering up himself.

Q. Have you seen him under the influence before?—A. Yes, I had.

Q. How long before?—A. Three or four days; he lost his position a week or ten days before for drink.

Q. Had he lost his position before or after he was appointed deputy returning officer?—A. No, I could not say that.

Q. Are you a Liberal?—A. Yes, sir.

Q. Did you take any part in the election?—A. I did.

Q. Do you know who nominated Farr as deputy returning officer?—A. I don't know that, sir.

Q. What part did you take in the election?—A. I had charge of the Liberal committee rooms for the town of Goderich.

Q. For the county?—A. No, for the town of Goderich; I did more than that, I had lists of the polling divisions made out for more polling subdivisions than the town of Goderich.

Q. Did you have anything to do with the distribution of ballots?—A. No, sir, I didn't. All the ballots I seen were the ballot I seen and marked myself.

Q. You saw Mr. Alexander Smith in the riding?—A. Yes, sir, I seen Mr. Alexander Smith.

Q. How long was he there?—A. Probably he was there back and forth for a couple of weeks.

Q. Did you see Mr. Vance?—A. Yes, sir.

Q. What particular part of the work had he in hand?—A. Apparently he had some outside organization.

Q. Outside what?—A. Outside the town of Goderich.

Q. Who had the inside, who attended to it in the town?—A. I attended to the lists in the town, supplied them to the different committees.

Q. Did you see Mr. Ferguson, Mr. John Ferguson of London?—A. I seen a gentleman of that name.

Q. Was he in the committee room?—A. I did see him in the committee room.

Q. What was he doing?—A. Nothing that I could see.

Q. What part of the work had he charge of?—A. That I cannot tell you, except—

Q. You were not instructed as to his part of the work?—A. No, I was not.

Q. I suppose you didn't go to these hotels and meet these men there?—A. I did meet some sometimes.

Q. Where?—A. At Craig's hotel, once or twice.

Q. What were you doing there?—A. I went there to see Mr. Ferguson.

## Privileges and Elections Committee.

Q. What about?—A. To give a list of two or three names that was outside which I wanted him to send for.

Q. That is all you went to see him for?—A. That is all I went to see him about. That is all the intercourse I had with him.

Q. Where does he live?—A. I don't know personally where he lives; I have heard it said he lives in London, but I don't know, except from hearsay.

Q. Did you meet Mr. Thomas Lewis?—A. No, sir, not that I know of.

Q. You didn't meet him?—A. I seen people there; I didn't meet and had nothing to say to him at all.

Q. You don't know if you saw him or not?—A. No.

Q. Who told you to go to Ferguson about this matter?—A. I think it was Mr. Smith. He said if I had any names to hand them to him, voters from outside, voters that were absent.

Q. Did you meet Mr. Milloy of London?—A. Mr. Milloy, I seen a gentleman of the name, of Mr. Milloy, I had nothing at all to say to him.

Q. Was he in the committee room?—A. I think I did see him in the committee room, but I had no conversation at all with him with reference to anything.

Q. Mr. Gorman?—A. I don't think I met him.

Q. You heard of a gentleman called Nip?—A. No, I never met him, and didn't know anything at all about him. I happened to see that name in print some where.

Q. Did you meet Captain John Sullivan?—A. No, sir, I didn't. I seen him, seen him to know him as Captain Sullivan, on the street.

Q. Did you see him during that election?—A. Yes.

Q. Yes?—A. I think so, sir.

Q. Was he in the committee room also?—A. I don't know if I seen him in the committee room or not.

Q. You had no business with him?—A. I had no business with him at all.

Q. Do you know what part Captain Sullivan took in the election?—A. No, no more than that I knew him to see him by being pointed out to me.

Q. Have you seen Farr recently?—A. No, sir, I havn't seen him for some length of time.

Q. Have you seen him in Goderich recently?—A. No, sir, I didn't.

Q. His wife is living there isn't she?—A. I understand she is, I only know from hearsay, but I think it is probable she is.

Q. Do you know the vote at the Beck Garrow election for 1897?—A. No, sir, I cannot tell you, I do not remember what it was.

Q. Do you know where Mr. Farr is now?—A. No, sir, I do not know.

Q. Have you any idea?—A. No, I know nothing at all about him, sir.

Q. Mr. Grant, did he come to see you, Mr. Grant of Toronto?—A. No, sir, I didn't see Mr. Grant.

Q. What polling division had you charge of on election day?—A. Well, I hadn't charge of any one in particular, sir.

Q. You had a general oversight over all?—A. Nothing more than to see that the voters were got in.

Q. Were you at polling subdivision No. 3 during the day?—A. I was there and voted there.

Q. Was Farr there?—A. Yes, sir.

Q. Did you notice what he did with the counterfoil of your ballot?—A. No, I didn't. I noticed I gave him my ballot and he put it in the box.

Q. You didn't notice what he did with the counterfoil?—A. No, sir, I didn't sir.

*By Mr. Powell:*

Q. Mr. Yates, had you in your committee rooms any blank ballots for the purpose of instructing how to vote?—A. Nothing more than I think there was some of the large placards there, there may have been some stuck on the wall, I cannot say if there was or not.

Q. I am speaking about loose ballots?—A. No, there never was a loose ballot paper in the polling subdivision to my knowledge, and I was there the greater part of the time. I never seen one there.

Q. You say you went to Craig's hotel to see Ferguson on one occasion?—A. I did, sir.

Q. Didn't you go more than once?—A. I may have gone twice.

Q. What was the second occasion?—(No answer.)

Q. Do you recollect what day of the week the election was on?—A. Well, I would not be sure, I think probably it was on Tuesday; I would not swear to it.

Q. Well, we will take the previous Sunday evening. Didn't you go to Craig's hotel to see Ferguson the previous Sunday evening?—A. I think I did, sir. I went to give him the name of a gentleman that I couldn't find in time to give him any other time. It had to go away the first thing Monday morning and I simply went and handed him the name of the gentleman.

Q. That was shortly after church was out in the evening?—A. I think so.

Q. After dark?—A. Yes, after dark; I made no bones about going there. I just want to tell you the thing just as it was, that is all.

Q. Are these the only two cases that you went to the hotel?—A. I think so, sir.

Q. During the election?—A. I think so.

Q. You think so?—A. As far as my memory goes, twice; I do not remember being there any oftener.

Q. What did Mr. Smith tell you about Ferguson and non-resident voters?—A. That was all.

Q. What was all?—A. The only thing was if there was any non-resident names I might hand their names to him.

Q. To Ferguson?—A. Yes.

Q. He was looking after them?—A. I suppose that is it.

Q. Had you any conversation with Ferguson about the method by which ballots were manipulated sometimes?—A. No, sir, I never had.

Q. I am not saying for the purpose of receiving instructions?—A. No, I did not.

Q. In the course of conversation on Sunday evening or the previous evening did not you and Mr. Ferguson make reference to methods that were some times used to tamper with ballots?—A. Not to me.

Q. Not to you?—A. No.

Q. Did he to any person in your presence?—A. No.

Q. Was any one present?—A. When I was there?

Q. Yes?—A. On Sunday evening?

Q. Yes?—A. I think Dr. Hunter was there; I won't be positive.

Q. Dr. Hunter?—A. I think Dr. Hunter.

Q. Any one else?—A. No, not that I remember.

Q. Was any reference made between Hunter and Ferguson on the part of either of them with respect to ballots?—A. No, there was not, sir.

Q. On the first occasion that you went to Craig's hotel to see Ferguson who was present at the interview?—A. There was no person at all that I remember of.

Q. Except you and Ferguson?—A. Except myself and Ferguson.

The Committee adjourned.

## Privileges and Elections Committee.

HOUSE OF COMMONS,  
SATURDAY, August 5th, 1899.

The committee met, Mr. Fortin in the chair.

Inquiry *re* the last Dominion election for the west riding of the county of Huron resumed.

WILLIAM LANE SWORN.

*By Mr. Powell:*

Q. Mr. Lane, you were election clerk, I understand, in the last Dominion contest for the riding of West Huron?—A. Yes.

Q. Who was the returning officer?—A. Mr. Sands—Archibald Sands.

Q. You did the most of what we might call the clerical business, did you not?—A. Yes.

Q. And, as I understand it, you sent out the ballot boxes and directions, all ballot papers and necessary envelopes, to the deputy returning officers?—A. I did not do that alone.

Q. But you participated in the work?—A. Yes; I did it in conjunction with Mr. Sands.

Q. I see; the two of you were working together at the time?—A. Yes.

Q. Did you keep any record of the number of ballots that you had given to the different deputy returning officers?—A. I cannot say.

Q. You can't say that you did?—A. No; a record might have been kept, but I would not swear that it was.

Mr. Powell asked that two members of the committee should accompany the witness to another room, and have him make up a statement of the number of ballots sent out and the number returned in each polling subdivision.

*After argument,*

The WITNESS.—If I might be permitted to say a word in this connection, perhaps I misunderstood—that is, I understood in this way: Could I swear to the number of ballots that were sent out to each deputy returning officer. I might, if I was allowed to, explain it in this way: In conjunction with Mr. Sands I took the voters' list for each municipality and took division after division, and Mr. Sands would say: "How many voters appear on the list?" for a certain division; I would say: "122," for instance. Then Mr. Sands would say: "We will get 150 ballots for that." Then I would go to the next, with perhaps 135 voters. Mr. Sands would say: "150 would do there;" so we went all through the divisions in that way, and Mr. Sands and I decided that. Now, Mr. Sands has got the record, that is, he took it from my office, where we made up the number of ballots we decided on to get for each polling subdivision, but whether the exact number of ballots were printed—

Q. I am not going into that; but he has the record.—A. He brought it to the printer.

Q. He got it to give to Mr. McGillicuddy?—A. Well, I understand. What would be done by Mr. Sands with it I could not be certain.

Q. But the ballots came back in pads?—A. Yes.

Q. And on the bottom was the division and number of ballots?—A. I would not be certain about the division.

Q. The number of ballots?—A. That was done on the back of each pad in pencil mark.

Q. There was somewhere a minute in pencil in relation to the ballots stating where they were for and the quantity that came to you from the printer?—A. Yes, I am pretty sure there was.

Q. And that particular package went to the particular division,—that is, you believe—for which it was marked?—A. Yes, we might have made a slip, but we packed our ballot boxes with the understanding that the proper package went to each division.

A. And you didn't make a recount?—A. I made a recount of three packages.

Q. Three only?—A. Yes.

*By Mr. Russell:*

Q. And found them all right?—A. Yes.

Q. Who has the abstract?—A. I can't say; it was made in my office. Mr. Sands made it in pencil mark and left my office with the intention, as he told me, of going over to the printer; I have not seen it since.

Mr. Powell offered in evidence all the returns from the different subdivisions.

Messrs. Powell and Flint were named to accompany the witness to an adjoining room for the purpose of making out a statement.

Witness withdrew.

WILLIAM WARNOCK SWORN.

*By Mr. Borden:*

Q. You reside in the town of Goderich, Mr. Warnock?—A. I do.

Q. Did you vote at the Dominion election for the west riding of Huron in February last?—A. I did.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. I did.

Q. For whom did you mark it?—A. Robert Holmes.

Q. Robert Holmes?—A. Yes, sir,—oh, Robert McLean.

Q. For Robert McLean?—A. Excuse me, for Robert McLean I voted.

Q. There are two Roberts?—A. That puzzled me.

Q. What kind of mark did you put on it?—A. I put a cross.

Q. Opposite whose name?—A. Opposite the name of Robert McLean.

Q. Opposite the name of Robert McLean, was there any place there for the purpose?—A. There was a place, a sphere.

Q. A round sphere or space?—A. Yes.

Q. Where did you put your cross?—A. Right in the sphere.

*By Mr. Russell:*

Q. It was not a sphere, it was a circle to be correct?—A. A circle.

*By Mr. Borden:*

Q. In the circular space opposite McLean's name?—A. Yes, sir.

Q. After marking your ballot paper and folding it what did you do with it?—A. I folded it and gave it to the deputy returning officer.

Q. Did you give back to him the same ballot paper which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it, or did you pass along; when you gave him the ballot paper did you observe what he did with it?—A. I was particular to watch how it was handled and I saw him put it in to the best of my ability.

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Q. Did he tear anything off it?—A. He tore off the counterfoil.

Q. He tore off the counterfoil or stub?—A. Or stub, yes.

Q. What did he do with it?—A. I can't say what he done with it, I was interested to see that my ballot went in and I watched and saw it go in.

Q. You believe it went in?—A. I believe it went in.

*By Mr. Britton :*

Q. You see how easy it is to make a mistake don't you?—(No answer.)

Q. Do you know by this time it is pretty easy sometimes to make a mistake?—  
A. I know that.

Q. You made a mistake when you commenced to give your evidence?—A. Certainly.

Q. Persons sometimes make mistakes as to how they vote. They think they are marking for one man and mark for the other?—A. I am positive how I voted.

Q. That is quite possible?—A. It is possible.

Q. Don't you think you might have made a mistake?—A. I am satisfied I did not.

Q. I suppose you didn't mark it in any particular way?—A. Oh, no.

Q. Do you think you could tell your ballot if you saw it, the ballot you marked?—  
A. I could not say that.

Q. You think you could not?—A. I likely could not.

Q. You didn't mark the cross in any way that you recollect?—A. I made a good even cross.

Q. You made a good even cross in the circle?—A. Yes.

Q. In the circle, you made a good even cross in the circle opposite whose name?—  
A. Robert McLean's.

Q. Does that look like the ballot that you had?—A. I do not think there was so much black as that around it, no.

Q. Where was there less black?—A. Well, I cannot say that, only—

Q. You say you don't think there was as much black where?—A. Well, if I remember right there was not so much black border around it.

Q. Not so much black border around it, do you mean now it was not printed as deep black or the border was not as wide?—A. It seems to me the border on that is heavier than the border on the ballot I marked.

Q. Heavier or wider?—A. More of it.

Q. Now, here are two. Do you mean it is more like that or less like that? Do you think the border is as wide as it is there?—A. I imagine the border was a little lighter coloured. I do not remember.

Q. Do you think it was the same size?—A. I think it was the same size.

Q. Do you think the black here was the same size?—A. I think the paper was about the same.

Q. Now, we come to this counterfoil. Tell me how the ballot was as compared with that? Was it exactly like that?—A. As far as I can see it was.

Q. What do you mean by counterfoil?—A. This stub.

Q. Do you mean it had that on?—A. Yes, just such a stub as that.

Q. Just such a stub as that?—A. Yes.

Q. Was there anything on the ballot besides what you see there when you got it?—A. I do not remember anything more than the initials of the deputy returning officer.

Q. Where were they?—A. On the back. The ballot was folded about an inch wide; it was folded I remember about an inch wide.

Q. And they were on the back of the ballot?—A. His initials were on the back of the ballot as far as I can remember.

Q. Was there anything on the counterfoil?—A. Nothing only that. Not that I can remember, nothing I know of.

Q. You don't remember any figure or letter or anything?—A. No.

Q. What next that you remember about the ballot?—A. I think it was too thin to suit me. I felt the secrecy of the ballot was given away by this ballot being too

thin and I marked with a pencil of my own, a soft pencil, then I returned it and seen it was put in.

Q. Then you didn't mark it with the pencil that was in the booth?—A. No, I thought it was too hard a pencil, and it was thin paper, and I marked it with a pencil of my own.

Q. You marked it with a pencil of your own?—A. Yes.

Q. And from marking with a pencil of your own I suppose you could tell the ballot if you saw it?—A. No, I could not.

Q. It was a soft pencil?—A. Yes, soft, it would give a good black mark.

Q. Different from the one in the booth?—A. I tried the one in the booth.

Q. What did you try it on?—A. On a piece of paper in my pocket book, and it would leave quite a heavy crease in the paper.

Q. A piece of paper, not a ballot?—A. No, a piece of fairly good writing paper.

Q. And as it did not work to suit you you took your own pencil to mark the ballot?—A. Yes, sir.

Q. And having marked it handed it in to the deputy returning officer?—A. Yes.

Q. Mr. Farr?—A. Yes.

Q. And you were suspicious?—A. I was not suspicious of him at all.

Q. I thought you said you were?—A. I was suspicious well, that if I put my mark on with that pencil it might be seen.

Q. I am dealing with the ballot now, I think you said you were careful to watch where it went?—A. Yes, that it went into—

Q. Went into the box. Were you suspicious, was that the reason you were so careful?—A. I was not exactly suspicious of Farr only I knew he could see it, and well, perhaps I might put it that way that I was a little suspicious that he could know that I voted for a certain party if I marked it that way.

Q. And you watched closely to see it put into the box?—A. Yes.

Q. And he did put it in the box?—A. He put it in the box.

Q. Was there anything on it that he tore off?—A. This part here. It was folded up; he told me to fold it so he could tear it off. He told me "Mr. Warnock fold that so I can tear it off."

Q. And you didn't see anything on the counterfoil?—A. I did not.

Q. You always had a reluctance to tell how you voted?—A. No, I told everybody who asked me how I voted.

Q. How is that consistent with what you were saying about marking?—A. I don't tell everybody.

Q. But you said you did?—A. I told everybody that asked me, that was your question.

Q. And did anybody ask you?—A. Near friends hinted as much as who I voted for. Not more than two that I know of.

Q. Who were they?—A. My own family.

Q. Is that all?—A. That is all that I remember of at that time. I might have talked of it to others.

Q. When since the election did you mention it?—A. I don't remember much about it, and I may have told one or two others.

Q. Do you remember any one else you told it?—A. I don't remember anybody, I had no fear of telling any one.

Q. It is not a question of fear; I am testing your memory a little. Did you ever tell anybody else about it?—A. I do not remember more than my wife, a son of mine and one of my daughters. I told her. They were inquisitive, in a sociable way.

Q. You told your wife, your son, and your daughter?—A. That is all.

Q. That is all you can remember?—A. Yes.

Q. On careful thought, all that you can remember here in the box, wanting to tell all you can about it?—A. I cannot remember.

Q. You cannot remember of anybody else. Who came to you as to the matter of asking you how you voted?—A. No one came to me unless some gentleman at the table in a social way.

Q. Didn't you make a declaration?—A. I made a declaration.

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Q. Did you make a declaration before anybody came to you?—A. They just merely asked me to make a declaration who I voted for.

Q. You admit somebody asked you who you voted for and asked you to make a declaration?—A. That party that asked me if I was willing to make a declaration I voted for McLean.

Q. But first he asked you who you voted for didn't he, who was it?—A. Well now, of course if you bring it in that way that was one I did tell I voted for.

Q. I should think so, who was he?—A. It was a man by the name of Van Every asked me if I would make a declaration.

Q. But first he asked you if you had voted for McLean?—A. I don't know it was necessary for him to ask. He knew I was always a—

Q. And he merely asked for a declaration?—A. I never was a working man for the party at all.

Q. And then you did go and make a declaration?—A. I went to Robert Hays.

Q. So you told Van Every and Hays, yet here you didn't remember these people at all?—A. I told you I was satisfied, gentlemen, I had told several but I couldn't remember.

Q. Your memory is all gone.—A. Not at all.

Q. Pretty near?—A. I acknowledge this case.

Q. When did you make the declaration?—A. I cannot state the date.

Q. As near as you can?—A. My memory is not sufficient to give that.

Q. As near as you can?—A. Quite a long time ago.

Q. As near as you can; tell me how long after the election?—A. It must have been a couple of months after the election.

Q. A couple of months after the election?—A. Six weeks or two months.

*By Mr. Borden:*

Q. As I understand, Mr. Warnock, the ballot paper was pretty thin, the ballot paper furnished to you was pretty thin; you stated that?—A. Yes, sir.

Q. It was for the reason that you didn't want the mark to show through that you marked it with a softer pencil which you happened to have with you?—A. That was the reason.

Q. And there was no other reason?—A. No, up to that time I had no suspicion at all.

Q. You had always been a Conservative?—A. I had in federal matters.

Q. And your politics were known in federal matters?—A. Always, I feel quite satisfied they were.

Q. Now as to your memory have you any doubt as to whom you voted for at this election?—A. I am perfectly satisfied I voted for Robert McLean, made my mark opposite his name.

*By Mr. Britton:*

Q. Just take that ballot and see if the paper was thinner than that?—A. I don't think the paper was any thinner.

Q. You think it was about the same?—A. I think it was about the same.

**Witness discharged.**

W. A. McClymont sworn.

*By Mr. Borden :*

Q. You live in the town of Goderich?—A. Yes, sir.

Q. Did you vote at the Dominion election for the west riding of Huron in the month of February last?—A. Yes.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. For whom did you mark your ballot?—A. For Robert McLean

Q. What kind of a mark did you put on it?—A. A cross.

Q. Where did you put the cross?—A. Opposite his name.

Q. Was there a place for the purpose?—A. Yes.

Q. Where did you put the mark?—A. In that place.

Q. In the circular space?—A. Yes.

Q. What did you do with the ballot after you had marked it?—A. Put it in the ballot box myself.

Q. Did you hand it to the deputy returning officer first?—A. No.

Q. What did you do with the counterfoil?—A. There was none on the one I got.

Q. No, but you put it in the box yourself?—A. I always make a practice of that. I think when I get a ballot I should put it in the box. I always fold it so the deputy returning officer can see his initial.

Q. Did you put in the box the same ballot which you had received from the deputy returning officer and which you had marked?—A. Yes, the same ballot.

*By Mr. Russell :*

Q. Have you ever voted at Dominion elections before?—A. Yes, a number of times.

Q. Well, have you put the ballot in the box yourself in these cases?—A. Most every case.

Q. How often can you recall?—A. The last twice.

Q. Once in 1896 and this last election in 1899?—A. Yes.

Q. And then there must have been about four years before there was an election you voted at?—A. Yes.

Q. And then four years before, and probably some by-elections?—A. Yes.

Q. And each time you have put the ballot in the box yourself?—A. Each time I have been scrutineer for a great number of years.

Q. Did you tear off the counterfoil?—A. No.

Q. Put it in, counterfoil and all?—A. No; the deputy returning officer didn't leave the counterfoil on; he tore it off before he gave the ballot.

Q. Did he do it in the previous elections?—A. Yes.

Q. You say in 1896 you got a ballot without a counterfoil?—A. I would not be sure of that year; I know that I did this time.

Q. And then at the Dominion election four years before you are satisfied you got your ballot without a counterfoil?—A. Yes.

Q. And in fact your recollection is that every Dominion election at which you voted—?—A. Well, I think so, I would not like to be just positive about it; I didn't pay much attention to it at the time.

Q. Well to the best of your recollection then, at all these Dominion elections at which you have voted, for the last fifteen or twenty years—?—A. Yes.

Q. Perhaps twenty or thirty years?—A. Twenty years.

Q. You have had a ballot delivered to you without the counterfoil on it?—A. Well, I would not swear to that.

Q. That is your recollection?—A. Yes.

Q. You don't know whether it has been the practice in that part of the country?—A. It was done with me.

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Q. And you think it would be done with others?—A. I know some other deputy returning officers would not do it.

Q. I ask you about that division?—A. No, that is the first time I have voted there.

Q. In other divisions that was the practice?—A. The practice was to take the ballot off close up there, with a little knife usually.

Q. And give it to the voter without the counterfoil?—A. Yes.

Q. And then in your case you put it in the box yourself so you would be dead sure?—A. Yes.

Q. You say now that has been the general practice as far as your observation goes wherever you have voted, and that was done in this case?—A. That was done this day.

Q. This ballot had the initials?—A. I saw him mark the initial.

Q. But not the counterfoil?—A. A great many deputy returning officers mark the ballots with their initials, perhaps 100, the day before, but this man there tore off the ballot and put his initial on.

Q. And the counterfoil too?—A. No, I never saw the counterfoil.

Q. He simply gave you the ballot without the counterfoil?—A. Yes.

Q. The box had not a circular hole?—A. No, a round hole.

Q. Some witnesses said it was a slit?—A. I think this was round.

Q. You know how you folded your ballot up to put it in?—A. I folded it up close, the division I was in it was a round hole.

Q. I am talking about this last time; you were not a scrutineer, not an official, you were just a voter?—A. Not in that division, I was scrutineer in another division.

Q. In that election?—A. Yes.

Q. You didn't vote in the place in which you were scrutineer at this election?—A. No. I had two votes, I had a vote where I was scrutineer and where I lived.

Q. You didn't vote in two places?—A. No, I didn't, but I have two votes.

Q. And you didn't have to have your vote transferred?—A. No.

Q. You had a vote where you were scrutineer?—A. Yes.

Q. But you didn't vote there?—A. No, the rule is to vote where you live and I voted in the division where I live.

Q. Well, then after the election was there—some time after the election was there, or some time after, a request for a declaration of your vote?—A. Yes.

Q. How long was that after?—A. Three or four weeks.

Q. Three or four weeks?—A. Yes, maybe more, I would not be sure.

Q. I am anxious to fix that time?—A. About three or four weeks after.

Q. About three or four weeks after you made a declaration; at whose instance was that?—A. Well, it was currently reported around that it was being done—

Q. We know that; I ask at whose instance?—A. The party who asked me to give it was Van Every.

Q. You didn't speak to Mr. McLean?—A. No, it was Van Every simply asked me if I would give it.

Q. Van Every knew you were a Conservative all your life?—A. Yes.

Q. And Van Every asked you if you would make a declaration you voted for McLean and you said "yes"?—A. I went up and did it.

Q. Who took it?—A. R. C. Hays.

Q. In his office?—A. In his office.

Q. What was the form, it was not sworn to?—A. No.

Q. You read it over and signed it?—A. Signed it.

Q. And no solemnity beyond reading it over and signing it?—A. No.

Q. Did Mr. Hays sign it?—A. Not in my presence.

Q. Not in your presence?—A. No.

Q. And you handed it over to him?—A. Yes, where he was with another man.

Q. And he didn't sign it in your presence?—A. No.

Q. Now, you have had time to think over the matter a little bit, are you satisfied that generally speaking when you had voted at Dominion elections you had put the ballot in the box yourself?—A. On the last two or three times I have.

Q. And the ballot has been delivered to you without the counterfoil?—A. Yes.

Q. That has happened on how many previous occasions that you can recollect to this?—A. Well you see there was two before the present.

Q. There were two before the present in the Dominion; don't mix up local elections?—A. No, I will give you the names if you wish.

Q. No, I am just cautioning you; but in two Dominion elections before this they delivered the ballot without a counterfoil and you put in the box yourself?—

A. Yes.

Witness discharged.

THOMAS MCKENZIE SWORN.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. McKenzie?—A. Yes, sir.

Q. Did you vote at the Dominion election for the west riding of Huron in February last?—A. I did, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. I did.

Q. For whom did you mark it?—A. I marked it for Mr. McLean.

Q. What kind of a mark?—A. I put on a cross.

Q. Where did you put it?—A. I put the cross opposite Mr. McLean's name.

Q. In any place opposite his name?—A. Oh, not in any particular place, I suppose just opposite his name.

Q. Does that look like the ballot you had?—A. Yes, that looks something like the ballot.

Q. Show me where you put the cross?—A. I put my cross in this.

Q. In that circular white place opposite McLean's name?—A. Yes.

Q. After marking your ballot I suppose you folded it?—A. I did.

Q. And what did you do with it then?—A. I gave it back to Farr the returning officer.

Q. Did you give back to him the same ballot which you had received from him and marked?—A. I did.

Q. Did you observe what he did with it?—A. I watched him and I think he put it in the box.

Q. Did you observe whether he tore anything off it?—A. I didn't.

Q. Do you remember whether it had this stub or counterfoil on it when it was given to you?—A. I don't.

Q. And you don't remember his tearing off anything like that?—A. I don't remember him tearing off anything.

*By Mr. Russell :*

Q. Can you remember in what shape the ballot was delivered to you. Just indicate with that paper there in what shape it was delivered to you?—A. It was folded.

Q. How much of it was folded over, from there to there, or from there to there?—A. I cannot tell. I didn't take notice of the ballot particularly.

Q. You didn't take notice of the ballot?—A. Not particularly, no.

Q. Did you notice whether it was folded so as to leave a piece of it standing out?—A. It was not folded that way, it was folded the other way.

Q. Lengthwise?—A. Lengthwise.

Q. Had it this white space on it when you folded it up?—A. I didn't take notice. I cannot say whether it had or not.

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Q. Had it initials on it?—A. It had initials.

Q. Farr's, on the back of it?—A. I suppose it was his; he gave it to me.

Q. And when you handed it back to him he didn't tear anything off it, to put it in the box?—A. That I cannot remember.

Q. You mean your impression is one way or the other?—A. I cannot say whether he tore it off after I gave it to him or not.

Q. You didn't see him tear anything off when you gave it back to him?—A. No I did not.

Q. Did you observe what he did with it?—A. He took it, gave it a turn and dropped it in the box.

Q. If that is what he did he would not tear anything off?—A. Not by that.

Q. Your impression is that he did not have to tear anything off?—A. I cannot say whether he did or whether he didn't. He might for what I can say.

Q. You didn't see him tear anything off?—A. He might have torn it off and me not see.

Q. He would be pretty skilful would he not, if he did that and you not see when you were looking on?—A. He was like that and I was at the end of the table.

Q. You waited to see if he put it in the box?—A. Yes, but I cannot say if he tore anything off or not?

Q. You saw him put it in the box?—A. Yes.

Q. You were looking while he was handling it?—A. I cannot say whether the man tore anything off or whether he didn't.

Q. You didn't see him tear anything off anyway?—A. No, I didn't.

Q. And you must surely have an impression one way or the other as to whether he tore it off?—A. I had no suspicion at all.

Q. You have an impression one way or the other as to whether he tore anything off your ballot or not?—A. I didn't have any impression; I didn't see him tear anything off.

Q. And what is your impression?—A. I can't say whether he did or did not.

Q. I am asking you what your impression is, what your belief is. Well now, if you were observing him all the time you gave him your ballot?—A. I did.

Q. Folded up?—A. I did.

Q. And you saw what he did with it, and he put it in the box?—A. I do not know, supposing he turned it that way he might have took a piece off, that is the way he took the ballot, that is the way the ballot was, he took the ballot in that shape.

Q. And did what with it?—A. It was about that shape when I gave it to him and he gave it another turn like that. I cannot say whether he tore anything off or not, and that is all I know.

Q. It would have been possible for him then to have torn something off and put the ballot in the box, is that correct?—A. He might for all I knew. I cannot say he did, and I can't say he didn't.

Q. I am asking you your judgment and whether you thought it would have been possible for him to tear something off and put it in the box?—A. He might have done I cannot say. I can't say that the man did it.

Q. Afterwards you made some declaration about the matter?—A. I did.

Q. At whose instance was that declaration made?—A. It was Hays.

Q. It was Mr. Hays that asked you to make the declaration?—A. It was not Mr. Hays asked me.

Q. I asked you at whose instance?—A. It was A. Van Every.

Q. He was the man instrumental in getting up your declaration? He didn't I suppose have to ask you how you voted?—A. No.

Q. You were a recognized supporter?—A. He knew what side I was on; I always was a Conservative.

Q. And he asked you to make a declaration to the effect that you voted for McLean and the declaration was made. How did you find you were to go to Hays?

—A. He met me on the street and he asked me if I would go round to his office and sign a declaration.

Q. And the declaration was there ready?—A. Yes.

Q. And filled out?—A. Yes.

Q. With your name in it?—A. Yes.

Q. Or was your name put in it after you got there?—A. What is that?

Q. Was your name put in it after you got there?—A. I put my name in it.

Q. You mean you signed it?—A. I don't know anything more about it, that is all I done.

Q. You haven't told me what you did. Did you sign it?—A. I did.

Q. Is that what you meant when you say you put your name in it.—A. That is all I done, I signed my name.

Q. I am asking if your name was in the body of it?—A. I did not see.

Q. Did you read it over?—A. I did not.

Q. Was it read over to you?—A. Yes.

Q. Then you must be able to say whether your name was in it or not?—A. I cannot say if my name was read out of it or not. I cannot say it was or I cannot say it wasn't.

Q. You cannot remember that your name was read out as part of the declaration?—A. No.

Q. What is your name again?—A. Thomas McKenzie.

Q. Was it "I, Thomas McKenzie, do hereby make this declaration," or something like that?—A. I could not say because I was in a hurry.

Q. And you signed it. There was no oath made to it of course?—A. No.

Q. Did Mr. Hays sign it in your presence?—A. Yes, I think he did.

Q. You think he signed it?—A. Yes. I think he did.

Q. You merely put your signature to it?—A. Yes.

Q. After it was read over to you?—A. That is all.

Q. And that is all that happened about it? And after that Hays may have signed it in your presence. When was this declaration made to the best of your judgment. How soon after the election?—A. I cannot say how soon. It was after the election anyway.

Q. A month?—A. I do not know if it was.

Q. A fortnight?—A. It would be a couple of weeks.

Q. A couple of weeks after the election that you signed the declaration?—A. It may.

Q. That is your best judgment?—A. That is my best judgment.

Witness discharged.

CHRISTOPHER SANDERSON SWORN.

*By Mr. Borden :*

Q. You reside in the town of Goderich?—A. Yes.

Q. Did you vote at the Dominion election for the west riding of the county of Huron in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. Did you mark it?—A. Yes.

Q. For whom did you mark it?—A. McLean.

Q. What kind of a mark did you put on it?—A. I put a cross.

Q. Opposite whose name?—A. Robert McLean's.

Q. Did the ballot that you received, resemble that?—A. Well, I cannot say for sure whether it did or not.

Q. Do you remember whether it had a white space opposite the names like that or not?—A. I don't remember.

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Q. But you remember you put your mark opposite McLean's name?—A. Yes.

Q. After you had marked your ballot and folded it what did you do with it?—

A. I handed it to Mr. Farr.

Q. Did you hand back the same ballot which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. I thought he put it in the box.

Q. Did you stay there or pass along?—A. I stayed there and seen him put it in the box and I am positively sure he put it in there.

Q. Did you observe whether he tore anything off it before he put it in the box?—A. I think he did.

Q. You think he tore something off it before he put it in the box?—A. I think he did.

Q. You think he tore something off it before he put it in the box?—A. Yes.

Q. Did you notice what he did with the stub that he tore off?—A. I think he put it in his pocket. I would not be certain but I think he did.

Q. What did this ballot paper look like. Describe it as nearly as you can to us?—A. I cannot say for certain now. I didn't take particular notice only when I took my ballot I looked for McLean's name and didn't take any particular notice what it looked like.

Q. Can't you give us any impression now what it looked like?—A. I cannot.

Q. You must have noticed one thing about it, you must have noticed two round circles about it like cotton reels?—A. I noticed a place to mark it all right.

Q. But didn't you notice that, don't you remember these two round circles?—

A. Well, I would not be certain they were, which way they were.

Q. You don't recall that?—A. No.

Q. Did you notice the names?—A. Yes.

Q. Tell us what names you noticed?—A. Robert McLean and Mr. Holmes.

Q. Robert McLean and Mr. Holmes; were they in that order or not?—A. Well, I could not say which name was first.

Q. You can't?—A. I didn't pay particular notice, I just took my ballot and marked it.

Q. Robert McLean and Mr. Holmes were on the ballot and you say you don't know which order they were in?—A. No.

Q. You don't know now which was top and which underneath?—A. No, I don't.

Q. And you don't know whether there was a circle?—A. No.

Q. You only put one mark?—A. I made my mark and voted for the man I wanted.

Q. There were initials, did you notice that or not, on the ballot when you got it?—A. Yes, he put his initials on.

Q. Perhaps you saw him put them on?—A. Yes, before he gave it to me.

Q. He tore off a ballot, put his initials on it, handed it to you, you went and marked it, brought it back and gave it to him, he tore a little piece off it, put that piece in his pocket and put it in the box?—A. Yes.

Q. Well, after that you made some sort of declaration about the business?—A. Yes.

Q. How long after?—A. Well, I could not say, I don't think it was a month, I would not say it was longer.

Q. About a month after the election?—A. Well, I would not say.

Q. You don't think it was more?—A. No, I think it was about that.

Q. About a month after the election was over?—A. Yes.

Q. Who came to you to get that declaration?—A. Mr. Van Every.

Q. Mr. Van Every, and did he ask you who you voted for?—A. No, I guess he was sure before.

Q. He was sure before; he knew, had he canvassed you?—A. No, but—

Q. And how would he know; he met you in the committee?—A. Well, I voted for McLean in the election before that.

Q. Mr. McLean ran in the election before that?—A. Yes.

Q. Do you remember when that was?—A. Oh, I would not be certain.

Q. Oh yes, he ran in the election of 1896 against Mr. Cameron?—A. Yes.

Q. And that was the time you voted for McLean, when he ran against Mr. Cameron?—A. Yes.

Q. Did you tell Van Every how you voted?—A. Yes, he knew.

Q. You were ranked as one of their men and not canvassed before the election?—A. He was around where I worked and knew.

Q. You were asked to sign a declaration; what did he ask you to sign?—A. He wanted me to go to Hays' office and sign a declaration I voted for McLean.

Q. He wanted you to sign a declaration that you had voted for McLean?—A. Yes.

Q. You found it all ready?—A. Yes.

Q. Did he read it over or you?—A. He read it over.

Q. Was your name in it?—A. I signed my name.

Q. You would sign your name at the foot, but it would be a declaration that you did something: "I, Christopher Sanderson, do hereby solemnly declare as follows", or something like that; now, was your name in it?—A. I would not be sure, but he read it to me.

Q. And you are not certain whether your name was in it or it was blank?—A. No.

Q. And when it was read over you simply put your signature to it, there was no Bible, no oath?—A. No.

Q. No performance of any kind?—A. I left it there for him and walked out.

Q. And that was all that took place?—A. That is all.

Q. That was about a month after the election?—A. As well as I can say.

*By Mr. Borden :*

Q. Your politics were known, as I understand it was known you were a Conservative?—A. Well, no, I didn't vote Conservative all the time.

Q. But you voted for McLean before and that was known?—A. And I voted for Mr. Beck.

Q. You voted for McLean and Beck?—A. Yes.

*By Mr. Russell :*

Q. Next time it will be your turn to vote Liberal?—A. Just according to the man I think best.

*By Mr. Borden :*

Q. It was known you were a supporter of McLean?—A. Yes.

Witness discharged.

JAMES STRONGH SWORN.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Strongh?—A. I do, sir.

Q. Did you vote at the Dominion election for the west riding of Huron in February last?—A. I did, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Farr.

Q. James Farr?—A. Yes, sir.

Q. Did you receive a ballot paper from him?—A. I did, sir.

Q. For whom did you mark it?—A. I marked it for Robert McLean.

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Q. What kind of a mark did you put on it?—A. I put a cross on it, sir.

Q. Opposite whose name?—A. Opposite Robert McLean's.

Q. Do you remember was there a place for that purpose?—A. Yes, there was a round "O."

Q. What colour?—A. Black.

Q. Black inside or outside?—A. Outside.

Q. And what inside?—A. White, as far as I could see.

Q. And you put your cross inside?—A. To the best of my knowledge.

Q. Have you any doubt about it?—A. No.

Mr. Russell objected at this point generally to witnesses being shown a ballot for the purpose of pointing out where they had marked.

After argument.

The CHAIRMAN.—It is cross-examination. The moment a man says he has voted it implies all this that was necessary to vote for so and so.

After further argument.

The CHAIRMAN.—I have noticed the questions that were put to each witness on exactly the same point and I must say that in my opinion the answers in a good many of these questions were perfectly useless to say the least. The witness is asked for whom he voted. He says so and so. To my mind this implies that all the necessary conditions to vote for so and so are complied with. Now to take the ballot and show it to him and make him indicate exactly the position where he put his cross or how he put his cross if it is not useless it is suggestive and it is anticipating what the witness will be asked in cross examination. But for the moment I do not put it on this ground but on the ground of perfect uselessness. I deem it to be useless to ask any more questions regarding his vote when the man has said definitely that he voted for so and so. Of course it would be different if the witness has said I do not recollect, I do not know for whom I voted. This would certainly allow any other question to be put and the ballot to be shown to him in order to refresh his memory, but my opinion is that the evidence of the witness is perfect when he said "I voted for so and so," and therefore I think the objection is well taken. When the witness says "I voted for Robert McLean or Robert Holmes" I take it to be useless to go further on that point.

After further argument,

The CHAIRMAN.—Is not the answer to the question, "for whom did you vote?" complete? It is not a matter of law; the vote is a matter of fact. The witness is asked: "For whom did you vote?" and his answer implies everything.

*By Mr. Powell:*

Q. Did you mark your ballot?—A. Yes.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name?—A. Opposite Robert McLean's.

Q. Was there any place on the ballot that you recollect in which you were to put your cross?—A. Well, there was like an "O" I would call the big spot, black outside and white inside, were I was supposed to put my cross.

Q. As you say there was a white spot opposite McLean's name like an "O," white inside and black outside, and in that spot you put your cross; in that "O" you put your mark?—A. Yes.

Q. Then there is no objection to showing you the ballot (showing the witness a ballot paper.)

Mr. Russell objected.

Q. Well, supposing that to be a ballot, or the ballot, where did you put your mark?—A. There.

Q. In the white disc opposite McLean's name?—A. Yes.

Mr. Russell asked for a ruling on his objection.

The CHAIRMAN.—I am perfectly with you on this point, Mr. Russell, but as we have done otherwise ever since this investigation began, I must allow it.

*By Mr. Powell :*

Q. Now, after you marked your ballot, what did you do with it?—A. I gave it to the deputy returning officer.

Q. You came out with it and gave it to the returning officer?—A. Yes.

Q. Was it the same ballot you had marked you gave the returning officer?—A. It was so.

Q. Did you see what he did with it?—A. As far as I could see, after I handed it to him I seen him put it in the box.

Q. Did he do anything with the ballot—tear anything off it, did you observe, before he put it in?—A. I could not say just now.

*By Mr. Sifton :*

Q. You live in Goderich, Mr. Strongh?—A. Yes, sir, I do.

Q. What is your occupation?—A. I am a carpenter, or framer, rather.

Q. Had you been canvassed by either party for the election?—A. I was not, sir.

Q. Nobody asked you—?—A. No, sir.

Q. Nobody asked you to vote for McLean?—A. No, sir.

Q. Nobody asked you to vote for Holmes?—A. No, sir.

Q. How long have you lived in Goderich?—A. I have been there 30 years, sir.

Q. You have voted there often before?—A. Yes, sir.

Q. Is it pretty well known which side you vote on?—A. Well, I vote generally for the best man of our own town.

Q. So you don't vote on party grounds?—A. No, sir, not all the time I don't.

Q. And the party would not be likely to know which way you were going to vote unless you told them?—A. No, sir, I never tell anybody how I am going to vote.

Q. And you were not canvassed?—A. No.

Q. Were you taken to the poll?—A. No.

Q. You went there alone?—A. I walked there myself.

Q. What time was it?—A. A quarter after twelve.

Q. A quarter after twelve?—A. Yes.

Q. You were not seen by anybody about voting?—A. Not a soul.

Q. You are sure about that?—A. Yes.

Q. And when you went to the poll you went to the poll where Farr was deputy returning officer?—A. Yes.

Q. Did you know Farr before?—A. Yes.

Q. How long have you known him?—A. I have known him these last 15 years.

Q. How long has he lived in Goderich?—A. I could not tell you that, sir.

Q. Three years?—A. More than that.

Q. Five?—A. Yes, ten I think.

Q. So you knew him pretty well?—A. Yes, sir, well acquainted with him.

Q. And did you know anything about his personal habits about the time of the election; that is to say, it is in evidence by some witnesses that he had been drinking; do you know anything about that?—A. Yes, sir, he was a little the worse for liquor that day by his actions.

Q. That is when you went in to vote?—A. Yes.

Q. Well about a quarter past twelve you went in to vote?—A. Yes.

Q. And presented yourself and asked for a ballot in the usual way?—A. Yes.

Q. And Farr gave you a ballot?—A. Yes.

Q. And what did you do with it?—A. Went and marked it.

Q. And brought it back and handed it to Farr?—A. Yes.

Q. And what did he do with it?—A. Put it in the box.

Q. You watched him close?—A. No, sir.

Q. Were you standing in front?—A. There is a long table in our council chamber and I walked past him and saw him putting the ballot in the box.

Q. Were you passing Farr when he put it in the box?—A. No, sir, I was going sideways.

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- Q. Did you see him put anything in the box?—A. I supposed it was my ballot.
- Q. You saw him put something in and supposed it was your ballot?—A. Yes.
- Q. It struck you he was under the influence of liquor while in the poll?—A. Yes.
- Q. What made you think that?—A. I though his tongue was on the loose side.
- Q. He talked like a man who had been drinking?—A. Yes.
- Q. Was not able to perform the duties of his office with great care?—A. Not to my knowledge.
- Q. He was not in a fit condition to be there?—A. Not to my knowledge, no, sir.
- Q. Would you expect he would be likely to make some blunders from his condition?—A. I would have thought so by his actions.
- Q. You would not be surprised if you found out he had?—A. I would not, I told him as much that day, I thought he ought not to be there, just in a joke.
- Q. While you were there?—A. Just as I was going out.
- Q. Told him he ought not to be there?—A. Told him he ought to be at home.
- Q. Did you give any reasons, did you say why he ought not to be there?—A. No, sir, I just said it in a joke as I was going out of the door.
- Q. That you thought he ought not to be there?—A. Yes, sir.
- Q. Now, then, if you heard he had made any blunders in carrying on the poll you would not be surprised?—A. I would not.
- Q. You would think that likely under the circumstances?—A. Yes.
- Q. And think that likely because he was under the influence of liquor?—A. Yes, sir.
- Q. You know a man conducting voting under the ballot system has to do his work systematically, has to be a competent man, or he will make blunders?—A. Yes, sir.
- Q. And you don't think he was competent to do that work that day?—A. I don't.
- Q. And you were inclined to think if he tried to do it he would make a lot of blunders?—A. Yes, sir.

*By Mr. Powell :*

- Q. You just saw Mr. Farr when you went in that day and only while you were in the poll I suppose?—A. That is all, sir.
- Q. That is the only opportunity you had of seeing him?—A. That is all; I seen him in the evening before.
- Q. And your opinion is based on seeing him that short time?—A. Yes, sir.
- Q. How long did you see him?—A. Five minutes anyway.

*By Mr. Sifton :*

- Q. Was Farr reputed to be a Liberal or a Conservative?—A. Well, I could not tell you that, sir.
- Q. He had been there a number of years and you know him well?—A. Yes, sir; he had been returning officer to my knowledge four or five years in that polling division.
- Q. Then he was a man not known to have decided politics?—A. No.

*By Mr. Flint :*

- Q. He had been returning officer for town elections, had he not?—A. Yes, sir.

Witness discharged.

WILLIAM LANE recalled.

Mr. Powell offered in evidence a statement which he and Mr. Flint had made up in conjunction with the witness which contains in the first column the name of the township or town and the numbers of the polling booths in such town or township; the second column contains the number of ballots sent out to the deputy returning officers according to the endorsement made upon the bundles given them; the third column contains the number of ballots accounted for by deputy returning officers, including the ballots polled for the different candidates and counted for them, the rejected ballots, the destroyed ballots and the returned unused ballots; the fourth column contains the totals of the ballot papers for the different townships and towns which were sent out by the returning officer to the deputy returning officers; and the fifth column contains the totals of the accounted for ballots in the different towns and townships. With regard to Goderich town, Poll No. 3, the booth that Mr. Farr presided at, this is omitted. There are no figures for that booth. (Filed as exhibit No. 20).

*By Mr. Powell:*

Q. Mr. Lane, this statement that we have prepared I see shows that there were in polling subdivision Goderich No. 3 that there were 148 more ballots sent out or accounted for by the returning officer than purport to be sent out by these endorsements on the back of the blocks of ballots?—A. Yes, if the addition is right.

Q. According to these returns, Mr. Lane, I see that in Goderich No. 2 there purported to be sent out 200 ballots, that is what we found on the back of them. You were a party in making up this statement were you not?—A. Yes.

Q. And from the statement there were 200 ballot papers purporting to be given to the deputy returning officer in Goderich No. 3?

Question objected to by Mr. Britton.

Q. On the back of the returned ballots from that booth there were marked 200 were there not?—A. Yes.

Q. And that was the statement you believe was sent out by you to the deputy returning officer of Goderich No. 2 of that package of ballots?—A. I believe that was the number of ballots sent out.

Q. The bunch of ballots sent out by you had that endorsement on it?—A. Not by the returning officer.

Q. Not made by you?—A. No.

Q. But it was on it when you sent it out?—A. Yes.

Q. That is right now. In that particular booth the returning officer counted 200 but the deputy returning officer has only accounted for 179 has he not?—A. Yes.

Q. That is if the statement on the back was correct. I don't want to mislead you or deceive Mr. Britton if the statement on the back of that was correct there were 21 ballots given to the deputy returning officer that were not accounted for?—A. Well if the 21 was correct it would.

Q. Now, sir, how far was the polling booth of No. 2 from the polling booth of No. 3 in the town of Goderich?—A. No. 2, No. 3, I don't remember the booths by numbers.

Q. No. 3 was at the town hall?—A. Yes, sir.

Q. And No. 2 was at?—(No answer.)

Q. How far apart were they?—A. Across the street.

Q. Just across the street. Within how many yards of each other?—A. I suppose a hundred.

Q. Four rods are the streets?—A. No, that street is a hundred feet.

Q. And the two polling places would be about a hundred feet from each other?—A. Perhaps a trifle more perhaps a little on the angle, they are not exactly opposite.

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Q. And although you never counted this package of ballots that you gave to the returning officer at No. 2 which was put up you say, or rather you don't say it was put up by you, but by Mr. McGillicuddy's office or people in his office?—A. Of course the ballots were put up in his office.

Q. And put up you also believe in pursuance of his instructions?—A. I expect they were.

Q. And you believed at the time that the statement of 200 in that block was correct?—A. We couldn't believe anything else.

Q. You couldn't believe anything else. Now, sir, it seems that in these ballots of Mr. Farr's that a peculiar kind of ballot which appears in evidence, that there are 21 ballots used at Mr. Farr's booth marked for Mr. Holmes that were different entirely from all the rest of the ballots that were used at that booth. You are taking in what I say, arn't you?—A. Yes.

Q. Now, doesn't it strike you as a peculiar thing that 21 peculiar ballots should be used at the polling booth at one side of the road and 21 be missing in a booth on the other side of the road.

Mr. Britton objected to any such question as "don't it appear to you peculiar" as absolutely improper to be given in evidence.

Judgment reserved for the moment.

Q. Now, Mr. Lane, this ballot that I now show you is put together so far as it is possible to put it together from pieces found on the floor of the hall in booth No. 3. You understand me?—A. Yes, sir.

Q. You have looked through the ballot returns or through the election returns for every booth in this riding have you not?—A. Yes.

Q. And you found on the unused ballots returned a memorandum applicable to every poll, did you not, with the exception of this No. 3, a memorandum professing to state the number of ballots delivered to the deputy returning officer?—A. Well, I don't know what number, you say No. 3, I don't remember whether it was No. 3 or not.

Q. There may have been another one?—A. I don't think it applied to No. 3 alone.

Q. Well now, Mr. Lane, if you think it didn't I would like you at a later stage to look through them again to satisfy your mind; there may have been another; but there was no other booth in the town of Goderich in which there was absent a ballot on which was the endorsement professing to be the number given to the deputy returning officer?—A. Well, I don't know.

Q. Just calling your attention to that ballot don't you believe—this I state comes from No. 3?—A. I don't know whether it comes from No. 3.

Q. I am telling you that there is evidence that that was picked up on the floor of No. 3 poll, and I also state to you that there is no ballot in No. 3 now that has a record of the ballots supplied to No. 3; I tell you that as a fact in evidence; bearing that in mind have you any knowledge if that was a record of the number of ballots given the deputy returning officer in Goderich No. 3?—A. Well, as for that question I cannot give any information, I swear to facts I would be positive of and being under oath I don't think I would be justified in expressing an opinion.

Q. But bearing this in mind, you are the gentleman who helped or assisted in sending these out—and I don't dispute that you did your duty; I don't insinuate anything—but from the fact that you sent these out and there is no record now of the number of ballots supplied to No. 3; do you from the fact of the writing on this ballot consider that it is a record of the number of ballots professed to be given to Goderich No. 3?—A. No, I don't think that; this piece, to my mind, might be brought there from No. 4 although found on the ground in No. 3.

Q. Suppose there is in No. 4 return, as there is, the ballot showing the number purporting to be given to the deputy returning officer of that poll, would you still think that possibly contained the number of ballots given to Goderich No. 3, which, as the evidence shows, was picked up on the floor of No. 3?—A. I would not undertake to say that came from No. 3, no.

Q. Well, we are wasting time, I will ask you to go through the town of Goderich and see if there is not a ballot purporting to give the number of ballots supplied in each case but this one.

*By Mr. Sifton :*

Q. Do you know the handwriting on the back of that paper?—A. No, I do not.

Q. Don't recognize it?—A. No.

Q. Ever remember seeing it before?—A. No, I never saw that piece of paper before.

Q. You don't recognize it?—A. No, I would not recognize it.

Q. I am showing you these pieces pasted together with writing on and ask you if you ever remember seeing that paper, the paper with the writing on?—A. No, sir, I never saw it before to my knowledge.

Q. You don't recognize the handwriting?—A. No, sir, I do not.

Q. Do you know Mr. Sands writing, the returning officer's?—A. Well, fairly well.

Q. You identify that as Mr. Sands writing?—A. No, I would not identify it as his writing.

Q. Is it yours?—A. No, it is not mine, I can swear it is not mine but further than that I could not make any statement.

Q. Now, I just want to ask you a few questions about these ballots—I am not sure I caught the drift of all your answers to Mr. Powell—you and Mr. Sands made up the packets and sent them to the deputy returning officers, is that right?—A. Well, we did not make up the packages, we just took the packages as we received them from the printer's office.

Q. But you took the packages and sent them to the deputy returning officers?—A. Yes.

Q. They were put in the boxes I presume?—A. Put in the boxes.

Q. And would you for instance in one of these polls make up a package of what you conceived to be a packet of 200 ballots—as you did in No. 2—how did you arrive at the conclusion you were putting 200 ballots in that box?—A. Well—

Q. What I want to know is did you count the ballots?—A. No; I think we counted three packages.

Q. Out of the whole lot?—A. Yes.

Q. Do you know which ones they were?—A. No, we just took them at random.

Q. Have you any way of identifying the polls in respect of which you counted the ballots?—A. No, I have not.

Q. Have you any means of finding out the polls in respect of which you counted the ballots?—A. No, I could not.

Q. You could not identify them?—A. No, I could not identify them.

Q. Was it the first three sets of ballots you made up for the deputy returning officers that you counted?—A. I can't say. The ballots were all brought over and put on a large table, and to the best of my recollection Mr. Sands took up some packages of ballots and I took up a package of ballots just at random, and Mr. Sands was satisfied from his count that the printer had labelled the package correctly, I was satisfied from my count that the printer had labelled the package I had taken up correctly.

Q. Then you did not count these ballots in making up the package for any poll?—A. No.

Q. You just tested a couple of packages?—A. A couple of the packages the printer sent over.

Q. So you did not make an accurate count of the ballots sent to any poll?—A. So I can't swear we made a correct count of the ballots sent to any particular poll.

Q. So the result of your evidence is you practically trusted to the accuracy of the printer's counting?—A. Certainly.

Q. That the packages contained a certain number?—A. We sent in the number we wanted for each polling subdivision and when the ballots were printed and sent

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back on the back of the ballots they contained, they were labeled say No. 1 or 5, so many ballots in that package, that is all about that.

Q. You just took the packages as they were?—A. As they were.

Q. And these numbers of the ballots purporting to be sent out are simply taken from the printer's memorandum on the back?—A. That is it.

Q. You are sure about that?—A. Yes.

Q. That the number the official papers show to have been sent out are simply taken from the printer's mark on the back?—A. Well——

Q. You simply put down you say, to Ashfield No. 1, you packed the package that came from the printer?—A. Yes.

Q. And had on the back of it so many?—A. Yes.

Q. And you just took that number and put it down as the number you were sending to that poll?—A. There is a little something behind that. On a piece of foolscap paper Mr. Sands and I ventured to make up a list of the number of ballots required for each subdivision. That is when we got the ballots for the printer. Here is seven packages for Goderich town we will say. Well, Mr. Sands, we would peep at the packages and they were marked on the back, thus, "200, 100,"

Q. That is the printer's label?—A. Yes, and we compared it with the list we had previously made for the printer's guidance. That is all I know about it.

Q. Then you just took them on this memorandum. Then you have no means of saying whether the number that you stated to be sent out, your official list was correct or not?—A. No.

Q. Have you ever acted as poll clerk before?—A. As election clerk?

Q. As election clerk before?—A. I did once.

Q. Have you ever had occasion in your experience to know whether printers in printing these papers are accurate in the numbers they send in? I am asking you as to your own experience?—A. No, because I did not know whether it was customary in other places, but I acted as election clerk on two occasions and on neither of these two occasions were the packages of ballots counted after they came from the printer's office.

Q. That was on two separate occasions when you acted as election clerk?—A. Yes, the ballots were not counted but it was entrusted to the printer to put in the ballots he was asked to put in.

Q. Then the result of your statement in regard to this matter is that you trusted to the printer's count?—A. Yes.

Q. With this qualification that you counted a couple of the blocks?—A. I counted one and Mr. Sands counted one.

Q. You counted one and Mr. Sands counted one?—A. And which one I can't say.

Q. Did you say, Mr. Lane, that both you and Mr. Sands found the packages which you counted to exactly correspond with the number?—A. I think so.

*By Mr. Russell :*

Q. They were the exact number of ballots?—A. To the best of my knowledge they were.

Q. To the best of your knowledge in the package you counted?—A. Yes, to the best of my knowledge.

Q. I asked him if the package which he counted contained the exact number which the memo. on the back showed ought to have been there?—A. Well, my answer to that is to the best of my knowledge it did because we tested it for that reason, Mr. Sands and myself. If there had been a great difference in our count compared with the printer's counting, the chances are we would have gone over every package. That was our intention, I think.

Q. And your reason for thinking that the number was the same, is that you would have proceeded with the count had there been a wide difference?—A. I think we would.

Q. You would have proceeded generally if there had been a difference of four or five?—A. Well, perhaps not. I would not like to say. We were crowded for time and everything was in a rush.

Q. Your mind was not impressed with the idea that there was any such difference as called for your and Mr. Sands counting the ballots?—A. I think there might be a variation of 1 or 2 or 3 in a few packages here and there.

Q. Did you have anything to do with the selection of deputy returning officers, Mr. Lane?—A. No.

Q. You had nothing to do with the selection?—A. None whatever.

Q. Who selected the deputies?—A. Well, so far as I know, Mr. Sands.

Q. Mr. Sands?—A. Of course I might say that perhaps Mr. Sands would mention who he was going to appoint but Mr. Sands had full control so far as I know of appointing these deputies.

*By Mr. Borden :*

Q. Did you understand, Mr. Lane, that the deputy returning officers had to account for the number of ballots actually received by them respectively?—A. I did.

Q. Did you think it made any difference as to knowing the number you had sent out to them?—A. I didn't think that it made any very great difference while we would like to know that we were sending about the right number.

Q. Well, how could you check your return if you did not know how many were sent out?—A. They have to account for every ballot they receive.

Q. And they swear to it?—A. Yes.

Q. How could you check them in any way unless you knew how many were sent?—A. Well we were never asked to check them as far as I understand it.

Q. Do you think it made any difference as to the knowledge of the number of ballots?—A. I do not think any material difference. I do not see anything in the return to say that the returning officer shall make a statement of the number he sent out.

Q. Is it your view he could send out a package of 200 marked 150?—A. Oh, no.

Q. You would not think that?—A. I would think that that would be an extreme thing to do.

Q. Don't you see if you sent out 160 ballots marked 180 and kept no cheque that the deputy returning officer might make an improper use or some person might make an improper use of the 30 and you not be any the wiser?—A. Of course any person would.

Q. And do you mean to say you would send a package marked 200 when it actually contained 250?—A. I mean to say this, we didn't count them.

Q. You counted some of them?—A. We counted two.

Q. Just two?—A. That is as far as I can remember.

Q. And you say there was or was not any variation in those you counted?—A. To the best of my belief it satisfied Mr. Sands and myself that the printer's number on the back was a correct number.

Q. You were satisfied of them?—A. Yes, sir.

Q. And as for the rest you relied on the numbers which the printers had endorsed on the back?—A. Yes.

Q. You have looked on the writing on that torn ballot which was shown you, haven't you?—A. Yes.

Q. Have you compared it with the writing on other blocks?—A. No.

Q. I wish you would look at it and compare it and tell me whether or not you believe it to be the same writing?

Question objected to by Mr. Britton.

Q. For example take exhibit 19-3. Now on the back of exhibit 19-3 you see these words, No. 7 Goderich, 150, don't you?—A. Yes.

Q. And I suppose you have no doubt that that is the printer's memo?—A. Well, I suppose it is.

Q. Have you any doubt about that?—A. No.

Q. No doubt about that?—A. I have no doubt.

Q. Well, tell us whether or not you would take that to be the same writing?—A. Well, I can't say.

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Q. Will you look at the two "G's." Don't the two "G's" resemble each other?  
—A. They do.

Q. Will you look at the "D." Don't the two "D's" resemble each other?—A.  
Not so much as the capitals do.

Q. They are a good deal alike in a general way?—A. I think there is a wide  
difference between this one and this one. This one is closed at the top, this one is  
not. This one is a lighter made letter, so that the "D" is widely different.

Q. So widely that you would not think they were made by the same person?—  
A. Well, I could not express an opinion.

Q. You could not express an opinion?—(No answer.)

Q. Now, you say there were two previous election cases in which you sent out  
ballots in the same way depending on the accuracy of the printer's memorandum?—

A. One.

Q. I thought you told us two?—A. Well then I was asked the question how  
often I had acted as election clerk.

Q. You were including this case?—A. I was including this case.

Q. On one previous occasion you had been elected clerk, and had depended on  
the printer in the same way?—A. Yes, there was a check on the printers, though,  
I might have stated it was in the provincial election I acted.

Q. It was in a provincial election was it?—A. Yes.

Q. What year was it?—A. It would be—

Q. Oh, about?—A. Well it was the last general.

Q. The last general provincial election. That would be the spring of '98. Did  
you have any check on the printer in this case?—A. There is the numbered ballot.

Q. What check did you have?—A. The ballots had to run consecutively. If  
the printer put in, say, 200 as the first ballot it has to run right through and the  
last ballot would give you the number of the package.

Q. In that case the numbers were consecutive?—A. Yes.

Q. And you have that check that you didn't have here?—A. Yes.

*By Mr. Flint :*

Q. Is there any way in which you can fill up this blank of polling section No.  
3, Goderich town. If you are going to look over this for any purpose, if you can  
see any way of filling that blank to the best of your ability, how many purported to  
be sent out and how many were reported, it would make this statement complete?

—A. The only way I could do that would be, of course, to a great extent, a guess,  
but if I knew the number of voters in that division. Now Mr. Sands and I sat down  
and we arranged the matter something like this. Say there is 122 voters in that  
division; well, Sands would say we had better get 150 ballots for that division, or  
if there was 135 votes, say, in that division, perhaps he would still think 150 ballots  
sufficient.

Q. You don't know how many voters there were in any division in Goderich  
town?—A. I don't know.

Q. How many voters on the list, that is, the voters' list for Goderich town?  
(List produced). How many votes are on the list, that is the list you might say?

—A. Yes.

Q. Well, there appears there?—A. 161, ain't it, is that right?

Q. Yes?—A. 161.

Q. Well, taking that voters' list as a guide having reference to what you have  
said, how many ballots do you think were there?—A. Well, I don't think we would  
get it that close to be under 175. That would only leave about 14 or 15 ballots to  
spare. If we passed 175 I think we would put in 200 to the best of my knowledge.  
We never put in less than 100 or 75, I think, was put in one division, 75, 100, 125,  
150, 175 or 200. I think that is about the way it went.

Q. And you think you sent 200?—A. If this division contains 161 voters I don't  
think Mr. Sands would cut it so close to say 175 was sufficient. I think he would  
put in 200.

Q. How many ballots turned out as accounted for in that section? Have you any way of getting at that? Polling section No. 3, I think, 178 is what we find there. Do you remember finding that, 178 were accounted for in polling section 3?  
—A. It is on that paper.

Q. We had it down that way?—A. If that is on the paper, that is why I believe it.

Q. That would mean, that paper shows, that 200 were sent to that section and 178 accounted for?—A. Yes.

Q. That would be substantially the same as No. 2, 200 sent out and 179 accounted for?—(No answer.)

*By Mr. Britton :*

Q. Do I understand from your evidence that there were only two occasions on which you had anything to do about seeing about the number of ballots for each division, one when you estimated for the printer, and the other when the distribution was made to the officers?—A. Yes.

Q. After you distributed them to the officers would you have anything to do with them when they came back to check them?—A. They didn't come back to me; Mr. Sands had no authority as we understood it—we just depended on the poll book on the statement there; we saw nothing else.

Q. It is the deputy returning officer that has to account for them and you have nothing to do with checking them?—A. We never saw them to check them.

Q. They were under seal?—A. Yes, we never saw them.

Q. So you could not check them?—A. That is what Mr. Sands and I discussed; we had nothing to do with the number sent out, we can't check them when they come back.

*By Mr. Borden :*

Q. Do you mean to say, Mr. Lane, that you could not check them with the sworn return in each of the poll books which came back from the respective deputy returning officers?—A. Well, that might be a partial check, but you cannot go at each lot and check them when they are under seal.

Q. I am not talking about checking it with the returns sealed up, but checking it with the returns in each of the poll books, you could do that?—A. Oh, I suppose you could.

Witness withdrew.

The committee rose until 4 p.m.

4 p.m. The committee resumed.

J. E. BRYDGES sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Brydges?—A. I do.

Q. Did you vote at the Dominion election for the west riding of the county of Huron held in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll where you voted?—A. Well, I am a comparative stranger and I don't know everybody.

Q. Do you know the man who gave you the ballot paper?—A. Oh, yes, Mr. Farr.

Q. Mr. James Farr?—A. Yes.

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- Q. You voted at the town hall in Goderich did you?—A. I did.
- Q. Yes, and did you receive a ballot paper from Mr. Farr?—A. Yes, sir, two of them.
- Q. You received two from him?—A. Yes, but I understood it was a mistake and I gave him one back.
- Q. You received two from him and gave him one back. Did you mark the ballot paper?—A. I did.
- Q. For whom did you mark it?—A. Mr. McLean.
- Q. Robert McLean? What kind of mark did you put on it?—A. A cross.
- Q. Opposite whose name?—A. McLean's.
- Q. Do you remember what kind of a place you put your cross in?—A. Right opposite his name.
- Q. Do you remember whether there was any place on the ballot opposite his name for the purpose of putting your cross?—A. No, I don't know that I took notice.
- Q. You don't remember. Well, after marking your ballot and folding it, what did you do with it?—A. I put it in the box.
- Q. Did you put it in yourself, or hand it to the deputy returning officer?—A. I think we both done it. I think we both put it in.
- Q. You assisted to put it in?—A. Yes, it went in.
- Q. It went in all right?—A. Yes.
- Q. Did you notice whether he tore any stub or counterfoil off it, or whether there was a stub or counterfoil on it when you got it from him?—A. I don't just remember.
- Q. Do you remember whether there was a white spot on it like that when you got it from him?—A. Like this here?
- Q. Yes. Was it a thing like that, a little longer than that, or don't you remember?—A. I don't remember; I didn't take particular notice to the—

*By Mr. Sifton :*

- Q. Do you remember the kind of ballot you voted on, Mr. Brydges, was it like that?—A. I think it was like that.
- Q. Are you sure?—A. Yes, pretty sure.
- Q. Do you think you would have known what kind of a ballot it was if you hadn't been shown this?—A. Well, I don't know as I could have explained it.
- Q. Then your recollection of the ballot arises from the fact that Mr. Borden showed you this ballot?—A. Yes.
- Q. You would not have recollected it if you hadn't seen it?—A. Well, I don't know as I would. I don't know as I could have explained it anyhow.
- Q. You remember going into the polling booth?—A. Yes.
- Q. I don't mean to say whether you went in or not, but do you remember going in?—A. I do.
- Q. Does your mind go back to the time you went in?—A. I remember going in.
- Q. And you remember marking your ballot?—A. Yes.
- Q. Now, do you remember when you went to mark your ballot whether Mr. McLean's name was at the top or the bottom of the ballot?—A. Oh, I would not say.
- Q. You would not say. As a matter of fact do you know whether it was at the top or the bottom?—A. I know both names were there.
- Q. What?—A. I know both names were on it.
- Q. But you don't know which was on top?—A. I don't know it makes much difference.
- Q. You think it doesn't make much difference which was on top, and not knowing which was on top, you would not know whether you put your cross above or below?—A. I know I put my cross at the end of one of the names.
- Q. You put your cross at the end of one of the names, but you don't remember whether it was above or below?—A. I would not say that.

Q. You would not say that ; now would you be prepared to swear positively that you didn't make a mistake and get your cross at the wrong place ?—A. Yes.

Q. You are sure about that ?—A. Yes.

Q. Saying you are sure about that you mean you are sure you put your cross opposite the name of the man you intended to vote for ?—A. The man I voted for, yes.

Q. You recollect putting it there do you ?—A. I do.

Q. Do you recollect how the ballot looked ?—A. Yes.

Q. When you were making your mark ?—A. Yes.

Q. I don't want you to say whether you did it or not. I know you think you did but does your mind go back to see that you put your mark there in the right place. Very intelligent men make mistakes sometimes ?—A. We are all liable to make mistakes.

Q. So you think you put yours in the right place ?—A. The place I intended.

Q. How long have you lived in Goderich, Mr. Brydges ?—A. Oh, nearly four years.

Q. And were you taking an active part in that election ?—A. No.

Q. Are you a man of pronounced politics. Do people know how you vote ?—

A. No, they don't generally know.

Q. I don't mean anything offensive, some men are known to be of strong political opinions, but others are not. If a man is known to be of strong political opinions people know how he will vote. What I wanted to know is whether you are known there as a strong Conservative ?—A. Well, you better ask the people.

Q. You are not prepared to say whether your political opinions are well known or not ? There is no harm in it ; you have as much right to have political opinions as anybody else you know. Where you canvassed for your vote Mr. Brydges, did anybody ask you to vote for Holmes or McLean ?—A. I don't think so.

Q. You don't remember being canvassed ?—A. No.

Q. There were committees working I suppose on behalf of both candidates ?—A. I suppose so.

Q. But you were not canvassed by any of them ?—A. Not particularly.

Q. You know what I mean ; did anybody ask you, not Mr. Holmes only or Mr. McLean only, but did anybody ask you to vote ?—A. I don't think so.

Q. You don't remember that. You don't remember what was done ?—A. No.

Q. So you went to the poll alone ?—A. Yes, the very first opportunity.

Q. You voted early ?—A. Yes.

Q. And nobody took you to the poll ?—A. No, I would not let them do that.

Q. You went there alone ?—A. Yes.

Q. And walked I suppose ?—A. Well I guess I run a little ways.

Q. I mean you didn't drive. Nobody drove you there ?—A. No.

Q. You voted early ?—A. I did.

Q. At what time ?—A. I didn't take down the time.

Q. Now, don't try to be clever at my expense, we will get on much faster and you will get away sooner, if you just answer what I ask you about what time did you vote ?—A. Soon after nine, soon after the poll was opened.

Q. You presented yourself to vote in the usual way ?—A. Yes.

Q. And got a ballot paper from Mr. Farr, the deputy returning officer ?—A. Yes, sir.

Q. You said, did you not, that you got two ballots from him ?—A. Yes, I got both together.

Q. How did that happen ?—A. I expect it was a mistake.

Q. I suppose when he was tearing them off he tore off two ?—A. Two at once.

Q. Tore off two, and when he folded them he folded the two together ?—A.

Yes.

Q. Folded them just as though they were one ballot ?—A. Yes.

Q. And handed them to you and you gave them back to him ?—A. One of them.

Q. That would be the outside one of them ?—A. Yes.

## Privileges and Elections Committee.

Q. And when did you notice that there were two ballots?—A. When I was marking.

Q. When you went into the poll?—A. I didn't go into any poll, it was in the same room.

Q. Into the compartment provided for voters marking their ballots in?—A. It was all in one room.

Q. Was there not a curtain?—A. No.

Q. Was there no separate compartment?—A. No, there was a little rail.

Q. Do you mean to say that the place where you marked your ballot was not separated by a door or a curtain from the deputy returning officer's place?—A. No.

Q. What?—A. It was not.

Q. Was there any such place provided?—A. No, sir, there was a place there but it was—

Q. Where did you go to mark your ballot?—A. Right in the room where they all were.

Q. There was a table provided?—A. There was a kind of desk.

Q. Now, this is a sketch which was verified by some of those who were there and it is said that it is a sketch—that this is the door, the entrance?—A. Yes, that is the entrance.

Q. The deputy returning officer was here?—A. No, he was sitting about here.

Q. Your recollection is he was sitting about here?—A. Yes.

*By Mr. Borden:*

Q. This represents the rail?—A. Yes.

Q. And that the deputy returning officer sitting up behind this rail?—A. That is the mayor's seat.

*By Mr. Sifton:*

Q. Wasn't the deputy returning officer there?—A. No, he was here.

Q. Where was the ballot box?—A. About there.

Q. On the table?—A. Yes.

Q. It was not on this?—A. No.

Q. It was not on this?—A. No.

Q. It was on a separate table when you were there?—A. Yes.

Q. Where did you mark your ballot?—A. On the table behind this rail.

Q. You went behind the rail to the table?—A. Yes, there was a table here some place.

Q. You marked your ballot on that table, did you?—A. I did.

Q. Where did you get the pencil to mark your ballot?—A. There.

Q. Then, where you went to mark your ballot there was a pencil provided?—A. There was.

Q. Now, will you swear you didn't go in that room to mark your ballot?—A. I will.

Q. You swear there was a pencil provided on that table?—A. Yes, sir.

Q. At which you marked your ballot?—A. Yes.

Q. And you didn't go into any separate apartment?—A. No.

Q. When you went to that place you found a pencil there and proceeded to mark the ballot?—A. Yes.

Q. You opened it out for that purpose?—A. The ballot out?

Q. Yes?—A. Yes.

Q. And then you discovered there were two ballots?—A. Yes.

Q. Didn't discover it till then?—A. No.

Q. What did you do?—A. Marked one and gave him the other back.

Q. Which one did you mark?—A. I marked one of them.

Q. Which one?—A. I can't say which one.

Q. You can't say?—A. I think it was the one with his initials on.

Q. How did you know, did you look?—A. Well, I think—

Q. I don't want what you think, what do you remember?—A. As far as I remember I marked the one with his initials.

Q. Why do you say that?—A. Most natural for me to do that.

Q. Do you remember?—A. I think—

Q. I don't want you to think, do you remember examining either of them to see if the initial was on and do you remember?—A. I think most likely.

Q. I don't want to know what was likely.—A. I am pretty near sensible enough to do that.

Q. I think perhaps you had better answer my questions properly; do you remember marking the ballot that had the initials on it?—A. I think so.

Q. And you decline to say whether you did or not?—A. I say I think I did.

Q. Are you prepared to swear that you did?—A. I think so.

Q. You say you are prepared to swear, you are not sure?—(No answer.)

Q. Are you sure?—A. I think so.

Q. Eh?—A. I think so.

Q. You think you are sure?—(No answer.)

Q. That is all you can say, is it?—A. That is all.

Q. Then what did you do with that?—A. After I marked it?

Q. Yes?—A. Well it got into the box.

Q. Eh?—A. It got into the box.

Q. No, that is not what you did?—A. Folded it up.

Q. You folded them both up?—A. No.

Q. No?—A. Well—

Q. You folded them both up?—A. I folded the one I marked.

Q. Well, I am asking you what you did next—I would recommend you to answer the question—you first folded up the ballot you had marked, is that correct?—A. Yes.

Q. Yes?—A. I put it in the ballot box and handed him back the one I didn't mark.

Q. You were not at the ballot box there?—A. No.

Q. Then you went up to where the ballot box was, did you?—A. I did.

Q. And you say that you put one ballot into the box and gave the other one back?—A. I did.

Q. You put the ballot in yourself into the box?—A. I think we both had a hand in it.

Q. Now, you must be aware that it is not the proper kind of answer to give when under oath; you just answer, when you put the ballot in the box did you put it in yourself?—(No answer.)

Q. Did you and Mr. Farr jointly put it in the box, did you?—A. I think so.

Q. Did you both have hold of the ballot when it was going in?—A. I went to put it in and he done the same thing.

Q. You what?—A. I went to put it in and he done the same thing and between the both of us we got it in, it went in all right.

Q. Well, which of you put it in?—A. Both of us.

Q. From whose hand did that ballot pass into the box, yours or Farr's?—A. I would not say which.

Q. What became of the other ballot, you gave that to Farr?—A. Yes.

Q. Did you see what he did with it?—A. I didn't take particular notice.

Q. You didn't take particular notice of what he did with it?—A. No.

Q. He took it out of your hand, did he?—A. Yes, sir, he took it.

Q. You are absolutely certain that your ballot you marked went into the box?—A. Yes, sir.

Q. Will you swear that the ballot you put into the box had Farr's initials?—A. I think so.

Q. Will you swear that?—A. I think so.

Q. I don't want to know what you think, will you swear Farr's initials were on that ballot?—(No answer.)

Q. Yes or no, now out with it?—A. Well, I won't say any more than what I said, I think so.

## Privileges and Elections Committee.

- Q. But are you sure of it?—A. Yes.
- Q. Sure enough to swear to it?—A. Yes, I am sure, pretty sure that it was the one that had the initials.
- Q. You were pretty sure that it was the one that had the initials that went in; did you see the initials on it?—A. I did, saw him put them on.
- Q. And you know it was the ballot that had the initials on that got into the box?—A. Pretty sure of it.
- Q. Did you see the initials when the ballot was being put in?—A. I think so.
- Q. Do you remember seeing them?—A. I think so.
- Q. You think you remember it?—A. Yes.
- Q. Are you sure you remember it?—A. Pretty sure.
- Q. Did you notice anything peculiar about Farr's condition while the vote was going on?—A. Well, I would judge he was a little the worse of liquor.
- Q. You would judge he was the worse of liquor?—A. Yes.
- Q. From what would you judge that?—A. From his actions.
- Q. From his actions, did he act like a man who was under the influence of liquor?—A. Yes.
- Q. Would you take him to be a man who was fit and competent to perform the duties of returning officer there?—A. I would not care to put him there, sir.
- Q. Not the kind of a man you would care to put in that position?—A. No, I would not care to put any man in that position who was under the influence of liquor.
- Q. Well, you think he was not fit to perform his duties?—A. I don't think so.
- Q. You think that the fact that he tore these two ballots off instead of one, was due to the fact of his being in liquor?—A. Oh, no, I would not say that; I would say he tore them off in mistake.
- Q. You have said you did not notice the fact that there were two ballots until you got to where you were to mark the ballot?—A. No.
- Q. You didn't notice it when these were handed to you?—A. No.
- Q. Didn't notice it till they were unfolded?—A. No.
- Q. Are you able to remember whether the ballots were stuck together or not when you unfolded them?—A. They were simply together, they were not stuck.
- Q. Didn't show any sign of being stuck together?—A. No.
- Q. Did you make any declaration after polling as to how you voted?—A. I did.
- Q. At whose request?—A. Mr. McLean's.
- Q. Mr. McLean personally asked you to do it?—A. Either he or his lawyer, I would not be sure which.
- Q. Who would the lawyer be?—A. Mr. Johnston.
- Q. Do you remember when the declaration was made?—A. No.
- Q. How long after the election?—A. Don't know.
- Q. A week, would it be a week?—A. I would not say.
- Q. Would it be two weeks?—A. I could not tell you, I didn't put it down.
- Q. Three weeks?—A. Can you remember everything you—
- Q. I am not asking you to remember anything, you cannot. I am asking you to say how long it was?—A. I can't tell you.
- Q. Have you any recollection of how long?—A. No, sir.
- Q. Was the declaration made within a month after the election?—A. Can't tell you.
- Q. Now, you are on your oath, you know?—A. I know.
- Q. And you can't say whether it was within a month or not?—A. No.
- Q. Eh?—A. No, sir.
- Q. Can you say whether it was within two months?—A. I would not tell you—I can't tell you what time it was.
- Q. Can you say it was within two months of the election you made this declaration?—A. No.
- Q. You won't swear?—A. No.
- Q. Now, you know perfectly well it was within two months?—A. Perhaps you think so, I don't.

Q. Perhaps you say it was within two months, but you don't know or not?—  
A. No, I don't know.

*By Mr. Russell :*

Q. When these ballots were handed to you did they have a counterfoil on them; I don't remember whether you stated that?—A. Oh! I don't just remember.

Q. Do you know what the counterfoils are?—A. A little extra slip of paper.

Q. To be torn off?—A. Yes.

Q. You would remember this way, was anything torn off when you put one in the box; you remember getting a ballot and going off and marking it and bringing it and the other back; can you remember it?—A. Yes, it was off.

Q. Off before you handed it to Mr. Farr?—A. Yes.

Q. Well, in that case, Mr. Bridges, they would not have a counterfoil?—A. Yes.

Q. Were they both in the same form, the two ballots?—A. They were both together.

Q. The same size substantially and form, and folded inside one another; was there more than one fold or not when you opened it in the place where you were to mark your ballot?—A. They were folded together.

Q. Had they more than one crease or not?—A. I can't say.

Q. Can't remember?—A. No.

Q. Well, if they had the counterfoil they would very likely be folded with two creases, whereas if the counterfoil was off they would be likely to be handed to you in one crease?—A. I see.

Q. Now, can you remember whether it had the piece off?—A. I think it had the piece off.

Q. Well, we will take the piece off, you think it was like that, was it folded up like that or more than that?—A. Well, I ain't prepared to say, I can't remember.

Q. You can't?—A. I didn't take particular notice.

Q. You didn't notice anyway that there was more than one until you got it there, and then you naturally would fold it out that way, would you not?—A. Yes, sir.

Q. This one was on top. There was the name of Holmes and there the name of McLean. Would you not naturally mark this paper?—A. No, I would mark the one with the initials.

Q. How do you know that one hadn't the initials on?—A. Well, I don't expect it would.

Q. I am not asking what you thought now but what you thought at the time and what you remember. I say, when you opened it out you would see a ballot with the name of Holmes there and McLean there? Would you not naturally put your name there?—A. No.

Q. Will you say you did it?—A. I say I don't think I did.

Q. I am asking what you think?—A. I am pretty sure I would not put it on.

Q. Pretty sure you would not do it. I am asking your impression about that at the time and not your present impression about it?—A. As far as I can remember I marked the one that had the initials on.

Q. And which was that, the top or the bottom one?—A. I expect it would be the bottom.

Q. Did you look for the initials before you marked?—A. I did.

Q. Then you must remember all about it. Did you say to yourself, "I must mark the one with the initials?"—A. I think I did.

Q. Will you swear you did?—A. I am pretty sure I did.

Q. Do you remember doing it?—A. I must say my memory is not very large.

Q. You don't remember doing it?—A. I did it.

Q. Do you remember, I ask you again, looking for the one with the initials before you undertook to mark it?—A. I think I do remember it.

Q. You think you remember it. But surely you must know whether you remember or not. You either do remember it or you don't remember. Do you

## Privileges and Elections Committee.

remember, Mr. Brydges, now, do you remember or do you not remember when you found these two ballots there. Do you remember hunting between them or looking, examining them for the purpose of finding out which had the initials in order to put your mark on the one with the initials?—A. I think so.

Q. You think so?—A. I did that.

Q. You think it is because you ought to have done it? Is that it?—A. That is one reason.

Q. You have no recollection of doing it?—A. As far as I recollect that is what I done.

Q. Do you recollect at all what you did? Do you recollect searching for the initials on one or other of those ballots?—(No answer.)

Q. You surely did not or you would be able to tell me. Why don't you answer?—A. Because I don't want to positively swear.

Q. You don't recollect noticing the initials?—A. Certainly.

Q. You have no independent recollection now of having examined these ballots at the time for the purpose of discovering which had the initials and which had not. That is correct, isn't it?—A. I ain't perfect, sir.

Q. I am not saying you are perfect; you will be absolutely perfect if you tell what you know and don't know?—A. I am telling you as near as I can.

Q. Nobody here has the power to discipline you in any way for not remembering. You have a perfect right to remember and a perfect right to forget. All I am asking you is if you do to say so?—A. I am telling you as near as I can.

Q. I am asking you again, have you any independent recollection now, apart altogether from your thoughts of what you should have done or might naturally have done. Have you any independent recollection in your mind of having actually examined these ballots for the purpose of finding out which had the initials before marking it?—A. I certainly examined it and marked the one with the initials on it.

Q. You have now, a recollection of that; you couldn't recollect a minute ago?—A. No, that ain't correct.

Q. You do recollect now the fact of your examining for his initials before marking that ballot, is that correct?—A. As near as I can remember.

Q. I am asking you if you do remember?—A. I remember seeing the initials there.

Q. I daresay. What I am asking you is whether you examined these ballots to see which had the initials before you put your mark on?—(No answer.)

Q. He doesn't answer the question, and I wish it noted?—A. I don't understand you. I have answered the question several times now and I don't see why you asked me.

Q. I say you haven't answered me?—A. I say most certainly I have.

Q. You understand me perfectly I think. I am seeking to discover whether you have in your mind at this moment any independent recollection of the circumstance of your having examined these ballots to see which had the initials before you put your mark?—A. I think I did.

Q. I am asking whether you remember that circumstance of having done so as a matter of fact and an actual fact. You either remember it or don't remember it. You are not bound to remember it in the least. I just want to know whether you remember it or not?—A. Well, as far as I remember.

Q. I am asking you now whether you do remember it or not?—(No answer.)

Q. There were two ballots handed to you by the presiding officer. You are certain about that?—A. Yes, I received two ballots.

Q. What did he do with the other ballot which you didn't put your mark on?—A. I didn't take notice.

Q. You don't remember whether he tore it up and threw it on the floor?—A. No.

Q. Or whether he put it back on the pad? He didn't put it back on the pad?—A. I don't remember, I didn't take notice.

Q. And you think he didn't put it in the box?—A. I didn't see him.

Q. Was he drunk enough to put it in the box?—A. I would not say.

Q. He was pretty drunk?—A. No he wasn't. I don't know what you mean by drunk, I didn't say he was drunk.

Q. That is a matter of opinion, certainly a matter of degree. You thought he was not in a fit condition to take the poll that day?—A. Yes, I certainly think so.

*By Mr. Borden :*

Q. You knew at the time when you marked your ballot that the one that was initialled was the proper one to mark, did you not?—A. Yes, sir.

Q. And as I understand, taking that fact into consideration, you believe you marked the one that was initialled?—A. Certainly.

Q. You spoke of voting in the morning. Is your name J. E. Brydges?—A. Yes.

Q. I noticed your number is 93 which would seem to indicate that you voted in the afternoon. I want you to refresh a recollection about that? Do you recollect about that now whether you voted in the morning or the afternoon?—A. I may possibly be mistaken there, but so far as I remember I went there first thing in the morning.

Q. You are under the impression you voted in the morning?—A. Yes.

Q. But you are not positively sure?—A. No, it may have been some other election I voted in the morning. I made a mistake, we are liable to make mistakes.

Q. And you spoke about putting your mark opposite one name in the ballot in answer to Mr. Sifton. Do you know in which one of the disc it was?—A. Yes.

Q. Opposite whose name?—A. McLean's.

*By Mr. Russell :*

Q. What was it you were in such a hurry about that day?—A. I generally try to hustle when I do anything.

Q. Hustle, you generally go in a rush from one place to another?—A. Especially when there is nothing in it.

Q. When there is nothing in it you generally run?—A. I try to get over it.

Q. As a matter of fact about your ordinary business you run?—A. Sometimes.

Q. You are a hustler. That is your usual habit to run from one place to another?—A. No.

Q. You must have been in a special hurry that day. What was it you were in a hurry about?—A. To get it over and get back to my work.

Q. That is the only explanation you have of running to the polling place?—A. Yes.

Q. Did you run home?—A. Run home.

Q. On your way back?—A. I didn't go home.

Q. Did you stay around?—A. No.

Q. Where did you go?—A. Back to my business.

Q. Did you run back?—A. I don't know as I did.

Q. It was all over, and you didn't feel you had to run back. Did you or did you not, when Mr. Sifton asked you the question, say you had run back?—A. I might have run both ways.

Q. Did you run part of the way?—A. I did.

Q. Now, did you run back too?—A. Possibly.

Q. Did you?—A. Possibly.

Q. You ran one way?—A. Yes.

Q. Did you think the polling place might be closed before you got there?—A. Oh, no; I didn't think that at all.

Q. You thought you had plenty of time?—A. Yes.

Q. What o'clock in the afternoon was it, do you remember?—A. Some time before the poll closed.

Q. About an hour?—A. I could not say that.

Q. After dinner? It was after dinner and before the poll closed?—A. It seems it was after dinner.

Q. It seems now it was after dinner?—A. I thought it was in the morning.

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Q. It seems now it was before dinner. Of course it was; you would not have run. I would like to know whether you mean, as you told Mr. Sifton, that you really ran?—A. I can't see that it makes much difference.

Q. I don't think it makes any difference. I want to see how you answer questions. Mr. Sifton asked you how you got there, and you said you ran. Did you mean that as a smart answer, or did you in your mind believe that you really ran?—A. Oh, I don't pretend to be smart. I try to hustle once in a while.

Q. Do you mean to convey the idea to us as a matter of fact that you did run to the polling place?—A. I think I did run part of the way.

Q. And that is what you meant when answering Mr. Sifton; you thought you had run part of the way. Is that correct?—A. Yes.

Q. What makes you think that?—A. I remember running.

Q. Then it was not a matter of thinking; you remember as a matter of fact you did run. Is it a matter of fact?—A. I would get there as fast as I could.

Q. Listen to me. Do you remember running part of the way?—A. Yes.

Q. And why did you say a while ago you never ran part of the way? Don't you know that you ran part of the way?—A. I remember running part of the way.

*By Mr. Sifton:*

Q. Is that your description, wagon maker?—A. Yes. •

Q. That is the poll book kept by the poll clerk where you voted?—A. Yes.

Q. You see your number, ninety-three?—A. Yes.

Q. Ninety-two men voted before you that morning?—A. Yes.

Q. And 118 voted altogether?—A. There has been so many elections up there that I have got them mixed up.

Q. And when you told me that you voted some time after nine you told an untruth?—A. It seems so.

Q. An absolute untruth?—A. It was unintentionally so.

Q. There was no word of truth in that statement?—A. I didn't tell it to you as a lie.

Q. Now, you remember I did not press you on that point, I questioned you in a very good natured way; if you voted after nine o'clock you had no recollection?—A. I voted soon after nine o'clock in one election, whether this or another.

*By Mr. Borden:*

Q. What you mean is that as far as time is concerned you may have got this election confounded with some other election?—A. Yes, that is it.

Witness discharged.

JOHN F. BATES SWORN.

*By Mr. Borden:*

Q. Mr. Bates, you reside in the town of Goderich?—A. Yes, sir.

Q. Did you vote at the Dominion election for the west riding of Huron in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. For whom did you mark it?—A. I marked it for Mr. McLean.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name?—A. Mr. McLean's.

Q. Was there any kind of space to put it in?—A. Yes, I think there was a guide on the desk to vote by.

Q. There was a guide?—A. A paper on the desk.

Q. There was a marked ballot?—A. Yes, there was a marked ballot on a sheet of paper.

Q. But on the ballot itself was there a place for your mark?—A. I would not be positive but I marked the same as the mark on the guide.

Q. Did the ballot resemble that, do you remember?—A. Yes.

Q. And where did you put your mark?—A. There.

Q. In the circular white space?—A. Yes.

Mr. Russell objected, on the ground that the chairman had already ruled against the ballot being shown to witnesses.

Q. After marking your ballot and folding it, what did you do with it?—A. I gave it to Mr. Farr.

Q. Did you give back to him the same ballot which you had received from him, and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. I saw the box, but I didn't see where he put it; no, I would not be positive about that, but I suppose he did.

Q. Did you see him tear off anything before you left?—A. No.

Q. And you didn't wait to see what he did with your ballot?—A. He was close at the box, and I handed the ballot to him and passed along.

Q. As you passed along he was ready to put the ballot in the box?—A. Yes.

*By Mr. Russell:*

Q. This guide you speak of was in the form of a ballot paper?—A. Yes, it was marked on a large piece of paper and tacked on the desk where we marked our ballots.

Q. How large?—A. About as large as that (pointing to a poll book, open.)

Q. And had it the names of the candidates on it?—A. No, but showed the marking of the ballot.

Q. There were some names on it, fictitious?—A. Well, I think there was.

Q. And the mark put opposite one of the names?—A. I marked opposite McLean.

Q. But on this model ballot or guide there was a mark put opposite the name, and how would you know how to mark this ballot?—A. I would know by the names.

Q. Yes, by yours, but nothing on that?—A. You could put your mark against either of the names.

Q. There was an X on that big one?—A. Yes.

Q. And were there any explanations?—A. I could not tell you, but it just showed you where to put your cross.

Q. It hadn't the names of the actual candidates on it?—A. Oh, no.

Q. What time of day was it when you went in to vote?—A. Between 11 and 12.

Q. In the morning?—A. Yes.

Q. What condition was Farr in?—A. I noticed nothing wrong with him. I didn't take any notice; I didn't expect anything wrong.

Q. He was apparently all right, as you got your ballot and handed it back.—A. Yes.

Q. That was in the morning about 11?—A. Yes.

Q. Did he give you a ballot with a counterfoil on or not?—A. No; I don't know.

Q. Would you not remember the circumstances of his having to tear the counterfoil off when you gave it back?—A. No, I cannot.

Q. Well perhaps after thinking over it you will be able to answer; you didn't put it in the box yourself?—A. No.

Q. Had the box a circular hole or a slit?—A. I would not be positive about that; I know some of them have a circle, but I could not say about this one.

Q. All you remember is you gave it to Farr and he put it in the box?—A. Yes.

Q. Did you fold it up more than once?—A. I just folded it up this way.

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Q. Your recollection is not fresh?—A. It is just that way, I didn't notice, I didn't mistrust anything.

Q. And there is no way now you can bring to your mind whether the counterfoil was on or not and whether he had to tear it off before he put it in the box?—

A. No.

Q. He only gave you one ballot?—A. Yes.

Q. Folded and initialled?—A. Yes.

Q. You remember the initial?—A. Yes.

Q. Did you see more than one set of initials; his initials more than once?—

A. No.

Q. Did you notice any lettering or numbering beyond the initial?—A. I noticed nothing more.

Q. The "J.F." on the back and nothing more?—A. No.

Q. Did you open it out to mark it; I just want you to look at this one; had it a white band like that?—A. I think so.

Q. That is the counterfoil?—A. Oh, yes, that is the counterfoil, I remember the white thing on it.

Q. You would remember quite a considerable space of white?—A. Yes.

Q. Then, he had to tear that off when you gave it to him?—A. Well, I suppose he would, but I don't remember him doing it.

Q. Afterwards there was a declaration made?—A. Yes.

Q. I am not going to ask the particulars, only what time after the election?—  
A. A couple of weeks, perhaps.

Q. Can you remember that to say it was more?—A. I think it was not, I don't think it was more than two weeks, I am not positive, it was a very short time.

Q. I want you to be positive about the extreme length of time; not more than a month?—A. No.

Q. And might be a fortnight?—A. About a fortnight.

Q. Who took it?—A. Mr. Hays.

Q. He read it to you?—A. Yes.

Q. And you signed it?—A. I signed it.

Q. And you didn't swear to it?—A. Well, I don't remember, it was only a declaration.

Q. What I want to know is whether you remember anything more than putting your signature to it?—A. That is all.

*By Mr. Sifton :*

Q. Do you remember, Mr. Bates, whether there was anything that indicated that Farr was under the influence of liquor when you were in the polling booth?—  
A. I had no idea of his being under the influence of liquor. If I had known he had been drinking or anything I might have noticed, but I never noticed at all.

*By Mr. Britton :*

Q. Had you known him before?—A. Oh, yes, I had known him for a good many years.

Q. Then you knew he had been in the habit from time to time?—A. I believe of late years—

Q. Do you know that a short time before he had lost his situation on account of drink?—A. Yes, I knew he lost a situation.

Q. How long before the election was that?—A. Quite a while before the election.

Q. About how long?—A. About six months. I think it was last fall some time, I won't be positive.

Q. You understood he lost a situation last fall and the election was on the 21st of February?—A. The 21st of February, I believe.

Q. And just the fall before he lost a situation?—A. Yes, I think it was the fall before; I would not be positive.

Q. Did you have any business relations with him?—A. I had no business relations with him.

Q. And only met him by accident?—A. Yes.

Q. And did you meet him from the fall before until the elections?—A. Only just to bid him the time of day. I have met him on the street, but never to have conversation.

Q. Or to do business with him?—A. I never did any business with him at all.

Q. On the polling day I understood you to say to Mr. Russell that you didn't notice any mark of any kind on the ballot except the initials?—A. That is all I noticed, I didn't notice anything else on it.

Q. Do you remember the order of the names?—A. Well, I would not be positive about that, but I know I marked it for Mr. McLean.

Q. But you don't know whether it was the upper name or not?—A. I cannot remember which was the upper name.

Q. So you can't remember from that circumstance, you remember the name?—A. No, I cannot remember that.

*By Mr. Borden :*

Q. But you know you marked opposite McLean's name?—A. Yes, I marked opposite McLean's name, but which I don't know. It runs in my mind whether it was on the top or not, but I know his name.

*By Mr. Britton :*

Q. Then it was on the top?—A. I didn't say that. I said it might be.

Q. The answer you made was you would not say whether it was on top or not?  
A. I would not swear whether it was on the top or not, but I knew the name.

*By Mr. Russell :*

Q. Your impression that you were about to give a moment ago was that it was on top?—A. I kind of think that. I would not be positive.

Q. But your impression was at the moment it was on the top?—A. Yes, but I would not be positive.

Witness discharged.

FRED L. STAHLAKER SWORN.

*By Mr. Borden :*

Q. You reside in the town of Goderich?—A. I do.

Q. What is your occupation?—A. Organ tuner. I am head tuner in the Goderich Organ Co.

Q. Did you vote at the last Dominion election for the west riding of the County of Huron?—A. I did.

Q. In February last?—A. Yes.

Q. Who was the deputy returning officer at the poll where you voted?—A. Farr, James Farr.

Q. Do you know his first name?—A. James, I think.

Q. Did you receive a ballot paper from him?—A. I did.

Q. Did you mark it?—A. I did.

Q. What kind of a mark?—A. I put a cross in favour of Mr. McLean.

Q. And where did you put the cross?—A. Right back of the name.

Q. Opposite his name?—A. In the disc.

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- Q. In the disc?—A. Yes.  
Q. Do you remember the colour of the disc?—A. Black, I think.  
Q. On the outside or the inside do you mean?—A. In the inside I put it.  
Q. You think the disc was black on the inside?—A. On the outside.  
Q. And a white space inside?—A. Yes.  
Q. And that is where you put your cross?—A. Yes.  
Q. After marking the ballot what did you do with it?—A. I handed it to Farr.  
Q. Did you hand to him the same ballot which you had received from him and which you had marked?—A. Certainly I did.  
Q. Did you observe what he did with it?—A. He put it in the box.  
Q. You remained there?—A. Yes, I did. I saw him put it in.  
Q. Did you observe whether he tore off the stub or counterfoil before he put it in?—A. I think he tore it off; I would not be positive about that.  
Q. Did you notice what he did with the stub or counterfoil?—A. No, that I can't say.

*By Mr. Britton :*

- Q. You had voted before?—A. Yes, I had.  
Q. In March?—A. Yes, sir.  
Q. And knew Farr?—A. Yes, I did.  
Q. What time of day did you vote?—A. I forget now if I voted before noon or after noon.  
Q. What is your recollection as to when you voted?—A. Well, I can't tell you. I think I voted at different times. My work is piece work and I vote whenever I like. Sometimes after dinner, sometimes before.  
Q. But you didn't vote more than once that election?—A. No, I don't think so.  
Q. I am asking you at what time you voted at that election?—A. Well, I cannot tell you. I cannot tell you that, whether eleven o'clock, or twelve o'clock or one o'clock.  
Q. Or nine o'clock?—A. I didn't vote at nine o'clock, because I never voted at nine o'clock.  
Q. But you cannot tell anywhere between eleven and five?—A. Certainly I can, I never voted at five in my life.  
Q. Get as near as you can, tell me?—A. I don't recollect.  
Q. Will you swear you didn't vote about five o'clock?—A. I will.  
Q. About four?—A. Yes, I didn't vote at four.  
Q. About three?—A. Yes.  
Q. About two?—A. That I cannot tell you.  
Q. Well, we have got it down between eleven and two?—A. Yes.  
Q. Is that so?—A. Yes.  
Q. You didn't vote before eleven or after two?—A. That is as near as I can recollect. I voted anyway, I am able to prove that.  
Q. You said so?—A. Whether you say so or not I am prepared to prove that. You don't doubt that do you? Do you doubt I didn't? What are you trying to make out anyway?  
Q. Did you come in to cross examine me?—A. No, but I don't know what you are driving at.  
Q. Perhaps you will find out later. Did you know Farr before?—A. Farr worked in the same factory with me.  
Q. Well you knew him pretty well?—A. I don't know that, I knew nothing about him.  
Q. You either do or don't. You have been sworn to tell the truth?—A. Certainly I am going to tell the truth. I don't know anything about Mr. Farr one way or the other.  
Q. What?—A. I don't know anything about Mr. Farr one way or the other.  
Q. You worked in the same shop with him?—A. Certainly.  
Q. For how long?—A. Well, I suppose Farr was there about a year and a-half?

Q. And yet you know nothing of his habits?—A. I don't, nothing. He used to get full once in awhile. He used to drink once in awhile, that is all I know.

Q. And when did you leave that place?—A. That I cannot tell you.

Q. How long before the election?—A. I can't tell you that.

Q. About how long?—A. I can't tell you that.

Q. Do you know of his working any place since he left this factory?—A. I don't know that.

Q. Why did he leave?—A. I can't tell you that.

Q. Was it because of his habits?—A. I can't tell you that.

Q. Did he tell you?—A. He never told me anything at all.

Q. Did his employer ever tell you?—A. The employer never told me.

Q. He used to get on a spree once in a while?—A. So I heard. It's more than I can tell you.

Q. You never saw him under the influence of liquor?—A. No.

Q. But his reputation was he used to get on a spree once in a while?—A. Yes.

Q. And then he lost his situation or gave it up?—A. He lost it once, I think, through it.

Q. Yes, when was that?—A. Well, that was, I think, before the election, but I would not be positive.

Q. How long before?—A. That I can't tell you.

Q. It would be a year before?—A. No.

Q. Probably six months before?—A. No, I don't think so.

Q. Two months?—A. Well, I can't tell you; I have no way of telling you that at all. My business is my own branch and that is all I have control of. I don't know anything about the others.

Q. Did anybody go with you to the poll?—A. Yes.

Q. Who?—A. Mr. Whitely—Mr. Mait. Whitely.

Q. Did he vote before you or after?—A. I think he voted before me, as near as I can recollect.

Q. Immediately before you?—A. Yes.

Q. And you followed him?—A. Yes, I think he was first and I voted second.

Q. You followed him; when you went into the polling place, who were there?—A. Well, that I cannot tell you.

Q. Who did you see besides Mr. Farr?—A. That I cannot tell you. There are hundreds of people in Goderich I don't know anything about. I don't know the faces.

Q. I am limiting my question just to a particular place at a particular day?—A. I understand you.

Q. Who took down your name?—A. Farr, I think.

Q. Did somebody take down your name in a book?—A. There was somebody else; I don't know who they were. I don't know anything about it. I don't know these people's names.

Q. But you knew Farr?—A. Yes, I knew Farr.

Q. I am asking you who took down your name?—A. I don't know whether he took down my name or not.

Q. Was there anybody else there to do it?—A. Certainly, there were two.

Q. Who?—A. I don't know who they were; I cannot tell the names.

Q. You remember two persons being there?—A. Yes.

Q. No more than two?—A. Not that I know of.

Q. You only remember two there?—A. Yes.

Q. And Farr besides these—three altogether?—A. Yes, I think so.

Q. But you can't remember these two?—A. No.

Q. The ballot was handed you, was it?—A. Yes.

Q. By whom?—A. Mr. Farr.

Q. Was there anything on the ballot?—A. I think he put on his initials, that is all I know. I never examined it, but that is the customary rule, I think.

Q. Don't you know we know what the rule is as well as you know, but what I would like to know is what took place then?—A. I saw him mark it, I can swear to that; he put on his initials.

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- Q. Then you saw him mark it before he handed it to you?—A. Yes.
- Q. Where did he mark it?—A. On the back.
- Q. But you didn't look afterwards to see what the initials were?—A. No, I never saw them.
- Q. You didn't that time?—A. No, I never did.
- Q. Then you went behind the screen or into some room, I suppose, and marked it?—A. Yes.
- Q. Was it your own pencil you used?—A. My own pencil, a soft pencil.
- Q. Could you tell your ballot if you saw it?—A. I think I could.
- Q. You could tell your ballot if you saw it?—A. I think I could.
- Q. What was there peculiar about the mark?—A. There was an incurve, I think, in the cross.
- Q. Does it look like that ballot?—A. There is no mark on that.
- Q. Did the ballots look like that?—A. That I can't tell you.
- Q. Can't you tell me that; can't you tell me whether the ballot looked like that or not. Don't mix them?—A. Well, I have got to mix them.
- Q. No, you haven't; look them over and don't mix them, I say.—A. Of course, that is a pretty hard thing to do, you know, the test you are putting to me there. I think I can tell it.

*By Mr. Russell :*

- Q. You are not bound to do it, unless you want to.—A. Well, I don't think my ballot is there.
- Q. It is not there?—A. I don't think it is there.
- Q. You don't think it is there, so you think they have stolen the ballot that you marked for McLean?—A. I think so; I don't think my ballot is there, any way I don't think so.
- Q. Now, will you please mark there how you marked your ballot?—A. I think as near as I can recall that ballot was marked in that way; I think that is it as near as I can recollect.
- Q. As near as you can tell that is the way you marked you ballot?—A. Yes.
- Q. You mean to say you put a double mark on it?—A. What do you mean by double mark, I can't see any double mark.
- Q. If you can't, mark another one so there will be no mistake?—A. I think that is the way it is marked.
- Q. You think that is the way it is marked?—A. I think so.
- Q. You think it is that way rather than that way?—A. Well, what is the difference?
- Q. I am asking you, you are the witness?
- Mr. Borden objected to the manner of putting the questions.
- A. That ballot, sir, was marked all right, just as right as you are.
- The slip of paper marked by the witness was filed as exhibit No. 21.

*By Mr. Russell :*

- Q. Can you find it among these (handing the witness a bundle of ballot)?—A. I can swear I marked that ballot all right, as right as for years, now then, if it was right for years it ought to be right now.

*By Mr. Britton :*

- Q. The object of this interruption is to make you argue and they have got you arguing?—A. It seems to me a lot of technical points that don't amount to anything at all; I could catch you in the same way; I swear to-day —.
- Q. Stop, sir.—A. I swear to-day —.
- Q. Stop, sir, you are the witness and nothing else, sir.—A. I know, sir.
- Q. You are the witness.—A. I marked that ballot properly.
- Q. Your explanation you can give, you have no right to argue.

*By Mr. Russell :*

Q. How long after the election did you sign the declaration that you had voted for Mr. McLean?—A. Oh, I don't know about that, that would be of course when they took the rounds; I could not tell.

Q. The same time as the others?—A. Yes.

Q. You can't tell whether a week or a month?—A. No, I can't tell whether I was first or tenth or twenty-fifth.

Q. It would depend on that; do you know when the first or last was taken?—A. No.

Q. You know nothing beyond the fact of the declaration being signed?—A. Yes, I told them I could —.

Q. Who prepared the declaration?—A. Mr. Hays. Of course if I had known anything I could have made a memorandum; you know a man can be taken and cut all to pieces and still the truth remains.

Q. Did you observe Mr. Farr's condition that day, whether he had been drinking or not?—A. No, I didn't; in fact when you ask me that he looked perfectly sober to me.

Q. He looked perfectly sober to you, was this in the morning or afternoon?—A. He look perfectly reasonable to me.

Q. Was this in the morning?—A. Yes. The remark he made to some was he didn't care how they voted and he instructed them how to vote.

Q. He acted fair?—A. Yes, as far as I could see; in fact I never knew anything about Mr. Farr before.

Q. He put your vote in the box?—A. Oh yes, because I stood there and saw the ballot go into the box, but of course there might be some monkey work besides that I don't understand.

Witness discharged.

JOHN BEACON sworn.

*By Mr. Borden :*

Mr. Beacon, you reside in the town of Goderich?—A. Yes.

Q. Did you vote at the last Dominion elections for the west riding of Huron in February last?—A. Yes.

Q. Who was deputy returning officer at the poll where you voted?—A. Farr.

Q. James Farr; did you receive a ballot paper from him?—A. Yes.

Q. Did you put any mark on it?—A. Yes, sir.

Q. What kind of a mark did you put on it?—A. A cross.

Q. Opposite whose name?—A. Opposite McLean's.

Q. Robert McLean; do you remember whether there was any place opposite Robert McLean's name for the purpose of putting a cross?—A. No.

Q. You don't remember that?—A. I remember there was a place for it to be put.

Q. You remember there was a place for it; well, did the ballot resemble that as far as you remember?—A. Yes?

Q. And would you show us where you put your cross?—A. Right there.

Q. In the circular white disc?—A. Yes.

Q. After you had marked your ballot and folded it what did you do with it?—A. Doubled it up and handed it back to the deputy returning officer.

Q. Did you hand back to him the same ballot that you had received from him and which you had marked?—A.—I did.

Q. Did you observe what he did with it?—A. Did I observe what he did with it?

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Q. Did you observe what the deputy returning officer did with your ballot?—  
A. I think I seen him put it right in the box.

Q. You think you saw him put it right in the box?—A. Yes.

Q. Did you observe whether he tore off a white stub attached to it?—A. No, I didn't, I knew I had marked it properly for McLean, I just handed it back to him and walked out.

Q. Didn't pay much attention?—A. Paid no attention whatever.

*By Mr. Russell :*

Q. You did not observe whether he tore off that stub or not?—A. No, I didn't.

Q. And didn't observe whether it had a stub?—A. I didn't observe anything at all about it, I observed I marked it properly.

Q. I know that, I ask you about the things you have not told us about; in what shape was the ballot handed to you by the returning officer, flat out?—A. I would not say.

Q. You can't remember?—A. I was indifferent; I knew it was a ballot and marked it. I was indifferent about it.

Q. You did not see whether it was folded up that way or that way?—A. No.

Q. Or that way, or that?—A. No, I was indifferent.

Q. Did you notice the initials?—A. I saw them plain, very plain.

Q. You saw the initials plain on the ballot, did you notice them when you got it?—A. On the back.

Q. And you don't remember whether you did again, unfolding it to mark it?—  
A. No, I was very indifferent about it, I looked particularly to see the name and where I put it, particularly that.

Q. You remember now where the names were on it?—A. Yes, I remember seeing both names.

Q. You remember seeing both names, and you remember where both names were on it?—A. No, I would not say, they were on the paper marked visibly before me, I saw them visibly, and I marked it, they were visibly before me.

Q. You can't see now in your mind which was top and which bottom?—A. I think McLean was.

Q. Where?—A. Under.

Q. Underneath the other?—A. I think so.

Q. And if so, of course, you put your mark underneath?—A. I put my mark opposite McLean.

Q. And Farr's initials were on the ballot paper?—A. I folded it up and brought it back.

Q. You can't remember unfolding it to mark it, but you remember folding it after, and you brought it back and gave it to Farr?—I folded it particularly and handed it to him.

Q. Did you fold it up to leave this counterfoil for him to tear off?—A. I think so.

Q. You think you do recollect leaving the piece free for him to tear off?—  
A. Yes.

Q. Do you recollect him tearing it off?—A. No, I was quite indifferent once I marked it properly; I was indifferent afterwards what he did with it.

Q. You don't know whether it was folded across or lengthwise?—A. Lengthwise.

Q. You think you folded it lengthwise. You think that way?—A. Yes.

Q. That way, once or more than once?—A. I folded it twice.

Q. And of course to tear it off he would have to tear four thicknesses?—A. I didn't pay much attention to that; I knew I had it marked right and I thought the rest would be done right.

Q. What time of day did you go in to vote?—A. Between twelve and one.

Q. Did you take notice of Farr's condition at all?—A. Not particularly.

Q. You didn't pay any attention?—A. No, I went in in a hurry in the dinner hour, and the only thing I was particular about was where I marked my vote.

Q. And you didn't observe closely enough to say whether Farr was in liquor or not?—A. No, I would not say. I would not swear whether he was sober or not.

Q. As a matter of fact, you would not swear?—A. No; I know I seen the man, I knew he gave it to me, but I would not swear about him being sober.

Q. Who was present besides Farr?—A. I don't know.

Q. He was the only man you can swear to?—A. The only man I can swear to.

Q. You saw others?—A. Yes, but didn't pay any attention to who they were.

Q. Not even the poll clerk who took down your name. You say some person took down your name when you went in?—A. I can't swear to it.

Q. You don't remember much about it?—A. I don't remember much about it; I remember where I put my mark; I am very positive about that.

Q. Afterwards, how soon after that did you make your declaration?—A. I cannot tell you the date but it was quite a while after.

Q. I would not expect you to know the date unless you made a record?—A. It was quite a while, a month or six weeks after. I kept no note of it.

Q. When was it you were first spoken to about making a declaration and by whom?—A. By who?

Q. When was it you were first spoken to about the declaration?—A. It might be a month.

Q. And who spoke to you?—A. Van Every. He asked me who did I vote for and I told him. He said there was so much mistakes about the voting and something like that. He asked me who I voted for and I told him who I voted for and he asked me would I have any objection to making a declaration and I said no, nothing.

Q. I do not know whether you told me when that conversation between you and Van Every took place?—A. I can't tell you when it did.

Q. About how long after?—A. It might be a month.

Q. That is your impression. You mean that is the best idea you have, it was about a month?—A. The best idea I have, it might be a month, it might be more.

Q. And might it be less?—A. I didn't think it could be.

Q. And it might be more?—A. It might be more.

Q. But you think it was about a month?—A. It may be, I would not swear, I kept no note, I was rather indifferent about the thing and it was not material to me.

Q. Then it was soon after this conversation that you made a declaration of course?—A. Yes, yes.

Q. Was it not?—A. Soon after that.

Q. At whose office did you make it, Mr. Hays or Mr. Johnston's?—A. Mr. Hays.

Q. It was not a sworn declaration?—A. No, I don't think I swore.

Q. Are you acquainted with Mr. Farr?—A. Farr?

Q. Yes?—A. Slightly I have seen him to know.

Q. How long have you known him?—A. I have known him five or six years in a slight way.

Q. You know whether he was a man that drank or not to excess?—A. Well he got that name and I am inclined to think that he has drank again and again.

Q. A man who was inclined once in a while to get on a spree?—A. Yes.

Q. You don't know whether he was on a spree at this time or not?—A. I would not swear to it at all, I would not.

Q. You didn't see him shortly before the election?—A. No, I didn't. I had no need of him; I had my own work to attend to and took no active part only just merely signing my name right. I was particular to see who I voted for, no more.

Q. I just want you to tell me now; you know he had the name of going on a spree once in a while, you know that?—A. Yes, I know he had that, I know he got that name.

Q. I want to know now, whether you didn't observe some time about the election that he was really on a spree?—A. No, I didn't pay attention to the man, sir.

Q. You didn't see him before the election?—A. I may have seen him; he may have passed on the road.

## Privileges and Elections Committee.

Q. On election day in the booth you didn't notice anything particular about him in the booth?—A. No sir, I didn't, I went in in a hurry. I was engaged at work, I had the dinner hour to take my dinner and do this work. I cast my vote and came out in a hurry.

Witness discharged.

JOHN HALEY sworn.

*By Mr. Borden :*

Q. Do you reside in the town of Goderich, Mr. Haley?—A. Yes, sir.

Q. Did you vote at the Dominion election in the month of February last in West Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot from him?—A. Yes, sir.

Q. Did you put any mark on it?—A. Yes, sir.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name?—A. McLean's.

Q. Was there any place on the ballot opposite his name for putting your cross? Was there a place for that purpose do you remember, did the ballot resemble that?—A. Yes, sir.

Q. Now, would you show me on that where you put your mark?—A. There.

Q. In this white circular space opposite McLean's name?—A. Yes.

Q. After you marked your ballot I suppose you folded it?—A. Yes, sir.

Q. And what did you do with it then?—A. Gave it to the returning officer.

Q. And did you give back to the deputy returning officer the same ballot which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. Well not particular, no.

Q. Did you stand there after you handed him the ballot or did you pass right along?—A. I passed right out.

Q. Did you observe whether he tore anything off it; a stub or counterfoil?—A. Yes.

Q. You observed that he did that? Before you passed along you observed that?—A. Yes.

Q. But what further he did with it you didn't notice?—A. No, I didn't notice.

*By Mr. Russell :*

Q. What time of day was it that you went in to vote?—A. I don't just remember, I think it was about four o'clock.

Q. Four o'clock in the afternoon?—A. I think it was about four.

Q. Did Mr. Farr—what did he proceed to do when you went in, first of all did he ask you for your name?—A. Yes, sir.

Q. And was your name taken down in the book? Not by Farr, by somebody?—A. Yes, yes.

Q. Who took that down?—A. I don't remember.

Q. Was it a man sitting beside Farr?—A. I don't remember where he was sitting.

Q. You remember the fact of it being taken down in the book?—A. Yes.

Q. Was it a man by the table took it down?—A. Yes.

Q. That was the poll clerk. You don't remember who it was?—(No answer.)

Q. What did Farr do?—A. He put his initials on the ballot.

Q. Where did he get the ballot, did you notice?—A. No, I didn't notice.

Q. And you didn't notice whether he had a package of ballots before him like that?—A. No, I didn't notice.

Q. When he gave you the ballot did you notice whether it had this piece, of white on it or not?—A. Yes, it had.

Q. It had a piece of white on it? Did he put his name on it when he gave it to you, before he gave it to you?—A. Yes, I don't remember where he put his initials.

Q. You don't remember where he put his initials?—A. No.

Q. You saw him put his initials on it?—A. Yes.

Q. With a pencil?—A. I can't say for sure.

Q. And he handed it to you?—A. Yes.

Q. Was it folded up or was it not?—A. Folded.

Q. And you took it into the place and marked it?—A. Yes.

Q. What did you do, then. Did you fold it up?—A. I folded it up.

Q. Folded it up; did you fold it up so as to show the white part?—A. Yes.

Q. Did you fold it crosswise or endwise?—A. Crosswise.

Q. In one fold or two?—A. I don't just remember.

Q. But you left the white part outside?—A. Yes.

Q. What did Farr do with it?—A. I didn't take notice, but I saw him take the white part off and walked right out.

Q. And you didn't wait to see whether he put it in the box?—A. No.

Q. Did you take enough notice of Farr to tell us whether he was in liquor or not?—A. No, I did not.

Q. You didn't notice whether he was in liquor or not?—A. No.

Q. Did you smell any liquor on him?—A. No.

Q. Did you notice whether he handled your ballot clumsily or skilfully?—A. No.

Q. Didn't notice that at all?—A. No.

Q. Some time after this you made a declaration?—A. Yes.

Q. At whose instance was it you made that?—A. Van Every's.

Q. Van Every asked you—what did he ask you?—A. If I would go around and sign my name.

Q. Sign your name to what?—A. I don't know.

Q. You don't remember the words, but what did he ask you to do in substance?—A. Sign my name to the paper.

Q. What paper?—A. I don't remember.

Q. He said what sort of paper?—A. Yes, he told me.

Q. Well, what was it?—A. Well, the declaration.

Q. What declaration did he say; I am asking what he said about the paper he wanted you to sign, if you remember?—A. I can't remember it.

Q. Well, how long after the election was it that happened that Van Every saw you?—A. I don't remember.

Q. Give us your best idea?—A. I would say two months.

Q. Two months?—A. I don't know, I would not say positively.

Q. Have you been talking about the matter since you came here?—A. No.

Q. Never said anything to anybody about the matter since you came here?—A. No.

Q. Anybody talking to you since you came here?—A. No.

Q. About the evidence you had to give?—A. No.

Q. Is Van Every here?—A. No.

Q. Where is he?—A. I met him as he was going out.

Q. Where did you meet him?—A. In Toronto, as we were coming on.

Q. Well, he is not here; who is there now in Ottawa looking after the witnesses?—A. I don't know.

Q. You don't know of anybody?—A. No.

Q. Well, what makes you think it was two months after the election?—A. Well, I don't know.

Q. Has anything occurred to refresh your mind about that time?—A. No, but I imagine it was.

## Privileges and Elections Committee.

Q. Were they talking about protesting the election in the courts, do you remember?—A. I don't remember.

Q. Don't you remember about anything being said about protesting the election in court?—A. No, I don't remember.

Q. You didn't hear anything of that sort?—A. No.

Q. Why did Van Every say he wanted this declaration signed?—A. He didn't say.

Q. He didn't give you any idea?—A. No.

Q. What was it he wanted you to sign?—A. The declaration.

Q. A declaration that you had voted for Mr. McLean; well, you went and made the declaration?—A. Yes, sir.

Q. Where did you make it?—A. At Hays' office.

Q. Did you read it?—A. It was read.

Q. By whom?—A. Mr. Hays.

Q. You signed it?—A. Put my signature to it.

Q. You were not sworn?—A. No.

Q. You didn't do anything else?—A. No.

Q. Did you notice if Mr. Hays put his name to it?—A. No.

*By Mr. Borden :*

Q. It was a declaration that you had voted for Mr. McLean?—A. Yes, sir.

Witness discharged.

The committee adjourned until Monday, 7th inst., at 10.30 a.m.

HOUSE OF COMMONS,  
MONDAY, 7th August, 1899.

The Committee met at 10.30 a.m., Mr. Flint in the Chair.

Inquiry *re* last Dominion election for the west riding of the county of Huron resumed.

THOMAS HARVEY, Jr., recalled.

*By Mr. Russell :*

Q. Are these machines you use for testing the thickness of paper not susceptible to mistake on account of the wearing of the thread?—A. No, because there is an arrangement for adjusting them. I always prove them to see if they are right before I use them.

Q. How do you prove them?—A. By seeing that that "O" comes to the mark. I see there is nothing in there before I use them, no dust or anything, and if the thread does by any chance get worn you can see it and adjust it by the screw. They are infallible to the one-thousandth part of an inch.

Witness discharged.

EBENEZER WOODCOCK sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich?—A. I do.

Q. Did you vote at the Dominion election for the west riding of the county of Huron, held in February last?—A. Yes.

Q. You did vote?—A. I voted.

Q. Yes. Who was the deputy returning officer at the poll where you voted?  
—A. Farr, James Farr.

Q. Did you receive a ballot paper from him?—A. I did.

Q. What kind of a mark did you put on it?—A. Just an ordinary cross.

Q. Opposite whose name?—A. Robert McLean's.

Q. Was there any place opposite McLean's name for putting a cross?—A. Yes, there was a sort of disc.

Q. A disc?—A. Yes.

Q. And where did you put your cross?—A. In the disc.

Q. After marking and folding your ballot what did you do with it?—A. I handed it back to Farr.

Q. Did you hand back to him the same paper which you had received and which you had marked?—A. I did.

Q. Did you observe what he did with it?—A. He seemed to tear off the stub and place it in the ballot box as far as I could see. I didn't suspect anything wrong and I didn't look to see.

Q. Did you watch particularly to see what he did with it?—A. I didn't.

Q. But as far as you observed he tore off the counterfoil and placed it in the box?—A. As far as I could see, I was not watching him.

## Privileges and Elections Committee.

*By Mr. Bell :*

Q. You say you voted for Mr. McLean?—A. Yes, for McLean.

Q. Opposite what name, was McLean's name at the top of the bottom or the ballot?—A. I cannot tell you now, I have forgotten which it was in fact.

Q. You can't tell which it was?—A. No, I would not like to say now which it was, but I marked opposite McLean at any rate.

Q. Opposite McLean's name?—A. Yes.

Q. Were the initials of the deputy returning officer upon the ballot paper?—A. I think so.

Q. Did you see them?—A. Well, I didn't examine particularly, but I think I should have noticed if they had not been there.

Q. You think you would have?—A. I should have noticed it if they had not been there no doubt. But I cannot say that I searched for them. I did not.

Q. You took the ballot into the compartment—or was there a separate place for marking the ballots?—A. There had been hitherto, but I think on that occasion we marked on the table at the back some ten feet away.

Q. Separate from where the others were?—A. I think there was a rail, that is all.

Q. Was your vote capable of being seen by anybody else?—A. I should hardly think that it would be.

Q. Was your back to the people in the room?—A. Sideways, I stood sideways to them.

Q. At any rate you do not think you were observed by any one else?—A. I did not suspect that anybody was watching.

Q. You didn't suspect that anybody was watching?—A. No.

Q. And what did you do with your ballot after you marked it?—A. Folded it up and gave it in to Farr.

Q. In what way did you fold it?—A. So he would see his initials.

Q. So that the initials would be seen?—A. Yes.

Q. On the outside?—A. Outside. Of course I must have seen the initials or I could not have so folded it.

Q. Was there a counterfoil on when you received it?—A. There was.

Q. When you took it into the room?—A. When I took it on the table.

Q. Were there any marks on the counterfoil?—A. I don't remember seeing any marks on the counterfoil.

Q. All you remember seeing them on was the ballot?—A. Yes, certainly.

Q. Well, then you brought the ballot back and gave it to Farr and gave it to him in the same shape as when you received it?—A. Exactly, except that I had marked a cross opposite McLean's name.

Q. But it was the same ballot that you redelivered to the returning officer?—A. The same ballot.

Q. With the counterfoil attached?—A. With the counterfoil attached.

Q. What did he do with it then, what did you see him do?—A. I imagine he tore off the stub. He tore off the stub from some paper and I imagine it was that.

Q. Can you remember in what hand he took the ballot?—A. No, I cannot tell you that.

Q. But he took the ballot from your hand?—A. He took the ballot out of my right hand as he stood.

Q. And then what did he do with it?—A. It appeared he laid it on the table and took the stub off.

Q. He took the ballot in his left hand then?—A. Well, both hands were placed on it, I mean he held the left hand on the table while he tore off the stub with the right.

Q. He held the ballot on the table with his left hand and tore off the counterfoil with his right?—A. Certainly, that is the way.

Q. What did he do with the counterfoil?—A. I believe he put it in his pocket.

Q. With which hand?—A. With his right hand.

Q. Then he had the ballot in his left?—A. In his left, he must have had it.

Q. What did he do with the ballot he had in his left hand?—A. I cannot say. He put a ballot in the box. I was not watching so minute.

Q. He put a ballot in the box, you saw him?—A. Yes.

Q. The same ballot you had handed to him?—A. I had no reason to doubt it.

Q. And you have no reason to doubt it?—A. From what I heard I might, but not from what I saw.

Q. From what you saw you had no reason to doubt it?—A. I had none.

Q. I see, well, then, so far as you know so far as you believe the deputy returning officer did his duty honestly?—A. I did not suspect him of doing otherwise at the time.

Q. You did not suspect him from anything you saw?—A. From anything I saw, I did not.

Q. Or from anything you knew about the man himself?—A. I did not.

Q. Do you know the man?—A. I know the man.

Q. Are you pretty well acquainted with him?—A. No only from meeting him about Goderich occasionally.

Q. How far do you live from him?—A. Oh, 200 or 300 yards.

Q. Two hundred or three hundred yards; well you know him pretty well then?—A. Yes.

Q. How long have you known him?—A. Several years.

Q. How many years?—A. Three or four years.

Q. Is he a man of good repute in the neighbourhood?—A. I won't say about that; he was looked upon as a man rather free in his living; but I know nothing further of the man; he was a mechanic working in the town and I saw him the same as other mechanics; I know nothing about his character.

Q. You don't suspect anything wrong about his conduct at the poll?—A. I have no right to suspect, I saw nothing wrong.

Q. Were you one of the parties who signed the declaration?—A. I was.

Q. How long was it after the election?—A. A few days or two or three weeks, I would not say.

Q. Who came to you about it?—A. No one, I heard it was being signed and dropped into Mr. Hays' office.

Q. You wanted to do the matter voluntarily?—A. Certainly; I dropped into Mr. Hays' office, he was at the door.

Q. Who is he?—A. An attorney.

Q. Whose attorney?—A. Attorney at law.

Q. Whose attorney?—A. Attorney at law, barrister.

Q. Whose attorney was he, the attorney of any one?—A. No, I am not aware of it.

Q. Whose attorney in this matter?—A. No.

Q. How did you go to his office?—A. I am personally acquainted with him, and did a great deal of business with him.

Q. Did you hear Mr. Hays had a number of declarations?—A. Certainly I did hear he had gone around and taken from a number of individuals declarations, from persons who voted for McLean.

Q. He was working for Mr. McLean then?—A. He must be.

Q. You understood he was and went in on that understanding?—A. I suppose so; I don't know whether he had orders to do it from the Conservative committee or not, I made no inquiries.

Q. At any rate you went into Mr. Hays' office?—A. Yes.

Q. What did you say to him?—A. I said "You are taking declarations of those parties who voted for Mr. McLean, I understand"; there was some lying on his desk and he asked, "will you sign" or something like that.

Q. You signed your name to the paper?—A. After reading it.

Q. Did you read it or he?—A. I read it.

Q. Was it printed?—A. In printed form.

Q. You read it?—A. Yes.

Q. And signed it?—A. Yes.

## Privileges and Elections Committee.

Q. What did you do then?—A. Nothing more, only I solemnly declared that the contents were true or something to that effect.

Q. You solemnly declared the contents were true or something to that effect?—A. Yes.

Q. Who before?—A. Mr. Hays.

Q. Did he sign it in your presence?—A. I don't know, but I have no doubt of it.

Q. Did you see him?—A. I don't recollect.

Q. But he produced no book to you?—A. No.

Q. And you did not declare on the book?—A. I won't be sure whether I did or not, possibly I did.

Q. Possibly you did, eh?—A. Yes.

Q. Do you remember?—A. No, I do not remember; I don't remember the form he went through except that he handed me the declaration to read, and I made the declaration in the same way that he had made declarations for me and I for him, but I don't know the form we went through on that occasion.

Q. Who was your deputy returning officer?—A. James Farr.

Q. Were you a member of the Conservative committee?—A. No, I was not, I have not been for some years.

Q. Did you always vote one way?—A. I always voted one way.

Q. Have you ever acted with Mr. Farr, I mean on any committee?—A. No, I never saw Farr at a committee meeting.

Q. You never saw Farr at a committee meeting?—A. He might have been there for all that.

Q. Did you ever have any talk with him?—A. No.

Q. —about this election?—A. No.

Q. Or about his vote?—A. No, nor had any consultation with him; I don't suppose I spoke to him half a dozen times.

Q. Were you ever solicited by any one to vote?—A. No.

Q. Voted voluntarily?—A. Always did.

Q. Nobody asked you to vote for McLean?—A. Nobody asked me to vote.

Q. They knew your leanings?—A. They did.

Q. Your principles are pretty well known in the locality?—A. Yes.

Q. So you were not canvassed?—A. No use canvassing me.

Q. Did you say you had no conversation with Farr, the deputy returning officer, respecting this election or how he was going to vote or how you were going to vote?—A. I had no conversation with him, direct or indirect.

Q. You had not?—A. No.

Q. Do you know how he usually votes?—A. No, I don't know anything at all about him.

*By Mr. Russell :*

Q. Do you remember, Mr. Woodcock, what time of day it was you went in to vote?—A. Somewhere about the middle.

Q. Before dinner or after?—A. I think it was some time in the forenoon.

Q. Early in the forenoon?—A. I think it would be before twelve, before the general rush of workmen at twelve.

Q. You went in before the rush?—A. Yes.

Q. Do you know or do you not that Farr about that time had been drinking?—A. Well, I could see he was, as he often has been when I passed him in the street; he had been drinking but he was not drunk.

Q. You see that is a matter of opinion; one man thinks a person is not drunk if he does not lie down in the gutter and others think that if a man is pleasant after dinner he is drunk?—A. From what I saw of the man I suppose he would be—

Q. What did you mean by saying he was free living?—A. He drank freely; he had that reputation.

Q. You mean he drank more than was good for him?—A. That is the name he generally had in Goderich.

Q. Don't you know he was at this time on the spree?—A. No.

Q. Did you see when you went into the poll that he was drinking?—A. He wasn't on a spree.

Q. What do you mean?—A. Like many others who drink too much, you could see it on him all the time.

Q. That is what you imply from the effect on him?—A. I didn't see enough to judge.

Q. You say it had the same effect on him as on people who drink too much?—A. Well, he was a little stupid.

Q. He was a little stupid, exactly; so you think from the condition in which he appeared he was a little stupid?—A. By name; I hadn't enough to do with him to say generally, but I saw his company and saw him going in and out of a tavern not far from my office.

Q. And you judged by the general effects?—A. Yes, I thought he had been drinking.

Q. He presented the appearance of a man who had taken too much?—A. He looked besotted —

Q. Besotted and stupid?—A. —but he has had that appearance for some time.

Q. He had that appearance for some time and had that appearance this day? Would you consider from what you knew of him that he was a suitable person to be deputy returning officer?—A. I never thought he was a suitable person to have it entrusted to him at the best of times —

Q. You did not consider him a suitable person?—A. —but I did not see anything different in him that day to other days.

Q. But this was not one of his best times?—A. I told you I didn't speak to him half a dozen times, I didn't have much to do with him.

Q. Didn't it strike you he was not a suitable person in his condition?—A. It always did when I heard he was appointed.

Q. And his appearance this day confirmed your judgment?—A. Certainly, I didn't see any difference that day to his general appearance when I have seen him on the street; every one knew his drinking propensities, for a month or two before he had been discharged from the organ factory.

*By Mr. Powell:*

Q. One or two months before he had been discharged from his factory, is it?—A. Yes.

Q. From the organ factory?—A. Yes.

*By Mr. McAlister:*

Q. The Goderich organ factory?—A. The Goderich organ factory, yes.

*By Mr. Russell:*

Q. Your impression is, about this declaration, it would be three weeks or a month after the election?—A. Well, I can't recollect really how long, but it was some short time after the election; it might have been two weeks, or a little less or a little more.

Q. You are only speaking to the best of your judgment; to the best of your judgment it would be two weeks or about?—A. Yes.

Q. Not less than two weeks or more than a month?—A. I would not like to say.

Q. Was the document ready for you?—A. Oh, no.

Q. It was prepared for you?—A. Yes.

Q. It was in print and blank?—A. Yes.

Q. And your name was filled in?—A. Yes. I don't recollect exactly the conversation; it was on the taking of these declarations, and he handed me a copy and I said I had no objection to take it.

## Privileges and Elections Committee.

Q. You only got one ballot from Farr?—A. That is all.

Q. I suppose you know nothing more of any one getting two?—A. I know nothing more than hearsay.

Q. You don't know from the parties themselves?—A. No.

Q. You don't know who the parties were who had ballots given them?—A. No.

*By Mr. Borden :*

Q. As I understand, Mr. Woodcock, you considered it was not proper for the returning officer to appoint this man Farr?—A. I did, because he was not a proper man.

*By Mr. Russell :*

Q. But, Mr. Woodcock, don't you know that man had been appointed year in and year out?—A. That didn't alter my opinion. I didn't think him a proper man.

Q. Didn't you know the municipal council had appointed him five or six times?—A. I suppose he was, but that didn't alter my opinion.

Q. I just want the fact—opinions will differ—you did know that?—A. Oh, yes, I did.

Q. Your opinion will be different from the municipal council; and he was appointed to take the plebiscite vote?—A. I suppose, I don't know.

Q. And I suppose he was appointed when his habits were better and it would not be kind to turn him out?—(No answer.)

*By Mr. Powell :*

Q. Well, his habits have been changed some years?—A. Well, I have not seen him much of late. I seen a great deal of him going to the hotel.

*By Mr. Russell :*

Q. It might be Mr. Sands would not know much of him, not being opposite where he got his grog?—A. I don't suppose Mr. Sands knew much of him.

Q. I presume Mr. Sands kept him on the list because he was on for years?—(No answer was recorded, by the order of the chairman.)

*By Mr. Bell (Prince) :*

Q. You saw him under the influence of liquor?—A. I saw him under the influence of liquor and saw him going into the tavern.

Q. Have you seen him many times?—A. I never saw the man outrageously drunk.

Q. But you have seen him under the influence of drink?—A. Yes.

Q. Passed him on the street a number of times?—A. Yes.

Q. And that has extended over a number of years?—A. No.

Q. How long?—A. A year or so; I don't know much of the man, I never saw the man drunk.

Q. But you saw him under the influence of liquor?—A. I saw him under the influence of liquor.

Q. Many times?—A. I never saw the man absolutely drunk.

Q. The evidence is that he was under the influence of liquor?—A. Yes.

Q. And your observation extended over a good many years?—A. I would not say that. It might be the last year or so. I knew very little of the man.

*By Mr. Borden :*

Q. Do you know Mr. Sands the returning officer?—A. I don't know him intimately.

Q. You don't know him intimately?—A. No.

Q. Did he ever tell you how he came to appoint Farr?—A. I never spoke to him on the subject.

Witness discharged.

JAMES NELSON SWORN.

*By Mr. Borden :*

Q. Where do you reside?—A. 414 Church St., Toronto.

Q. Do you know James Farr?—A. Yes, sir.

Q. Do you know where he was working in Toronto up to about the middle of July?—A. Well, he told me he was working for Thompson's furniture factory.

Q. Were you living at the same house with him?—A. Yes, sir.

Q. Boarding at the same house?—A. Yes, sir, I was boarding at the same house.

Q. Up to that time you and he stopped together?—A. Yes, sir.

Q. Did you ever have any conversation with him as to the reason why he gave up his work?—A. Yes, sir, I did.

Q. Do you remember when it was or about when it was?—A. Well, a Saturday was on the 13th of July.

Q. On the 13th of July?—A. Yes, sir.

Q. And where was it you had the conversation with him?—A. Well, on the 13th of July we seen a piece in *The Telegram* about tearing up a vote, a ballot and Mr. Marshall showed him the paper.

Q. What Mr. Marshall, Mr. Thomas Marshall?—A. Mr. Thomas Marshall.

*By Mr. Russell :*

Q. You were present?—A. Yes, and he got very nervous and excited, and about seven o'clock in the evening he said "I am going home to Goderich to give myself up and face the music."

*By Mr. Borden :*

Q. And is that all he said on that occasion?—A. Well, he said he was not going to run away, that he was going up there and say that he had done nothing wrong and he was not going to run away from it.

Q. Was not going to run away?—A. No.

Q. Was that all that took place on that occasion?—A. Yes.

Q. When did you see him next?—A. That morning; I didn't see him at breakfast time.

Q. This morning was what morning?—A. The next morning. This was on Friday was it not? No, it was the 13th of July was on Thursday. He went home that day. It was the 14th he was talking about going home, he went home on the Thursday and then he came back on Friday.

Q. Did you see him on Friday?—A. I saw him on Friday at supper time.

Q. Did you have any talk then?—A. Not just then, but after supper we went up to the bedroom and he showed me a ticket which he said a man by the name of Vance gave him. First he had said his brother gave it to him; then he said Vance gave it to him, and he said it was for North Dakota, but it was not. It was from St. Paul, Minn., to Chicago, and from Chicago to Hamilton, and from Hamilton to Toronto. Some said the ticket was no good. Of course I don't know that, and he had a check on his trunk for Hamilton North Dakota. He said his trunk was there.

Q. He had a check?—A. A trunk check.

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Q. A baggage check?—A. A baggage check.

Q. Indicating that his trunk had gone to North Dakota?—A. North Dakota. He said that this ticket—we asked him what good was the ticket and he said if he got into a tight pinch he would get away with the ticket. That was what he had the ticket for, it was to go away.

Q. If he got into a tight pinch?—A. If he got into a tight pinch.

Q. Did he say anything further on the subject?—A. Not on that night I don't remember.

Q. When next did you talk with him?—A. I seen him Saturday.

Q. Where did you see him?—A. In the same bedroom.

Q. And did you have any conversation with him?—A. Yes, I had a conversation with him then. I says "The papers claim that you are all to blame for this affair." "Well", he says "I aint all to blame" he says, "If I go down to Ottawa I will give different evidence altogether. I met Mr. Holmes", he says "with his brother that night after the election, Mr. Holmes shook hands with him and says "I will remember you for this Farr," he says "that will show them I ain't all to blame."

Q. He said he was not all to blame?—A. Yes.

Q. Not all to blame himself?—A. Yes.

Q. And that he would give a different story if he went to Ottawa?—A. If he went to Ottawa.

Q. And what did he say about meeting this person?—A. He said the night after the election he met this person.

Question objected to by Mr. Russell.

After further argument.

The CHAIRMAN.—The ruling I would give, Mr. Borden, as the case stands just now, would be that the witness ought not to say what Farr said that third person told him, or mention the third persons' name, but he can say what Farr told him about himself or his own actions or conduct.

After further argument.

*By Mr. Borden :*

Q. Now, I want you to go on. You have told us about a conversation with Farr in which he said that some person had had a conversation with him the night after the election, had shaken hands with him and told him he would always remember him or something like that? Did he state where this conversation had taken place?—A. He said on the street.

Q. He said this conversation had taken place on the street in what place?—A. In Goderich.

Q. In Goderich? Now did he tell you anything else that had taken place in Goderich?—A. No, he didn't tell me that night.

Q. He didn't tell you anything else that night?—A. No, sir.

Q. Did he tell you any other night?—A. The next night; I didn't see him all that day. This was Saturday night. He told me about meeting this friend, and Sunday I didn't see him because I had went out with Mr. Marshall, to the half way house. He was going to Brooklyn. I came back that night and Mr. Vance came down to the house.

Q. What Mr. Vance?—A. Mr. Vance that I just mentioned.

Q. Do you know what his first name is?—A. I don't know what his first name is.

Q. What sort of a looking man is he?—A. A medium sized man, I think he has a sandy mustache. I seen him at night, between ten and eleven o'clock at night, I think he wore a straw hat.

Q. What height is he?—A. He must be between 5 ft. 6 and 5 ft. 8 I think it is.

Q. Have you ever seen Mr. Vance before?—A. Not before this Sunday night.

Q. Was he present at the conversation with Farr?—A. No, sir.

Q. What did Mr. Vance do?—A. He came down for Farr, to see if he could see Farr. He had told Farr to call on him Sunday. Vance had asked me if Farr was in, and I told him, "No," he had went out, but if he had a message to leave I would tell Farr when he came back. He told me, he says, "Well I will give you my address"

and he gave me his address and said "When Farr comes send him up here to my house".

Q. What address?—A. 95 Howard St., Toronto. I marked down the address, and when Farr came home at 12.30 I told him Vance had been down and wanted to see him and was going away that morning and wanted to see him that night, and Farr asked me if I would not take a walk up there with him and I put on my clothes and went up there with him.

Q. Up to his place?—A. Up to his place.

Q. 95 Howard St.?—A. 95 Howard St.

Q. A house or office?—A. A house, a residence and we talked about different things on the way up. I asked him about the election, and he says—I asked him if this election was run straight would Holmes be elected, and he said "Not on your life."

*By Mr. Russell:*

Q. Who said this?—A. Farr.

*By Mr. Borden:*

Q. Did he say anything else on the way up?—A. He didn't say anything else about it but he went into the house and must have stayed about 20 minutes in the house.

Q. Did you go in?—A. No, sir, he told me not to go in. He said "You can't go in this house with me, you had better stay out and wait till I am through." On the way down again he was speaking about the election and I said "That will queer you. You won't be able to get returning officer there again," and he said "Oh, yes, I will get to be returning officer," and that is all I remember going down. We went to bed as soon as we got home. I seen him Monday, Tuesday and Wednesday and Wednesday Vance called again.

*By Mr. Flint:*

Q. You saw him Monday did you?—A. I saw Farr Monday and Tuesday. He was at the house, he was not working; he stopped in the house. On Wednesday night Vance called on him. I don't know what went on.

*By Mr. Borden:*

Q. You were not present?—A. I was not present at any interview they had. On Thursday night Farr went away. He went away from the house and was away Friday, Saturday, Sunday, Monday, Tuesday, Wednesday, Thursday, Friday, Saturday, he came home on Saturday.

Q. He went away Thursday morning and came back Saturday night of the following week?—A. The following week.

Q. It was on Thursday you told us you had this conversation with him?—A. The first of all when it came out in the paper it was on a Wednesday.

Q. A Wednesday?—A. Yes.

Q. And then you told us of a conversation on Saturday night?—A. Saturday night.

Q. That would be about the 15th of July?—A. The 15th of July.

Q. On Sunday night you went up to Vance's with him?—A. I went up to Vance's with him.

Q. That would be on the 16th?—A. Yes.

Q. And the following Wednesday that would be the 19th, Vance came to the house to see him?—A. Yes.

Q. And on Thursday he went away?—A. He went away.

Q. And remained away until Saturday of the following week?—A. The following week.

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Q. It would be on the 29th of July when he came back. Did you have any conversation with him?—A. Yes, he told me he had a pretty rough time of it.

Q. Did he tell you where he had been?—A. He told me he had been in Brooklin, Oshawa, and Whitby.

Q. What Brooklin?—Q. Brooklin, Ontario.

Q. Brooklin, Oshawa and Whitby?—A. Yes.

Q. Well, did you have any conversation with him about the election?—A. No, nothing only he said that Vance had a telegram from Ottawa telling Vance to keep his man low.

Q. He had a telegram from Ottawa?—A. Telling Vance to keep his man low.

Q. To keep his man low?

Question objected to by Sir Louis Davies, on the ground that this was tertiary evidence.

*By Sir Louis Davies :*

Q. Farr told you that Vance told him that he had a telegram from Ottawa to keep his man low?

*By Mr. Russell :*

Q. Farr said that Vance said that somebody else said?—A. No, it was not that way at all.

*By Mr. Borden :*

Q. Did he say anything further on this occasion to you that you remember of?—A. No, except that he had a rough time keeping out of the way in Brooklin, Oshawa, and Whitby.

Q. Now, he said he had a rough time in Oshawa, Whitby, and Brooklin, keeping out of the way?—A. Yes, keeping out of the way.

Q. And was that all that took place at that conversation—was that the same day he came back, Saturday?—A. Saturday evening.

Q. And at what place did this conversation take place?—A. At the boarding-house.

Q. 414 Church St.?—A. 414 Church St.

Q. And how long did he remain there on that occasion?—A. I had breakfast with him on Monday morning, but on Monday noon he was gone again.

Q. When did you see him next?—A. I seen him last Friday.

Q. Where was he then?—A. At the corner of Alexander and Church streets, nearly opposite the school. Marshall said to him "Well, Farr, what do you say of your Grit party now?" Farr said "I am perfectly innocent, if there was anything done"; he said, "it was outside; it wasn't me that done it"; and I said to him "What about this ballot stuffing business that the papers is talking about"; "Well," he says, "me and two others met in the hotel the night before the election and we talked over this, and we seen it could not be done."

Q. That is what he told you on that occasion?—A. That is what he told me, and he said once that he was going to Ottawa to tell everything he knew, and then he said he was going to Charlotte on an excursion—it is in New York state—he said a fellow—

*By Mr. Powell :*

Q. Charlotte is the seaport of Rochester?—A. Of Rochester—some fellow anyway offered him a ticket to Michigan with \$2, but he didn't take it because he hadn't enough money to go and \$2 wasn't sufficient.

*By Mr. Borden :*

Q. Well, at this time you saw him—where was it?—A. At the corner of Alexander and Church streets.

Q. Was he stopping at 414 Church street?—A. No.

Q. Did he say where he was stopping?—A. He said he was stopping at a hotel east of the Don, but didn't mention the name of the hotel.

Q. Is he stopping at 414 Church street now?—A. Not to my knowledge.

Q. When did you see him last?—A. I didn't see him to my knowledge—

Q. Since last Friday night?—A. Since last Friday night.

Q. Did you tell me whether you recognized that photograph? (showing it to witness)—A. No.

Q. You don't recognize that?—A. No.

Q. Now, did he say anything to you in any of these conversations with respect to getting any money?—A. Well, the first time after he came home from Goderich he said: "I got a ticket and cheque for \$500 and more too if I wanted to," but he didn't have any cheque for \$500; I know he hadn't because Saturday night he went over with Marshall for his pay to the factory where he was working and he had sent me in to his coat pocket, to his inside pocket for some address which he wanted me to make out, and there was nothing but the address there.

Q. And on that occasion you say there was no cheque?—A. Yes.

Q. It was Saturday night he went for his pay?—A. Saturday morning, that is what I heard from Marshall afterwards.

Q. You don't know from your own knowledge?—A. No.

Q. You heard this from Marshall afterwards?—A. Yes.

Q. Marshall lives at 414 Church street, does he?—A. Yes.

*By Sir Louis Davies:*

Q. As a matter of fact, then, Mr. Farr was in Toronto last Friday?—A. Last Friday.

Q. And being in Toronto he could not be away in North Dakota or anywhere else, eh?—A. No, sir.

Q. No secrecy about that; it was publicly on the street?—A. Yes.

Q. Publicly on the street corner you saw him?—A. On the street corner.

Q. I suppose he was well known in Toronto among the workmen he mixed with?—A. I don't know his acquaintances.

Q. The men he worked with knew him?—A. I suppose so.

Q. Was he working among a large number of men?—A. I don't know.

Q. I thought you were one of the men working at the same factory?—A. No, sir.

Q. You said you were satisfied that he had no \$500 cheque at all?—A. He had no \$500 cheque at all.

Q. You seem very positive about that?—A. I am positive.

Q. This was a kind of bluff game?—A. Yes.

Q. The fact is he was out of money?—A. He was out Monday.

Q. Out of money I say?—A. Well, he was out of money Monday.

Q. You satisfied yourself he had no \$500 cheque?—A. He had no \$500 cheque.

Q. Or any other hundred dollars?—A. I don't believe he did.

Q. He seems to have satisfied you pretty well by previous statements he had done nothing wrong?—A. Not on his account.

Q. According to his account he had done nothing wrong?—A. Nothing wrong.

Q. And was firm in this as a matter of fact?—A. He was firm in this.

Q. He didn't stuff the ballots?—A. That is my conversation with him.

Q. And that he had a conversation with two men the night before the election, and decided that it would not and could not be done?—A. No, he said it could not be done, he didn't say it would not.

Q. Well, I suppose if it could not be done it would not be done?—A. Well, I suppose.

Q. Well, as a matter of fact, in his conversations he denied he had done anything wrong, denied he had stuffed the ballot box, and told you as a matter of fact that it could not be done?—A. That is what he said.

Q. And denied he had done anything else wrong in the election?—A. Yes.

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Q. And said he was prepared to face the music, as you call it?—A. Yes.

Q. Then he was away for how long altogether?—A. Well, on different weeks you know—of course he left the house, he left the house Thursday and he was back Friday.

Q. Yes, that is the first time?—A. That is the first time.

Q. But some time after you said he was away for a long time?—A. Well, he was away—that was on the next week.

Q. The next, so that you had had a great many conversations with him?—A. I had quite a few conversations with him.

Q. I understand that you had several conversations with him at the time when the newspapers were charging there was some wrong-doing?—A. Yes.

Q. And these newspaper comments were called to his attention?—A. Yes.

Q. And you had conversations with him?—A. Yes.

Q. And the upshot of it was he denied having done anything wrong?—A. He denied having done anything wrong.

Q. He denied having done anything wrong; and you saw him in Toronto last Friday?—A. Last Friday.

Q. Then in sum and substance you saw him in Toronto last Friday, and he denied having done anything wrong?—A. Yes.

*By Mr. Borden :*

Q. You had understood he had done nothing wrong before or after he saw Vance?—A. The way I understood it was this: he left the house the time he seen this on the papers about the ballot getting tore up; he said the ballot was of no account; he said at one time "no, nothing was done in the election"; I asked him about putting more ballots in the box than ought to be; he said it was very likely the ballots were thin and in the noon time he had marked a lot before the rush and he might have taken off two and given them to the voters.

Q. But this conversation Sir Louis Davies asked you about, was that after he saw Vance that he said he was prepared to come to Ottawa?—A. On that day, Friday night, he said he was pretty tired of it and he was going to Ottawa, but afterwards he said he was not going to Ottawa, he was going to Charlotte.

Q. Did you understand what he was keeping out of the way for?—A. I told him like this, "the only move you have is go to Ottawa and tell everything you know or go to the States"; he said if he had money enough he would go to the States.

*By Mr. Sifton :*

Q. When was that?—A. Friday.

*By Mr. Borden :*

Q. As I understand you he told you he was keeping out of the way and had a hard time?—A. Yes.

Q. What did you think he was keeping out of the way for?—A. I thought it was Vance.

Q. You understood it was on account of Vance he was keeping out of the way?—A. Yes.

Q. Now, you told us also, I think, that on the first occasion when you mentioned it he got very nervous?—A. Yes.

Q. And quit work?—A. Quit work the next morning.

*By Mr. Russell :*

Q. The conversation that you had with Mr. Farr in regard to ballot stuffing which you called his attention to, as I understand you, was to the effect that the ballots were very thin and that he might have given two to a voter at one time; is that what you said?—A. That is what he said.

Q. Then that the voter might have got both in the box?—A. That the voter might have; he said if he was a man that was crooked he would have marked the ballots and he would have put them in the box.

Q. And if a man that was stupid he might have marked both and put them in the box?—A. He didn't say that way.

Q. He didn't suggest that the possibility of the voter bringing back two ballots, one marked and the other unmarked, and putting these both in the box?—A. He said if he was a man that was crooked he would mark both and put them in the box.

Q. There would be nothing unfair about that if two ballots got into the box, one marked and the other not marked?—A. He took two pieces of paper like this (illustrating it) as I understand, and initialled them at noon time for the rush, and then when the rush came instead of taking one he might have taken two and handed them to the man; he remarked the man might have marked both and handed them to him and he might have put them in the box and he says, "The man if he was a fair man, would only mark one."

Q. And bring back the two?—A. Yes; of course if this man didn't find the two ballots he would fold them up—

Q. And they would both be rolled up and go into the box together?—A. Yes. Well, I suppose of course that is what he was telling me. I know nothing at all about elections.

Q. And he disclaimed having done anything crooked?—A. That is what he said.

Q. I understood you to answer Sir Louis Davies that he had stated before that that could not be done?—A. Couldn't be done.

Q. In what condition was Farr about this time that you saw him; was he drinking?—A. He was on Friday night, when he came back from Goderich. He was drunk, there's no doubt about that.

Q. That was the time when he had one of these conversations with you, was it not?—A. No, he was drunk on Friday because he told me "I went to Goderich and I was only an hour in Goderich when I had met two men."

Q. Where was it you had this conversation about the two men?—A. This was Friday night, in the bedroom; he had met two men and they had given him two bottles of Seagram's whisky and sent him on the train back to Toronto.

Q. Did you see him that night?—A. I seen him Friday.

Q. Where?—A. At the boarding-house, 414 Church street.

Q. What city?—A. In Toronto.

Q. When you saw him that night, I am asking what condition he was in?—A. He was drunk.

Q. You had some conversation with him that night?—A. I had some conversation.

Q. That was one of the conversations you referred to?—A. Yes, that night.

Q. That night he was drunk when you had the conversation with him?—A. He was drunk, but on Saturday night he told us about meeting these two men.

Q. Was he sober on Saturday?—A. More sober than on Friday but he—

Q. Still he was under the influence of liquor?—A. Under the influence of liquor.

Q. Do you know whether he was drunk on polling day?—A. One time I asked him what condition he was in on election day and he said "No, I was not drunk on election day."

Q. He said he was sober on election day?—A. Yes.

Q. You don't know if he was drinking before that?—A. I never seen Farr till he came to this boarding-house, and another time he told me he had been drinking two or three days before the election.

Q. The thing that seemed to worry him most was that he had torn up two or three ballots and thrown them on the floor instead of putting them into the envelope?—A. That seemed to start him. That was the first thing that came out in the paper.

Q. About a ballot being found on polling day torn up?—A. It was an account of where a man had thrown a ballot on the floor and asked some question and he took it and tore it up.

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Q. And that is what excited him?—A. What started him that night. I have known him since before the first of May and I never seen him under the influence of whisky till this Friday night.

Q. You don't come here to tell us he was not a drinking man?—A. I never seen him under the influence of whisky till he came back from Goderich.

Q. How often had you seen him about Toronto?—A. Before Friday night?

Q. Yes?—A. I was boarding in the same house with him.

Q. How long?—A. From the 12th of May up to the night I am telling of. I am boarding there yet.

Q. Do you know of his being dismissed from his place for drunkenness?—A. He never told me that.

Q. You didn't know about that?—A. No, sir.

Q. This cheque that he told you he had for \$500 that is all poppycock, you think?—A. That is all poppycock I guess. He didn't have any cheque. He said he could get money.

Q. He said he did have the money?—A. He said he could get the money.

Q. He said he did have the cheque?—A. No, he said first he had the cheque for \$500 and then afterwards the next day when he sobered up—

Q. But that day he said that he had a cheque for \$500?—A. He said when he came back from Goderich, "I have a ticket for North Dakota and a cheque for \$500."

Q. And now you say that was not true?—A. That was not true. The next day he said he could get the \$500.

Q. That may have been equally untrue?—A. I don't know anything about that of course.

Q. When did you get your instructions to come here?—A. The summons?

Q. Did you have a summons?—A. Yes, sir.

Q. When did you get that?—A. Saturday noon time.

Q. Saturday noon, and did you have any conversation with anybody before you came?—A. Well, yes; I had a conversation before I came with Mr McPherson.

Q. I do not know who that is?—A. I don't know anything about it neither, only just—

Q. Was it explained to you what you were wanted here for?—A. Yes, he explained what I was wanted here for.

Q. I don't know who Mr. McPherson is?—A. He is an embarrasser, I think.

Q. A barrister?—A. A barrister.

*By Sir Louis Davies :*

Q. Is he the man who served the subpoena?—A. No; it was a telegram I got.

Q. It was a telegram you got?—A. I got the thing here in my pocket.

Q. A telegram from the clerk of the committee, you got this on Saturday night?—A. Saturday night.

Q. The telegram reads :

"JAMES NELSON,  
414 Church St.,  
Toronto.

5th August, 1899.

You are hereby ordered to attend and give evidence before the Committee on Privileges and Elections, on Monday morning next at ten o'clock. Expenses paid here.

WALTER TODD,  
Clerk of the Committee."

Well, of course you had to advance your own expenses?—A. Yes, sir.

Q. And you did so?—A. Well, I borrowed them.

Q. It was not Mr. McPherson that you borrowed them from?—A. Yes, it was Mr. McPherson I borrowed them from.

Q. Did you go to Mr. McPherson to borrow them or did he come to you?—A. I went to him.

Q. And he was a barrister?—A. That is what his sign says.

Q. An acquaintance of yours?—A. No, sir.

Q. How did you come to go to Mr. McPherson?—A. I just wanted to borrow money; people was telling me that thing was very serious, and if I didn't come down here I might be—

Q. He is a money lender?—A. I don't know. I went to him and I asked him if he would not lend me my fare to Ottawa.

Q. How did you come to think of him?—A. I was told.

Q. Who told you?—A. A young man I was talking to, and he said McPherson was a Conservator and might lend me the money.

Q. You don't know who that young man was?—A. I don't know his name.

*By Mr. Powell:*

Q. He seemed to have very good judgment?—A. Yes, he hit it very good.

*By Mr. Russell:*

Q. And what did Mr. McPherson say?—A. I showed him the subpoena, and he said if I would pay the money back he would lend me the money.

Q. You never new McPherson before and were only recommended to him by this young man?—A. I saw him on Friday night and he came down to the house and asked me if I knew where Farr was.

Q. You saw McPherson on Friday night?—A. On Friday night.

Q. And he asked you if you knew where Farr was, and you told him—A. I told him I didn't know because I hadn't seen Farr on Friday night. It was after I seen McPherson I seen Farr.

Q. And that was the reason you saw McPherson because you saw him on Friday night?—A. No, it was not. He said, "If you want any information about any subject, come to me and I will advise you."

Q. Mr. McPherson had seen you on Friday night and asked you if you knew Farr's whereabouts and then told you if you wanted any information to come to him and he would—A. He would see me through.

Q. And then it was after that you got the telegram?—A. It was the next noon time I got the telegram.

Q. You had occasion to see McPherson that day?—A. Saturday night I went to see McPherson.

Q. You didn't see him on Sunday night?—A. No, I left last night at nine thirty.

Q. You didn't see anybody last night?—A. Nobody last night.

Q. You had no conversation with anybody last night?—A. No, sir.

Q. You had a conversation with McPherson on Saturday night?—A. On Saturday night.

Q. On Friday night besides asking you about Farr's whereabouts,—was this the whole conversation?—A. Well, of course we talked about the weather and about election and one thing and another.

Q. That was the only conversation you had, that conversation with McPherson on Friday night, and this is the conversation you were telling about and this talk about the weather and other things?—A. Yes.

Q. And then you saw him on Saturday night after you got the telegram?—A. I told him I was subpoenaed to Ottawa and I had no money, it was between pay day and if he would advance me the money I would be very much obliged to him, and he said, he thought a while and then said, "Yes, I will advance you with the money."

Q. Had you any further conversation about the election?—A. Not that night.

Q. And was Saturday, was that the last time you saw him?—A. I saw him again on Sunday when he gave me the money.

Q. He did give you the money on Sunday?—A. On Sunday I went to borrow the money. He had told me to come down to his office on Sunday.

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Q. He was in his office on Sunday, was he?—A. He was at 2.30, I don't know how long afterwards.

Q. What was the conversation on Sunday?—A. It was just about "similar" to that on Saturday.

Q. Did he say anything about the trial?—A. He said, "If you come down here the best thing is to tell what you know and to tell the truth."

Q. You told him all you knew?—A. I told him some things.

Q. Some facts, but not all you know?—A. No, sir.

Q. You didn't tell him all you know?—A. No, sir.

Q. And on Sunday you had another conversation with him?—A. No, he just told me the best thing was to go down there and tell the truth and told me when the train would leave.

Q. Of course, you do not know who McPherson is?—A. I don't know anything at all about it.

Mr. BORDEN.—I might make a statement in reference to this and I would like it put on the minutes. I say that when the names of Priest and Marshall came up in the evidence of Harry Ross, I sent a telegram to Mr. McPherson asking him to interview these witnesses and see whether they could give any evidence material to this case, respecting admissions or statements by Farr. I received in reply from him a telegram stating that Priest was absent, but that Marshall and this witness could probably give material evidence.

I then moved on Saturday for summonses for these witnesses, James Nelson and Thomas Marshall.

*By Mr. Borden :*

Q. With respect to Mr. McPherson lending you money, did he take any order from you for the repayment of the money?—A. Yes, sir.

Q. A paper directed to Mr. Todd, the clerk of the committee?—A. Yes.

Q. Directing Mr. Todd to repay to Mr. McPherson the money which he advanced to you?—A. Yes, sir.

Q. Now, sir, you have told us that when Farr came back from Goderich he said he had been there only an hour and some men had given him whisky—A. Two bottles of Seagrams.

Q. —and told him to go back to Toronto?—A. He told me they shipped him to Toronto.

Q. Did he tell you the two names?—A. He did, but I forget.

Q. Would you recall them if they were mentioned to you?—A. I don't think it, I didn't pay much attention because he was telling so many different stories.

Q. Now, you say he was drunk at the conversation on Friday in which he said he had \$500, and then when he sobered up on Friday that he could get \$500?—A. That is what he told me.

Q. I understand you say on the way back from 95 Howard street at where Vance lives, or on the way to it you asked him whether Holmes would be elected if there had been a fair fight,—A. Going to it.

Q. —and the reply he said was?—A. "Never on your life."

Q. Did he say anything else, did he explain why?—A. He said McLean was a more popular man than Holmes and that even some of his party—that is the Liberal party—was against Holmes being nominated as the representative of the party.

Q. I am not so much concerned in that as did he explain in what way the election was not straight?—A. He didn't explain that.

*By Mr. Russell :*

Q. In your conversations he spoke in favour of McLean?—A. He spoke in favour of McLean.

Q. You don't know whether he voted for McLean?—A. One night he said—this was Wednesday when I come to think—I said "There is a piece in the papers about people saying there was so many voted, 50"—I forget the right number—"there

was so many counted for McLean and there was so many men would swear they voted for McLean but there was not enough ballots," he turned around and said "It is very funny if I will do dirty work against McLean when I voted myself for him."

*By Mr. Borden :*

Q. Did you know anything about Mr. Vance's business; what his business is, what his occupation is?—A. Well, one time Farr told me he was a member of Parliament.

Q. Is a member of Parliament?—A. Told me he was a member of Parliament; afterwards I found out he was an organizer.

Q. Do you know his first name?—A. I don't know.

Q. What kind of a man is Farr?—A. Farr is a stout man, tall; he wears light clothes; he has no moustache now; he might have had about a week's growth or over of moustache; he had shaved his moustache off and was letting it grow again—

Q. As he had shaved it off?—A. Either in Whitby or Brooklin.

Q. But when he came back from this excursion it was off?—A. It is off.

Q. He wore no beard or whisker, only a moustache and that was shaved off?—A. That was shaved off.

*By Mr. Powell :*

Q. Up to the time he saw this in the papers he had always worn a moustache?—A. Up to the time he came back from Whitby it was off.

Witness discharged.

ROBERT HOLMES SWORN.

*By Mr. Russell :*

Q. Mr. Holmes, a statement has been made here at second-hand about some conversation you had with Farr, the deputy returning officer at No. 3 Goderich, after the election; did you meet Farr?—A. I did.

Q. Just relate the circumstances?—A. I was in Goderich a day or two after the election—I don't remember exactly how long, but not long—I was in Goderich a day or two after the election and as I was passing along with a friend, he said "That is Farr, the man they are talking about," or words to that effect and he said "I will introduce him to you," and he introduced him to me.

*By Sir Louis Davies :*

Q. You had never met him before?—A. No; I simply shook hands with him and said, "I am glad to meet you" or words to that effect and passed on; I think that is the end of the conversation I had with him.

Q. That is all the conversation?—A. That is all the conversation.

*By the Chairman :*

Q. You had none since?—A. No.

*By Sir Louis Davies :*

Q. That is all the conversation you had?—A. All the conversation I had in my life with him.

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*By Mr. Russell :*

Q. Never saw him before?—A. Never saw him before in my life to my knowledge, never saw him before.

Q. Well, Mr. Holmes, you have given us a full statement of the conversation that you had with Mr. Farr?—A. Well, I would like to know what you have down there.

Q. It is in shorthand and I am not sure it is all there?—A. That is the substance of all that transpired, just as I would say to any one, "I am glad to meet you"; this was all the conversation I had with Farr; people were talking of him and there was some talk of little irregularities but I have——

*By Sir Louis Davies :*

Q. But you said nothing in the nature of thanking him or saying you would not forget him?—A. No.

*By Mr. Powell :*

Q. You know Vance?—A. Yes.

Q. He lives in Toronto?—A. I think so.

Q. Was he in your constituency?—A. He was.

Q. He was working for you?—A. I don't know; he was in Goderich.

Q. You understood from your friends he was working for you?—A. I met him in the committee rooms in Goderich.

Q. He was in Goderich?—A. I met him there, I don't know he was there all the time.

Q. He was working for you?—A. I understood he was.

Q. Did you meet "Cap" Sullivan there?—A. No, I think not. I was not in the towns much during the election, I was conducting a personal canvass; Captain Sullivan might have been there and I might have met him; he was in the local election, but I do not remember meeting him in my own.

Witness withdrew.

THOMAS MARSHALL, SWORN.

*By Mr. Borden :*

Q. You reside in Toronto?—A. Yes.

Q. At 414 Church St?—A. 414.

Q. Do you know James Farr?—A. I do.

Q. How long have you known him?—A. Some time last April.

Q. Do you remember of his leaving work some time about the middle of July and going away?—A. I do.

Q. Did you have any conversation with him about the time of his quitting work with respect to the West Huron election?—A. Not much, he said he got in—he had to go home and see his lawyer, on account of what he seen in the *Telegram*.

Q. He had to go home to see his lawyer?—A. Yes.

Q. That is to Goderich?—A. Yes.

Q. Is that all he said?—A. Yes, that was all he said; asked me to go down to the Tremont House with him.

Q. To go where?—A. To the Tremont House.

Q. What for?—A. To get his wages.

Q. That is from Mr. Kough?—A. From Thompson & Co.

Q. And you say that is all he said to you before he went away?—A. Yes, I believe that was all.

Q. You can't recollect anything else?—A. No, I didn't remark anything.

Q. You don't remember anything else?—A. No.

Q. Respecting his connection with the West Huron election?—A. Only that he was returning officer, he made that remark that he had been returning officer for years and he had been returning officer that day.

Q. That is all he said?—A. I believe that was all.

Q. Did you see him after he came back from Goderich?—A. Yes.

Q. Did you have any conversation with him then?—A. Yes, I met him on Church street and asked him into the house; he showed me a ticket which he had for Dakota and he also had plenty of money he said.

Q. This was at the time that he came back?—A. Came back from Goderich Friday night.

Q. Was that all he said?—A. He was going to Dakota he said; his trunk was in Hamilton, North Dakota.

Q. Did he show you the baggage check?—A. He did.

Q. Well, what did he say about going to Dakota, did he give any reason?—A. That if he got into any trouble he was going to Dakota on this ticket.

Q. If he got into any trouble?—A. Yes.

Q. Did he refer to what kind of trouble?—A. Over the elections as I understood.

Q. Was that all took place on that occasion?—A. Yes, I think it was.

Q. Did he say whether he had seen his lawyer?—A. No, he didn't remark that.

Q. Didn't tell you whether he had seen his lawyer?—A. No.

Q. Didn't tell you who his lawyer was?—A. No.

Q. Did he remain at your house, 414 Church St.?—A. Remained till I left for Brooklin, Sunday.

Q. And not there when you returned?—A. No.

Q. Did you see him after?—A. I met him in Brooklin.

Q. Did you see him beside that?—A. I had a conversation Saturday night, a few remarks.

Q. What were they?—A. He still boasted of this ticket and a check he had for \$500 and he could get more, and he met Holmes on the street and shook hands with Holmes, and Holmes said he would remember him for this.

Q. He said this had taken place in Goderich after the election?—A. After the election.

Q. Well, did anything further take place on that occasion?—A. No.

Q. Nothing further?—A. No.

Q. You saw him in Brooklin?—A. I seen him Sunday morning, and had a conversation with him; he brought down his note book to ask me to make out an address he had.

Q. What did he say the address was?—A. I believe it was Mr. Vance.

Q. What was his first name?—A. I didn't remark, I don't know his first name.

Q. Do you know his street and number?—A. No, I remember the number on this note book was 38; as for the name I could not make it out.

Q. How far is Brooklin from Toronto?—A. Between 30 and 38 miles, generally accounted 32.

Q. What county is it in?—A. Ontario.

Q. The county of Ontario?—A. Yes.

Q. Do you know whether south or north Ontario?—A. South.

Q. You went there on an excursion, did you?—A. No, I went there to see my brother.

Q. Did he go with you, did Farr go with you?—A. No, he did not.

Q. But you met him there?—A. I met him there, yes, sir.

Q. Met him in Brooklin?—A. Yes.

Q. Do you know Mr. Vance?—A. I don't.

Q. Don't know him by sight?—A. I never seen him.

Q. This conversation on Sunday morning, did you do anything more than speak of these matters, that is all?—A. Yes.

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- Q. Did you have any conversation with him at Brooklin?—A. I did.  
Q. About the election?—A. No.  
Q. Nothing about the election?—A. No.  
Q. Or about his connection with the West Huron election?—A. No.  
Q. When did you see him next after your return from Brooklin?—A. On Friday night.  
Q. Went to Brooklyn on Sunday?—A. Sunday.  
Q. And you returned on what day?—A. A week Sunday, about the 30th of July, I guess.  
Q. You returned about the 30th of July?—A. Yes.  
Q. You were in Brooklin then some time?—A. Two weeks.  
Q. And when you returned you saw him last Friday night?—A. Last Friday night.  
Q. Where did you see him?—A. At the corner of Alexandria and Church streets.  
Q. Was he staying then at your house?—A. He was not.  
Q. Did he tell you where he was staying?—A. On King street.  
Q. He said he was staying on King street, did he give you the number?—A. He did not.  
Q. Did he say anything about the election on that occasion?—A. I made a remark to him "What do you think about your party now", and Mr. Nelson made the remark—

*By Mr. Flint :*

- Q. Mr. Nelson was with you?—A. Yes, sir.

*By Mr. Borden :*

- Q. And what did he say?—A. He said as far as he was concerned there was no crooked work done on his part or something to that effect.  
Q. No crooked work done on his part?—A. Yes.  
Q. You don't know about Mr. Vance being in your house in the meantime, when you were away?—A. I don't know.  
Q. Have you told us everything he said to you about the election so far as you remember?—A. I have, with the exception of the ballot box. Mr. Nelson I believe made that remark.  
Q. What was that?—A. What we seen in the papers. We asked him what he thought about the ballot box stuffing.  
Q. What did he say in reply to that?—A. I believe the remark he had made was that Mr. Holmes and another gentleman and he talked over this and decided it could not be worked.  
Q. Is that all you remember about that?—A. Yes, I think that is all on that occasion.  
Q. Did he tell you on any occasion whether or not he was keeping out of the way of a summons?—A. Before, that was before.  
Q. On this same occasion before this conversation that you have detailed?—A. No, just after Mr. Nelson's remark, he made the remark that he looked very tough as if he had been out at the tramping.  
Q. Who made the remark?—A. Nelson made the remark to Farr.  
Q. That he looked very tough?—A. Very tough.  
Q. And Farr said?—A. He felt very tough. He had been tramping around the country and had taken his last tramp for he was going to Ottawa.  
Q. Did he state where he had been tramping around the country?—A. I don't think he did.  
Q. You don't remember?—A. I don't think he did.  
Q. He said he had taken his last tramp and was going to Ottawa?—A. Going to Ottawa.  
Q. For what purpose?—A To tell what he knew about this

Q. In any of the conversations you had with him did he make any reference to Mr. Vance?—A. Only about this ticket.

Q. What did he say about the ticket?—A. First he told me his brother gave it to him, and then on another occasion he made a remark that Vance gave it to him.

Q. Did he say anything to you about having money or expecting to get money?—A. Yes, several times.

Q. What did he say about that?—A. In Brooklin he said he expected a man the next day to get money for him, he expected to meet a man the next day. I met him, I believe it was Tuesday or Wednesday night, and the day following he expected a man to bring the money.

Q. Did he say what man?—A. No, no reference was made to the man.

Q. Did he say who the man was?—A. No.

Q. On what other occasion did he make any reference to the money?—A. I ain't sure; I believe Friday night.

Q. Last Friday; now, what did he say about it then?—A. He said he was offered \$2, but would not accept that; he wanted more.

Q. He had been offered \$2 for what?—A. I suppose to pay his board going through the country.

Q. Now, is there anything else you can recollect as to his conversation about money?—A. I think I have told you about having the cheque.

Q. Did you see him more than once while in Brooklin?—A. Just the once. I was to have met him the next night. He asked me to go over to see him; he was rather lonesome and I told him I would, and I went over and Farr had gone.

Q. Did you find out where he had gone?—A. I asked the hotel-keeper if he seen the gentleman I was with the night before, and he said he had gone to Port Perry.

Q. To Port—?—A. Port Perry.

*By Mr. Russell :*

Q. Did you see the baggage check Mr. Farr had there?—A. He had it in his hand.

Q. Was it a metal check?—A. No.

Q. A pasteboard check?—A. A pasteboard check.

Q. When you had this conversation with Farr he said there had been no crooked work done on his part?—A. That was Friday night.

Q. Was it before this that he had seen the piece in the paper about the ballot being torn up and thrown on the floor?—A. That was the day before he went to Goderich.

Q. And they made such a racket about that in the papers that he thought there must be something devilish in it?—A. He acted that way.

*By Sir Louis Davies :*

Q. The Friday night you spoke of was last Friday?—A. Last Friday.

*By Mr. Russell :*

Q. In one conversation he spoke about the ticket and said his brother had given it to him?—A. Yes.

Q. And then he said Vance gave it to him?—A. Yes.

Q. Did he give any further account of it?—A. He did not.

Q. I suppose you came to the conclusion you didn't know how much to believe of what he told you?—A. I came to the conclusion.

Q. That you didn't know that you could believe what Farr told you?—A. No. not at that time, because I had always found him truthful in what he did say.

Q. These two things were inconsistent with one another?—A. They were.

Q. He never showed you that cheque he had?—A. I never seen a cheque.

Q. Did he speak to you of a cheque for \$500?—A. He did.

Q. You don't know whether he had a cheque or not?—A. I never seen it.

## Privileges and Elections Committee.

Q. Don't you know that he didn't have it, that he was lying about that?—A. All I know is about what money he had afterwards.

Q. And what do you know by that?—A. Well, he never had very much.

Q. He didn't seem to be flush of it?—A. He did not.

Q. He would have been if he had that cheque?—A. Probably.

Q. Now, there is just one thing I want to ask you about and only one. Mr. Farr told you he met Mr. Holmes, that is the member, the night before the election. Is not that correct?—A. That was his conversation Friday last.

Q. The night before the election?—A. Yes.

Q. And they talked over the matter?—A. What matter?

Q. The ballot box stuffing, and came to the conclusion that it——?—A. Could not be done.

Q. You are using his exact words now are you not?—A. As near as I can remember.

Q. And not merely the effect of them, that it could not be done?—A. As near as I can remember them.

Q. Your memory is good about his mentioning Mr. Holmes?—A. Oh, yes.

Q. And he fixed the time the night before the election?—A. He did.

Q. Now, were you present at any of these conversations with Mr. Nelson in which Mr. Farr explained how the ballots, how the blank ballots might have got into the ballot box?—A. I think not.

Q. You don't remember any other conversations with Farr than you have given?—A. These are all.

Q. And of these conversations you have given us all you recollect about them?—A. Yes.

Q. When did you get your instructions to come?—A. Saturday, between twelve and one.

Q. The same way Nelson got his; you had to come under your own expenses—of course the telegram stated your expenses would be paid here?—A. On arrival.

Q. In the meantime you had to pay your own expenses?—A. Yes.

Q. Did you borrow the money, did anybody furnish it?—A. They did.

*By Mr. Borden :*

Q. Mr. McPherson, wasn't it? Mr. McPherson said he furnished the money?—A. Yes.

*By Mr. Russell :*

Q. What condition was Farr in when you met him that first Friday night?—A. Very drunk.

Q. And did he keep on drinking?—A. He did, up to the time I left.

Q. And he was drunk most of the time you saw him?—A. Well, Saturday morning he would not be what you might call drunk.

Q. Stupid?—A. No.

Q. He was recovering?—A. Yes.

Q. Did you have much conversation Saturday morning?—A. No.

Q. Saturday night he was under the weather again?—A. Yes.

Q. All this time you had conversations he was the worse of liquor?—A. Except last Friday.

Q. Except last Friday, except that?—A. Well, the one I seen him going to Goderich, the Thursday he went to Goderich.

Q. He might be sober then?—A. He was sober because he had nothing to buy it with.

*By Mr. Borden :*

Q. Had he been a drinking man up to the time he quit work?—A. No.

Q. Had you ever seen him under the influence of drink?—A. No.

*By Mr. Russell :*

Q. You don't know of his having been dismissed from one of his places?—A. No, I always heard he was a good mechanic.

Q. That was admitted; he was drinking and lost his position, did you hear that?—A. No.

*By Sir Louis Davies :*

Q. I want to understand; you had two conversations on Saturday, he was very drunk and spoke about his ticket and baggage?—A. Yes.

Q. Saturday night, when he boasted about his ticket, he was drunk?—A. Yes.

Q. The only time that you had a conversation with him that he was sober he said there was no crooked work done by him?—A. Last Friday evening.

Q. That was the only time he had been sober?—A. Yes.

Q. Did he tell you who he voted for?—A. Yes.

Q. For whom?—A. McLean.

Q. What was the language he used?—A. That McLean asked him—I don't remember the place—

Q. That McLean asked him to vote for him, and that he told McLean he would?—A. And he told me he did.

Q. And he told you he did vote for him?—A. He did.

Q. That was all he said?—A. That was all he said.

Q. Was it at that time he told you there was no crooked work?—A. No.

Q. It was before that he told you no crooked work was done?—A. Yes.

Q. Before?—A. It was before that.

Q. And did he say "It would be very strange if I done any crooked work against McLean when I voted for him?"—A. No.

*By Mr. Borden :*

Q. Was it Friday night or Saturday night he said he voted for McLean?—A. No, I don't know which.

Q. You say he was drunk Friday and Saturday; was he as drunk Saturday as Friday?—A. No.

Q. Did he talk on both these occasions?—A. Yes, he was very boastful and talkative.

Witness discharged.

ROBERT HOLMES recalled.

*By Mr. Russell :*

Q. You heard the evidence of the last witness?—A. Well, of course I heard the remark the witness made about meeting me—

*By the Chairman :*

Q. What witness?—A. This witness about what Farr told him about meeting me after the election; I wish to contradict that most emphatically. That night I drove thirty miles to a place called Grant's school-house, twenty miles north of Goderich; I was away all night and delivered an address; I drove seventy miles that night, so it was utterly impossible to meet him.

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*By Sir Louis Davies :*

Q. You not only did not meet him but were not in Goderich that night, and so could not meet him?—A. I was not in the town of Goderich and never to my knowledge did I meet him.

Q. Had you any conversation directly or indirectly about ballot stuffing?—A. I had not.

Q. At any time?—A. I hadn't any conversation.

Q. So that reported conversation was absolutely untrue?—A. It is absolutely untrue.

Q. It is somebody else that has to take credit for preventing Farr stuffing the ballot box?—A. It is not I.

Witness discharged.

The committee adjourned until 4 p.m.

At 4 p.m. the Committee resumed.

GEORGE CAMPBELL SWORN.

*By the Chairman :*

Q. Your name, sir?—A. George Campbell.

*By Mr. Borden :*

Q. You reside in Goderich, Mr. Campbell?—A. Yes, sir.

Q. You voted at the Dominion election held in February last for the west riding of the county of Huron?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. Did you put any mark on it?—A. Yes, sir, I marked it opposite McLean's name.

Q. Opposite McLean's name. What kind of a mark?—A. A cross.

Q. Do you remember whether there was a disc, a white place opposite McLean's name for putting the mark?—A. I do not remember.

Q. But you remember putting your mark opposite McLean's name?—A. Yes, sir.

Q. After marking and folding the ballot what did you do with it?—A. I rolled it up as I have always done and handed it to James Farr.

Q. Did you hand back to him the same ballot paper which you had received from him and which you had marked?—A. Oh, the very same.

Q. You handed the same one back to him?—A. Yes, sir.

Q. Did you observe what he did with it?—A. I did.

Q. What did he do with it?—A. Well, there is a light in our town hall there, and he just turned round and folded it another way, and he folded it a different way and tore one end off, and I said "What are you doing that for. You might just as well let me have the open ballot here open forinst the whole of you, for says I, you know now who I voted for, you know anyway. It is for Robert McLean anyhow."

Q. And after he had torn the piece off it, what did he do with the ballot?—A. He put the ballot right in the box; that, I am certain of. I stood up there and put it in to Jim, and I watched him, and he put it in.

Q. And the other piece that he tore off, what did he do with that?—A. I think he put it in his pocket. I don't know positively, but he didn't put the ballot in his pocket, I am quite certain of that.

*By Mr. Russell :*

Q. Did you fold it lengthwise or crosswise of the names?—A. Crosswise.

Q. Did you know he had to tear a piece off the paper before he put it in the box?—A. Yes, he told me so.

Q. He partly unfolded it and folded it up crosswise, didn't he?—A. No, I don't think he did. He gave another turn, and I think he just put it in that way.

Q. The names were printed lengthwise, then suppose it was like that, suppose it was something like that. You folded it up this way, I presume?—A. That is correct.

Q. Then you see of course if it was folded crosswise then he could just tear it off like that?—A. Well, sir, I don't think, to the best of my knowledge, that was the way of it. Allow me to show you? Now, I had it folded some such way as that, just a little too wide for the box. "Now," he says, "Campbell I am going to fold it that way," and he just folded it up a little wider that way and held it around that way not knowing exactly who I voted for and then he tore a little piece off and I said, "Just be sure you put that in the box."

Q. What time of day did you go to vote?—A. To the best of my knowledge, it was three o'clock.

Q. Did you notice anything wrong with Farr when you were in there?—A. I did not.

Q. You did not?—A. I paid no attention to anything wrong with him.

Q. You didn't notice he was in liquor?—A. No, I can't swear he was.

Q. You can't swear whether he was pretty well in liquor, you didn't notice?—A. No.

Q. You didn't notice enough to know whether he was in liquor or not?—A. No.

Q. Do you know Farr?—A. Well, I—

Q. Do you live in the same town?—A. I have seen him this 15 years.

Q. Fifteen years?—A. I have known him for over ten years.

Q. Now, has he been drunk of late before the election?—A. Well, that I won't say, because he is a man that I never cared much for his company.

Q. But you never saw him the worse of liquor to your knowledge?—A. I have.

Q. I thought so; when had you seen him the worse of liquor?—A. It was one time I was constable at the door.

Q. How long ago?—A. I think it is three years ago.

Q. Well, you hadn't seen him recently?—A. No.

Q. Hadn't seen him or hadn't seen him in liquor, which do you mean?—A. I only saw him the once, when I was door keeper, in liquor.

Q. And you did not observe enough to know whether he was groggy this day in the poll booth?—A. No, I didn't.

Q. Have you any impression about it?—A. None.

Q. You are quite certain he only gave you one ballot?—A. I am quite satisfied that he only gave me one and I gave it back to him.

Q. And you delivered it to him as you got it from him and you are quite satisfied he put it in the box, whatever he did with others?—A. I am quite certain of that, sir.

Q. After the election you were asked to make a declaration how you voted, were you not?—A. I think about ten days afterwards a young man you had here, Van Every, said "George, you had better call into Hays' office and put your name to that paper," and I said "What paper," and he said "All Robert McLean's men is putting their names to a paper there in Hays' office;" and I said "Well I am not going to bother my head about that;" about four or five days after I was passing the door and asked Hays about it; he said "They are putting their names down," and I asked if he wanted mine; he said "If you like," and I said "If the rest are doing it I will," and I did.

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Q. Was it read to you?—A. I don't remember.

Q. It was in Hays' office?—A. Yes.

Q. Were there more names on the paper than yours?—A. There was 20 or 30 on the one paper.

Q. On the one paper; you signed on that and didn't look at it?—A. I didn't look at the names, I signed the same as all the others.

Q. Is that the only document you signed?—A. The only one and the only one I signed.

Q. That would be about 15 days after the election, you think?—A. To the best of my knowledge.

Q. Do you remember how many names there were on it?—A. No, but I know there was quite a lot.

Q. That might be supposed to be a list of all the names that voted for McLean in order to get their declarations; did you see Farr the day after the election?—A. No.

Q. Now within a few days after?—A. I have a poor memory, that is the worst of me, I would not say for certain.

Q. You put your name down in the form of a declaration?—A. Yes.

Q. Don't rack it, it is not important, I have no instructions you did see him; I only want to know if you saw him whether he was on the spree?—A. I didn't see him on the spree, if you mean drunk.

Q. Yes?—A. Well, I didn't see him, I might have passed him on the street in the evening but never noticed anything of that kind; it is very seldom I am out of my house after night, seven o'clock gets me at home.

Q. Do you live far from Farr?—A. A quarter of a mile.

Q. Would he pass your place going to work?—A. No.

Q. Then as I gather from you, you didn't see much of him after the election?—A. No.

Q. And the only time you remember seeing him in liquor was three years before the election?—A. Yes.

Q. You have often voted?—A. I have voted there for 45 years.

Q. And Farr was returning officer?—A. No.

Q. Have you never voted there when Farr was returning officer?—A. Yes, he was there when we voted for municipal officers.

Q. That was a vote by ballot?—A. Yes.

Q. They didn't have any counterfoil?—A. They had like this ballot.

Q. They don't have in the Ontario elections, he was in that?—A. Oh, yes, he was.

Q. They didn't have this counterfoil in those elections?—A. I don't remember.

Q. But in the Dominion elections there is a piece to tear off?—A. This was the first time I saw it.

Q. You would in 1896 and the election before that?—A. I don't remember seeing it before, I don't remember Jim Farr doing it.

Q. You don't remember seeing pieces of ballot papers lying around?—A. I don't think so, I was just watching him fold it up and put it in the box and when it was I walked out.

Q. You didn't see any pieces on the floor?—A. There might be but I don't know; he might have thrown that piece he tore off on the floor, but I think he put it in his pocket; he told me, "Be sure you fold that up so I can take it off."

Q. You saw him put his initials on the ballot?—A. Yes.

Q. He put them on the back?—A. Yes, he constantly did it.

Q. You can't say that from seeing him do it?—A. I saw him when I was constable.

Q. But he did in your case?—A. Yes.

*By Mr. Bell (Prince):*

Q. About this counterfoil, have you been in the habit of acting as policeman or constable around there?—A. Oh, sometimes when they are putting in councilmen they employ me to stay at the door.

Q. You are acquainted with the mode of conducting an election and casting ballots and putting them in the box, you have seen that often?—A. Yes.

Q. Well, what is the customary mode of dealing with the counterfoil—you know what the counterfoil is?—A. I don't.

Q. The counterfoil is a small margin which is torn off?—A. I never seen it till this last time in our town hall.

Q. You have seen the deputy returning officer accustomed to put that in his pocket—do you know what it is customary to do with it?—A. I have not noticed.

Q. You have not been accustomed to see it?—A. As far as I know, Jim Farr put my ballot in the box and the other hand in his pocket.

Q. He put the ballot in the box with one hand and put the other hand in his pocket; which hand did he put the ballot in the box with?—A. The right.

Q. And with the left hand put the counterfoil in his pocket?—A. Yes.

Q. And you don't know which is customary in your poll, to put the counterfoil in the pocket or on the floor?—A. I never seen it done before only that one time.

Q. Are you pretty well acquainted with Farr?—A. Not generally.

Q. But you know him in a general way?—A. I meet him now and then on the street.

Q. What sort of reputation has he among citizens, is he considered to be honest and upright?—A. I can't say, I have had very little business with him.

Q. But I am asking what people think of him?—A. I have heard folks say he is a little fond of liquor.

Q. We all admit that, but what is his general reputation?—A. I never heard any bad about him.

Q. You never heard anything wrong about his character, only you understood he was fond of liquor?—A. Yes, his character I know nothing about.

Q. Well, I mean you have an opportunity of knowing if living a quarter of a mile?—A. Well, hearing a lot of things, but it is not right to come over all you hear.

Q. But you live near him?—A. Oh, I have heard people say Jim Farr drank a lot of liquor.

Q. But you never heard anything against his general character?—A. No.

Q. Then, as far as you are concerned you saw nothing in the election to excite suspicion?—A. I did not, except as I told you he turning to the light and folding it forinist him, and I said "Jim, you might as well open it."

Q. Did you take any part in the election yourself?—A. No, sir; oh, no, my election day is over now.

Q. Well, did you?—A. Well, some years ago, 30 years ago I did.

Q. You took a hand in it then?—A. My hours then were night and day and I had some horses and I used to do a good deal of work in elections.

Q. Always been a Conservative?—A. Yes.

Q. Always?—A. I always voted that way; I voted in 1855, the first vote I gave.

Q. This election you were not canvassed?—A. I was not canvassed this 20 years and I have not had a man to ask me for a vote these 20 years; the last man to ask me for a vote—

Q. Have you been at the committee rooms?—A. Quit going out at all.

Q. Have you been at the public meetings?—A. Sometimes.

Q. The public meetings called for Mr. McLean?—A. I have not been at one, I don't go out of my own house, I have been very lame; I didn't go out of my house except to vote.

Q. Did you have any conversation with Farr about how he was going to vote?—A. No.

Q. Before or after?—A. No.

Q. You didn't?—A. I don't have much conversation with him.

Q. Is he a Liberal or Conservative?—A. I don't know.

Q. What was he some time ago?—A. Well, mister, you ask me that, I can't tell; I never ask a man how he votes.

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Q. What side was he reputed to be on?—A. I always heard them say he was a Grit, I never heard himself say so; we call it Grit and Tory up there so he was always called a Grit.

Q. You don't know what he was at this last election?—A. No.

Q. How he voted?—A. I don't know how he voted.

*By Mr. Russell :*

Q. You must have voted at the general election in 1896?—A. 1896?

Q. Yes, at the general election?—A. Was that when Cameron went in?

Q. Yes, McLean and Cameron were in it?—A. Yes, but I don't remember that about the ballot.

Q. That is what I was going to ask you about; strange you would not remember whether the counterfoil was or was not taken off the ballot then?—A. If you ask me five minutes after what I said here I would not remember.

*By Mr. Borden :*

Q. The declaration you made in Mr. Hays' office was a declaration that you had voted for McLean?—A. Yes, that is what I understood it to be.

Q. And you understood that others had made declarations of the same kind?—A. Yes.

Witness discharged.

THOMAS POLLEY SWORN.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Polley?—A. Yes, sir.

Q. Did you vote in the Dominion election for the west riding of the county of Huron held in February last?—A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Mr. Farr.

Q. Mr. James Farr?—A. Mr. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes, sir.

Q. Did you put any mark on it?—A. Did I?

Q. Did you put a mark on it?—A. Yes, sir.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name did you put the cross?—A. Mr. McLean's.

Q. Was there any place opposite his name for the purpose of putting a cross?—A. Beg pardon?

Q. Do you remember whether there was a place for putting your cross?—Yes, there was a place with a margin around it.

Q. Where did you put your cross?—A. In the centre.

Q. A circular white space with black around it?—A. Yes.

Q. And you put your cross where?—A. In the white.

Q. After marking your ballot what did you do with it?—I folded my ballot as the deputy returning officer told me so that his initials would be shown on the ballot without opening it.

Q. And what did you do with it then?—A. I handed it to the deputy returning officer.

Q. Did you hand to him the same ballot which you had received from him and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with it?—A. I did not positively. I handed him the ballot and he made an attempt to put it in the ballot box. Whether he did or not I can't say, because I just handed him the ballot and passed on out.

*By Mr. Bell:*

Q. You know, I suppose, Mr. Farr pretty well?—A. No, sir.

Q. How long have you been round there, in Goderich?—A. Six years I have been round there.

Q. Where did you come from?—A. From the township of Ashfield, that is in the same riding.

Q. You came from the township of Ashfield into Goderich?—A. Yes, sir.

Q. And have been living in Goderich six years?—A. Yes, sir.

Q. And you are pretty well acquainted with Farr?—A. No, I am not particularly well acquainted with him; I know him to speak to, further than that I haven't much acquaintance with him.

Q. You have heard him talked about a good deal?—A. Lately, I have since I have been here.

Q. And before that?—A. Not previously.

Q. You never heard him talked about before?—A. No, not any more. Not that I can say.

Q. Is his name and reputation around the vicinity considered pretty fair, pretty good?—A. I have never heard the man talked about. I don't know as to his reputation.

Q. You have never heard anything against his reputation?—A. No.

Q. Except, I suppose, that he is a little given to drink?—A. Well, I can't say that I have heard that of him, being given to drink, not until this affair took place.

Q. You have never seen him yourself?—A. Never seen the man the worse of liquor that I know of.

Q. You have voted at this place before?—A. Yes, sir.

Q. In what election?—A. I voted twice at the provincial elections and at the municipal elections.

Q. And at the plebiscite?—A. Yes.

Q. You are a prohibitionist I suppose?—A. Yes, I am.

Q. Who conducted the poll at the plebiscite vote?—A. I am under the impression it was Mr. Farr. I rather think it was.

Q. Who conducted the poll at the municipal elections?—A. Mr. Farr.

Q. He has been deputy returning officer as long as you can remember?—A. I think he has been deputy returning officer there I think, every time I have voted in that municipality.

Q. You never heard anything against him in his work as returning officer?—A. No, sir.

Q. Did you see anything during the conduct of this poll that would lead you to have doubt?—A. I didn't because I was not half as long in the booth as since I came into this room.

Q. As far as you saw there was nothing in his pocket which gave any suspicion of wrong doing against him?—A. No, sir, there was not.

Q. Where did your mark your ballot?—A. Well, I will not swear positively whether it was in the closet away from the deputy returning officer's desk or whether it was on a table between the two, I wouldn't swear positively which.

Q. But it was in some place where you were not open to observation?—A. If it was at the table it was as open as this room.

Q. Could any one see you, where you were, how you marked the ballot?—A. If it was this Dominion election that we are talking of now, if that was where the vote was taken it was just the same as where that gentleman is sitting and I was somewhere like you are, but whether that was the election where the vote was that way or not, I cannot swear positively.

Q. You are not sure then under what circumstances your ballot was marked by you, in a closet or on the table?—A. Not whether at the table or in the closet. I would not swear positive which of the two places.

Q. Which name did you put your mark opposite, the name at the top or at the bottom?—A. The bottom.

Q. The second name?—A. Yes.

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Q. You are sure of that?—A. Yes, yes, I am sure of that. I think it was at the bottom.

Q. Well, well, are you sure?—A. I would not swear positively just that it was at the bottom, but I will swear positively this, that it was opposite Robert McLean's name.

Q. But not whether Robert McLean's name was at the top or bottom of the ballot?—A. I will not swear positively, but I am under the impression that it was at the bottom.

Q. Why?—A. I don't know why; I have no reason to give, only that I have that impression on my mind.

Q. You just made a mark?—A. Yes.

Q. When you brought the ballot back and handed it to the deputy returning officer did you fold it up first?—A. Yes, so as his initials could be seen without opening the ballot.

Q. And you gave him a ballot with the initials endorsed on it?—A. Yes.

Q. In which hand did he take it, the left or right?—A. That I can't say, because I just handed him the ballot and passed right on out.

Q. Did you stay to see what he did with the counterfoil?—A. I didn't stay to see whether he took off the counterfoil or put the ballot in the box. All I noticed was he put out his hand and put out the vote as I thought towards the ballot box; whether he put it in or not I am not positive. He reached up his hand and led me to believe he made the attempt anyway to put it in.

Q. Have you any reason to doubt now he did?—A. I have no reason to doubt.

Q. What did he do with the counterfoil?—A. I don't know because I never noticed the counterfoil. I just took the ballot and marked it and went out as quickly as possible.

Q. Did you vote in the election in 1896?—A. Yes, sir.

Q. Do you remember whether there was a counterfoil on the ballot at that time, do you know what the counterfoil is?—A. I understand what it is, but I cannot say I ever took that much notice of the ballot to say whether it was on or not.

Q. Have you ever noticed what the deputy returning officer was in the habit of doing with the counterfoils?—A. No, when I vote, I vote and go out again as quickly as possible.

Q. And take no stock in what is going on?—A. No, sir, I take no stock in what is going on.

Q. So you don't know as a matter of custom whether the ballot was thrown on the floor or put in the pocket?—A. No, sir.

Q. After the election was over you were approached I suppose by some one to sign some paper?—A. Yes, some time after the election.

Q. How long?—A. Well, that I can't say.

Q. Give us an idea?—A. Oh, well, I can't give you any idea.

Q. It was not a year?—A. I suppose I could give you the year and within two months of the time. I think to the best of my knowledge it was some time in March; I would not be positive.

Q. In March. When was the election?—A. In February.

Q. You think the following month?—A. I think so.

Q. Some man approached you, who was it?—A. It was Mr. Van Every.

Q. Mr. Van Every; who is he?—A. A gentleman who has been examined here; he lives there in the town, in Goderich.

Q. Well, he approached you and did what?—A. Well, he asked me if I would sign a declaration to the effect that I had voted for McLean.

Q. Yes, what did you say?—A. I said I would. I had no objection to it.

Q. No objection?—A. No.

Q. And what did you do then?—A. Well, I signed the declaration.

Q. Was it there; did he have it with him?—A. No, sir, he didn't.

Q. Who had?—A. Mr. Hays, the lawyer.

Q. He told you where to go to sign it?—A. Yes.

Q. Before Hays, was it?—A. Yes.

Q. You went to Mr. Hays?—A. Well, I met Mr. Hays in the shop where I was working. He asked me there if I would sign it, and I said certainly I would.

Q. Did he have it with him?—A. Yes.

Q. Made out, all written?—A. Yes.

Q. All written out, was it?—A. It was part printed.

Q. And part written?—A. Yes.

Q. How much was written?—A. That I can't tell you.

Q. Do you know that any of it was printed?—A. Yes, I know some of it was printed.

Q. Do you know that any of it was written?—A. I rather think the date was written, I would not be positive. I cannot say positively whether that was all or not. Of course the circumstances of the case was these: I was at work and the shop was full, and I just got a moment and he said will I sign it here and I said yes, and I went on with my work.

Q. And that is all that took place?—A. That is all that took place.

Q. He asked if you would sign it now, and you signed it and went on with your work?—A. Yes, yes, yes.

Q. Was there any conversation between him and you?—A. No further conversation on that matter.

Q. Do you know anything about Mr. Farr's politics?—A. No, sir, I don't. I never made no inquiry anything about his politics.

Q. Do you know whether he took any part in this last election or not?—A. I do not.

Q. You yourself, I suppose—?—A. I was not at a political meeting or public meeting of any kind only one.

Q. Who asked you to vote?—A. Personally, there was no one asked me to vote.

Q. Impersonally, who asked you to vote?—A. I had a card from Mr. McLean.

Q. You had a card from Mr. McLean?—A. Yes.

Q. A request in writing to give him your vote?—A. Yes.

Q. Was that a printed card?—A. It was type.

Q. A typewritten card?—A. Yes.

Q. Do you do business with Mr. McLean?—A. No, sir.

Q. No business with him?—A. No, sir.

Q. You voted for him I suppose on personal grounds?—A. Yes, sir.

Cross examination objected to by Mr. Borden.

*By Mr. Russell :*

Q. What time in the day was it you voted?—A. It was between 11 and 12 o'clock.

Q. Well, did you notice in what condition Mr. Farr was at the time as to sobriety?—A. Well, I could not say I saw anything the matter with the deputy returning officer; he handed me the ballot and said to me "When you fold the ballot fold it so that my initials will be shown when the ballot is folded." That was all that passed between us.

Q. I see, you don't know in what condition he was?—A. I don't know.

Q. You don't know?—A. No.

Q. You hadn't seen him drunk?—A. No, I hadn't.

Q. You hadn't seen him a short time before the election?—A. No.

Q. You hadn't seen him to know whether he had been drinking or not?—A. No, sir, I hadn't.

Q. Did you see near his chair whether there were any pieces of paper thrown down near his chair?—A. There might have been pieces of paper which I didn't take notice of.

Q. Do you mean there were?—A. I rather think there were.

Q. That is what I want to know, had you an impression there might be pieces?—A. There—I would be inclined to think there were, but I would not be sure.

Q. When you say "inclined to think" you mean you have a kind of recollection it was so?—A. Yes.

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Q. You are positive Farr only gave you one paper?—A. Yes.

Q. And that was initialled?—A. Yes.

Q. And that was not on the counterfoil?—A. I don't know.

Q. Do you know or do you not know whether there is a counterfoil on the Dominion ballot?—A. I have heard so but I never took any notice.

*By Mr. Borden :*

Q. As I understand you didn't see anything on election day to indicate to you that Farr had been drinking?—A. No, sir, I didn't.

Q. When you signed the declaration before Mr. Hays did you understand what the nature of it was?—A. I understood it was the same as an oath.

Q. And did you understand the nature of what you were swearing to?—A. That it was the same as an oath that I voted for McLean.

*By Mr. Russell :*

Q. You understood that at the time you made it?—A. Yes.

Q. Were there other signatures or was it just one document signed by you?—A. I think it was one document signed by me.

Witness discharged.

WILLIAM McLEAN, SWORN.

*By Mr. Borden :*

Q. Do you reside in the town of Goderich, Mr. McLean?—A. Yes.

Q. Did you vote at the last Dominion election for the west riding of Huron in the month of February last?—A. Yes.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from Mr. Farr?—A. Yes.

Q. Did you mark it?—A. Yes.

Q. What kind of mark did you put on it?—A. Put an X on it.

Q. Opposite whose name?—A. Opposite McLean's name.

Q. Was there any kind of place opposite McLean's name for putting your mark?—A. I guess there was.

Q. You don't remember very distinctly about that?—A. No.

Mr. Russell objected to the ballot being shown the witness.

After argument.

The CHAIRMAN.—If I remember well, in the case where objection was taken the witness had been positive in his answer; here is a case where he is dubious. The question that arose was: the witness had answered in a positive manner to all questions put to him, and I said that putting the ballot in the hands of the witness was rather suggestive. In this case the witness is asked if there was a space opposite McLean's name and is not sure of it—it is equivalent to that; he has already said he voted for McLean.

*By Mr. Borden :*

Q. Mr. McLean, would you look at this; does that resemble the ballot that you saw?—A. Well, I could not remember now, I didn't pay that much attention to it, see, at the time.

Q. You really cannot say whether that resembles the ballot for or not?—A. No, sir, I could not, it was so long ago I didn't pay much attention, I didn't think there would be anything.

Q. You remember though that you marked your ballot for McLean?—A. Yes, I remember I voted for him anyway.

Q. And you voted for him by putting a cross on your ballot?—A. Yes.

Q. You put it opposite McLean or Holmes?—A. My name is McLean and I put it opposite his.

Q. Well, after you marked your ballot paper you folded it, I suppose?—A. Yes.

Q. And what did you do then?—A. Handed it to Farr.

Q. And did you hand back to the deputy returning officer the same ballot which you had received from him and which you had marked?—A. I certainly did.

Q. Did you observe what he did with it?—A. I did.

Q. Tell us?—A. He put it in the box.

Q. Did he tear anything off it first?—A. I think he did, yes.

Q. And did you observe what he did with the part he took off?—A. No, I didn't take that much notice, but I know he put the ballot in the box.

Q. You watched him?—A. Yes.

Q. You stayed right there and watched him?—A. Yes.

*By Mr. Russell :*

Q. Did you notice he put his initials on it when he gave it to you?—A. No, I didn't.

Q. And you did not when you folded the paper?—A. No, sir.

Q. He did not tell you, as other witnesses, to fold it so that he would see his initials?—A. When you speak of it, I think he did.

Q. You do not remember one way or the other?—A. I do not swear positively.

Q. Now, what time of day was it you went in to vote?—A. Well, I went about —let me see, now—well, I could not tell you that either.

Q. Was it morning or afternoon?—A. I guess it would be in the afternoon, I think.

Q. Well, he was pretty well on by that time?—A. What?

Q. He was pretty well on by that time?—A. Well, I didn't notice that.

Q. You didn't notice he was under the influence of liquor?—A. Well, I suppose he had been drinking but he was not intoxicated.

Q. What makes you think that he had been drinking?—A. I smelt his breadth, but I don't think he was intoxicated.

Q. Was he sitting down?—A. He was.

Q. That would prevent you seeing if he was drunk; he took a ballot off the pile and gave it to you?—A. Yes.

Q. Did he take off one or two or three?—A. I only got one.

Q. You didn't notice whether he took off one or two or three?—A. No.

Q. You only got one and took that to the place and marked it?—A. Yes.

Q. And brought it back?—A. Yes.

Q. And handed it to Farr and he put it in the box?—A. Yes.

Q. Did you notice what he did with the counterfoil?—A. No.

Q. Whether he put it in his pocket or threw it on the floor?—A. No.

Q. Did you notice whether there were papers torn up around his chair?—A. No, I didn't pay that much attention to him.

Q. If there were papers there you might or might not notice?—A. No.

Q. You didn't observe closely enough?—A. No.

Q. You made a declaration in common with others, how long was that after?—  
A. It would be probably three or four weeks to the best of my knowledge, I would not say.

Q. To the best of your judgment three or four weeks?—A. It might be about a week. I don't know.

Q. You would say a week for the shortest and three or four weeks for the longest?—A. Yes.

Q. Was it a paper you signed or were others on it?—A. There were a few signed it before me, but I didn't read it over.

Q. You didn't read it?—A. No.

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Q. But it was read to you?—A. No.

Q. And you signed it?—A. Yes.

Q. You don't know what it was?—A. Yes, I knew what it was for.

Q. Some one explained to you what it was for?—A. Yes.

Q. Who was that?—A. It was Van Every.

Q. It was a paper the nature of which Van Every had explained to you?—A. Yes.

Q. And it was signed by other voters?—A. Yes.

Q. And you didn't read it?—A. No.

Q. And it wasn't read to you?—A. I don't remember.

Q. And then it was not in the form of a solemn declaration?—A. It might be a solemn declaration.

Q. Well, if it was you would not have signed it?—A. Knowing the people I would.

Q. You know the nature of a declaration?—A. I would have signed it the same.

Q. You know the nature of an affidavit or oath?—A. I do.

Q. That was the first you ever signed without reading?—A. Well, I never signed one before.

Q. There was nothing read over, nothing to indicate you were taking an oath or affidavit?—A. No, there was not.

Q. This may have been a mere list of signatures with a view to getting up declarations and that is what I want to find out?—A. It might have been.

Q. You didn't afterwards sign any other document?—A. No.

Q. And you don't remember how many names were on it when you signed it?—A. No.

Q. I suppose you don't know now how many names were put to it?—A. No idea at all, no idea at all.

Q. Did Mr. Hays—was it at Mr. Hays' office you signed it?—A. I signed it at my store.

Q. In whose presence, who brought it to you?—A. Van Every.

Q. Hays was not there?—A. He was not in the store when I signed it.

Q. Hays didn't come to the store?—A. No.

Q. Only Van Every?—A. Yes.

Q. Is Van Every a magistrate, a lawyer, a notary?—A. No, I don't know what he is.

Q. And there was no formality gone through to indicate this was in the nature of an oath?—A. No.

Q. Do you remember any other names that were on it?—A. I never read them.

Q. You didn't read the other names?—A. I didn't pay that much attention.

*By Mr. Flint :*

Q. How long have you been in Goderich, Mr. McLean?—A. About 30 years.

Q. Practically all your life?—A. Yes, sir.

Q. In what business are you engaged?—A. I am a tailor.

Q. How long have you known Mr. Farr?—A. Oh, I have known Mr. Farr I guess may be five years.

Q. Five or six years; do you know him intimately?—A. Yes.

Q. Quite intimately?—A. Yes.

Q. What is his occupation?—A. Well, he was working in the organ factory there.

Q. A mechanic?—A. Yes, a carpenter, that's what he is.

Q. You have voted in Goderich at other elections?—A. For the last few years.

Q. Did you know Mr. Farr in connection with any other election, what office he held?—A. No.

Q. Did you know of his having been deputy returning officer in other elections?—A. Yes.

Q. That is what I mean?—A. Yes, he was deputy returning officer there, I guess, for let me see, just for the town elections.

Q. Do you remember his being deputy returning officer for the plebiscite election on prohibition?—A. Yes, I think he was there.

Q. You think he was?—A. Yes, I voted there.

Q. Do you know of his being deputy returning officer in provincial elections for the local house?—A. I could not say.

Q. Well, you remember as a matter of fact, he has been deputy returning officer for several elections?—A. He has been there before, yes.

Q. Do you know anything about his habits, what his reputation, that is his general reputation is?—A. Oh, I guess that is somewhat hard to say.

Q. That is his general reputation up to the time of this election, his general reputation?—A. I never heard anything about him very much.

Q. You never heard anything bad about him?—A. No.

Q. Do you know anything about his reputation in the matter of liquor? Do you know personally anything about his habits whether he was a drinking man or otherwise?—A. No, I have seen him take a drink.

Q. Yes; did you ever see him intoxicated?—A. Yes, I seen him intoxicated.

Q. Do you know of his ever having lost any situation through drink?—A. Yes, I cannot swear to that, I only heard he was.

Q. In this election did you notice anything in his conduct that would indicate he had been drinking?—A. I think I did.

Q. With that exception he appeared to be conducting the election properly?—A. Yes, fairly well, yes.

*By Mr. Russell:*

Q. Did you say you noticed he had been drinking?—A. Yes, his appearance would indicate that he had been drinking.

Q. He appeared to be under the influence of liquor?—A. Yes. No, not under the influence.

Q. No?—A. Probably not altogether.

Q. What do you mean by that? To what extent do you mean he was in liquor or liquor in him, but he was not under the influence?—A. No, he was under the influence.

Q. To a certain extent?—A. To a certain extent.

Q. He was not as bright a man as he would have been if he hadn't any liquor?—A. No, no.

Q. Did he seem to be in any degree stupified by liquor?—A. No, no, I can't say he was.

Q. In any degree at all?—A. No.

Q. Then, I don't know what you mean by saying he was not as bright a man as he would have been if he had not been drinking. I understand you to agree that he was not quite himself?—A. That is right.

Q. Not quite himself?—A. That is what I mean.

Q. Not quite master of himself?—A. No.

*By Mr. Borden:*

Q. You were asked about the declaration, "W. L. McLean" that is your declaration?—A. Yes.

Q. When you say Hays was not there I would like you to consider about that because I do not think he would have signed this unless he was present?—A. Hm, hm.

Q. And you say he was not there?—A. I am positive he was not there, yes.

Q. He was not there at any time?—A. No, no, where I signed the declaration it was in my store.

Q. Not at his office?—A. No, I did not.

Q. He has signed that you declared this before him?—A. Hm, hm.

Q. I want you to think about that and see whether or not you may not be mistaken in saying you didn't go before him?—A. No, I don't think I did.

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Q. You remember of only signing the one document about that time?—A. The one paper, yes.

(Paper filed and marked Exhibit 22.)

Q. And there is no other name but your own in this paper you observe, Mr. McLean?—A. No.

Q. Then, when you speak of other witnesses signing the same document you mean similar documents, documents like the one you signed?—A. I did sign a paper, I would say that.

Q. You told Mr. Russell that other persons had signed the document you have signed?—A. Oh, yes, there was some names there.

Q. But it was not an oath; it was not like that other?—A. No, it was just a paper.

Q. A list?—A. A list, that is all.

Q. Was it that list which Mr. Van Every got you to sign?—A. Yes.

*By Mr. Russell:*

Q. Now, you have altered your story, I think, a little bit. I understood you only signed one document with regard to the election?—A. That is all I signed, I think.

Q. And you told me now you signed a list for Van Every, and Mr. Borden has proved you signed this document too; that makes two documents?—A. Probably I am mistaken.

Q. I should think that probably you might be mistaken?—A. I am mistaken; that is my handwriting. I signed another list.

Q. Then you did that in a dream? I want to know, I was asking you about that document. You said you only signed one document and that was the one Van Every brought to the store and that was a list and Mr. Hays was not there?—A. No.

Q. And you haven't told me anything about the document I was asking you about, that is the document I was asking you about. Don't you think you should have told me of that?—A. I don't remember signing that.

Q. Well, now, I say you told me about the thing I didn't ask you about, and didn't say a word about the thing I did ask you about. I want you to tell me about this document?—A. I didn't remember about that one.

Q. Do you remember nothing about it?—A. No, I don't remember anything about it.

Q. You don't remember anything about it?—A. No.

Q. Look at the signature and see if it is really yours?—A. It is my initials, it is my writing, I signed it.

Q. But you don't remember the circumstances of signing it at all?—A. No, I don't remember it, I forget it. The only thing I remember signing is the other paper. Of course I might have signed that one.

Q. This is a document which declares you make a solemn declaration, knowing that it is of the same force and effect as if made under oath, and you signed that without being able now to remember anything about it? Is that correct?—A. I certainly don't remember now, but at the time I suppose—

Q. Of course, it is hardly worth while to ask you; but I would like you to tell us whether you ever read the document or had it read to you?—A. I can't remember that.

Q. Not either reading it or having it read to you?—A. No.

Q. I am very glad for Mr. Hays' sake that it does not appear he was signing documents as a notary, as a commissioner, without having them signed in his presence. I don't put him down in the same class as Mr. Johnston who took the other declarations.—(No answer).

Witness discharged.

W. A. McClymont recalled.

*By Mr. Russell :*

Q. Mr. McClymont, I think I was not present when you were examined before, but you made some statement with regard to two ballots being handed to you by Farr?—A. Yes.

Q. Two ballot papers were handed to you by Farr?—A. Yes.

Q. And you returned one of them to him marked, and the other you gave to him not marked?—A. No, that was not the way of it.

Q. Just explain?—A. Well, it was this way: he took the ballots this way and he tore the ballot, tore this ballot off. He tore the corner off it, and then he tore the ballot up altogether and gave me another one.

Q. And what became of the pieces of paper?—A. I cannot tell you anything about that. He laid it on the table, that is the last I saw of it and I went and marked the ballot and deposited it in the box.

Q. You marked the ballot and handed it back?—A. Yes.

Q. I misunderstood you. You can't tell us what happened to the piece which was torn off?—A. He laid the piece and the other on the table. He merely laid it flat on the table.

Q. What time of day was it?—A. This would be about one or half-past one.

Q. Did you notice what condition Farr was in at that time of day?—A. Yes, I did.

Q. Can you tell us?—A. I think he was a little under the influence of liquor when I was there, from his actions, from the way he acted, the manner in which he acted.

Q. To what did you attribute his dealing with the ballots in the way you have just described?

Mr. Borden objected.

Q. Did you notice anything else in his conduct except the instance that you have mentioned?—A. No.

*By Mr. Flint :*

Q. Did he ask you to notice his initials?—A. No.

*By Mr. Russell :*

Q. Did you notice whether his initials were on the paper?—A. He initialled the ballot he gave me but not the one he tore, he tore it off and initialled it and handed it to me.

Witness discharged.

JOHN ATCHISON sworn.

*By Mr. Borden :*

Q. Mr. Atchison, you reside in the town of Goderich?—A. Yes.

Q. Did you vote at the last Dominion election for the west riding of Huron in February last?—A. Yes.

Q. Who was the deputy returning officer at the poll at which you voted?—A. Farr.

Q. That is James Farr?—A. I suppose so.

Q. You voted in the town hall, Goderich?—A. I did, sir.

Q. Did you receive a ballot from Mr. Farr?—A. Yes.

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Q. Did you put a mark on it?—A. Yes.

Q. What kind of mark did you put on it?—A. Well, I marked my ballot right opposite the man I voted for, that is Mr. McLean.

Q. You marked it opposite Mr. McLean's name?—A. Yes.

Q. I want to know, it is a simple matter, what kind of mark you put on it?—A. I just put a cross.

Q. Do you remember whether there was a place opposite his name for the purpose of putting your cross?—A. Well, to swear positively on that—of course I have been voting for the last 40 years and I marked it where I thought I should mark it.

Q. Is that like the ballot?—A. Well if that is, I should mark for McLean there.

Q. And this being so where did you put your mark?—A. There, sir.

Q. In the circular white space opposite McLean's name. When you marked it you folded it, I suppose?—A. Yes.

Q. And what did you do then?—A. Handed it to the deputy returning officer.

Q. Did you hand to him the same ballot that you had received from him and which you had marked?—A. Yes.

Q. Did you observe what he did with it then?—A. Well, I didn't, because I hadn't the least suspicion.

Q. Did you pass along?—A. I handed him my ballot and I suppose he put my ballot in the box, but to swear I won't; I take very little interest in elections except to vote.

Q. But you passed along?—A. I handed him my ballot and went right out.

*By Mr. Flint :*

Q. Who were there when you went in?—A. I don't remember.

Q. Was there any person beside Farr?—A. Yes.

Q. Who were there?—A. Well, I looked around, but I would not like to swear positively to any person but Farr and the scrutineers.

Q. There was some one there besides Farr, the deputy returning officer?—A. Yes, but I would not like to swear to who they were.

Q. Did some one take down your name?—A. I think it was Mr. Armstrong.

Q. What time of the day did you vote?—A. Well, now you are puzzling me, because we have had so many elections, two local ones, one Dominion and two for the municipal—there was a second election—but to the best of my knowledge I voted in the forenoon.

Q. Farr had presided at several of these elections?—A. Yes.

Q. And that would make it more difficult to recall particular elections?—A. Formerly I voted in the afternoon, but this time I think I voted in the forenoon; neither of the parties canvassed me.

Q. Did he hand you more than one ballot?—A. Not that I—I didn't expect him to hand me more.

Q. One or two cases he did; but he didn't hand you more than one?—A. No.

Q. Where did you go?—A. Well, now you will bother me, but I will swear that I have been living in the town of Goderich for 32 years, and I never shirked a vote, but there was once the table was fixed inside the railing, which I thought it was very strange, and I voted; but to say that was the Dominion election, that I won't say. There was a small ante-room there that we generally marked in, but this once we didn't.

Q. You don't remember clearly?—A. The deputy returning officer was there, and the table there, and I thought that by my taking up this paper they could tell where I marked.

Q. You don't know whether on this occasion you voted in the room or on the table just by the deputy returning officer?—A. No, but I will swear I voted at one election that way.

Q. Did you notice anything peculiar about Farr that day?—A. No.

Q. Did you notice liquor on him?—A. No.

Q. How long have you known Farr?—A. I could not say.

Q. Some years?—A. I might say one or two years.

Q. Did you know him intimately?—A. No, sir, I didn't.

Q. Did you know anything about his habits in regard to drinking?—A. No, I didn't.

Q. Do you know what his politics are?—A. No, I don't.

Q. Well, you know of his being deputy returning officer at other elections besides this one?—A. Well, he was; the town council appointed him first as returning officer.

Q. You know he has acted for the town council?—A. Yes.

Q. Have you voted before him in other elections than this?—A. I have.

Q. You say you didn't stop to see what he did with your ballot?—A. No.

Q. Do you recollect in regard to this paper he gave you whether he tore a piece off it?—A. No.

Q. Do you recollect whether he put his initial on it?—A. Well, there was some mark on it, but I don't know.

Q. And then you went out after?—A. Yea.

Q. Do you recollect signing the paper?—A. No.

Q. Did any one ask you how you voted?—A. When I was asked the question about how I voted—my own family didn't know till this thing came out—and there was this thing—

Q. You didn't sign a declaration?—A. No, but I was asked if I would say who I voted for by Mr. Hays and asked if I would sign; I said I didn't take any part in politics, I have been a very quiet man in that way, but I said if there was such frauds as he said were going on, I would not be afraid to come up and make an affidavit.

Q. You didn't sign any paper?—A. No, but he asked me and I said I would rather not sign any paper.

*By Mr. Russell :*

Q. And you didn't sign any paper?—A. About this election, no, sir, but I said I was prepared to do it if there was anything going on.

*By Mr. Flint :*

Q. What is Farr's reputation in the neighbourhood?—A. I have nothing to say against Farr one way or the other.

Q. His general reputation is good?—A. Well, I have heard some say he took a glass or two but I know nothing about the gentleman as far as his reputation goes.

*By Mr. Russell :*

Q. You can't remember now what time of day you voted?—A. My impression is I voted in that election in the forenoon. It was generally in the afternoon, but this time in the forenoon; I may be mistaken.

Q. Did you notice enough of Farr to say he was drunk?—A. No, I had no suspicion.

Q. Did you see him any time shortly before the election?—A. I don't know.

Q. Or shortly after?—A. Well, I can't swear to it.

Q. So you can't recollect to tell us whether he appeared to be in liquor or not?—A. Well, now, if you let me say one word it will end this: I have been, as I say, nearly 32 years in the town of Goderich and I never put my foot in committee room of Grit or Tory, so you can judge what sort of politician I am.

Q. What we would like to know is whether you can say whether or not Mr. Farr was drinking?—A. I am not on my oath to say one word with or against Mr. Farr.

Witness discharged.

## Privileges and Elections Committee.

HARRY REED sworn.

*By Mr. Borden :*

Q. You reside in the town of Goderich, Mr. Reed?—A. I do.

Q. Did you vote in the last Dominion election for the west riding of Huron in February last?—A. I did.

Q. Who was the deputy returning officer at the poll where you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. I did.

Q. Did you put a mark on it?—A. I did.

Q. What kind of a mark?—A. A cross.

Q. Opposite whose name?—A. Opposite Mr. McLean's name.

Q. Was there any space opposite Mr. McLean's name for the purpose?—A. There was.

Q. What kind of a space?—A. A round white dot.

Q. And you put your mark where?—A. In that round place.

Q. After you marked and folded your ballot what did you do with it?—A. I handed it back to Farr.

Q. Did you return to him the same ballot which he had given you and which you had marked?—A. Yes.

Q. Did you observe what he did with it?—A. He tore the counterfoil off it; he said "I can easily tell how you voted"; because the ballot was dirty; I am a moulder by trade and in marking my ballot it got dirty; I said "You can open it anyway and see"; he knew my politics.

Q. And did you observe what he did with the counterfoil?—A. No, I did not.

*By Mr. Flint :*

Q. How long did you live in Goderich?—A. I was born there.

Q. Have you voted there?—A. This is the only time I have had a vote there, I have lived in the States some years.

Q. Have you ever voted there?—A. In local elections.

Q. And town elections?—A. Yes.

Q. Have you ever seen Farr vote at other elections than this one?—A. Yes.

Q. Then he has voted at several elections?—A. He has.

Q. Did you notice anything particular about his conduct this day different from that on previous occasions, in his manner I mean?—A. I didn't.

Q. Yes, he seemed to have a few drinks in him. You know him intimately?—A. Yes, very well; I lived within about 25 feet of him for four years.

Q. He was a mechanic?—A. Yes, a carpenter.

Q. What is his general reputation apart from drinking?—A. He is a first class mechanic, a good mechanic.

Q. His general reputation?—A. He is a quiet man when he don't drink, as quiet as any in the town.

Q. Apart from drinking his reputation is good?—A. Yes.

Q. Then you know as a matter of fact he does use liquor too much?—A. Yes, he does that.

Q. You would call that a failing of his?—A. Yes.

Q. But notwithstanding that he has had the confidence of the authorities there to such an extent that they have appointed him presiding officer on several occasions?—A. Yes.

Q. Did you notice him marking his initials on the ballot?—A. Yes.

Q. Did he call your attention to it?—A. No.

Q. Did he give you any instructions as to folding the ballot?—A. No.

Q. Just handed you the ballot?—A. Just handed me the ballot.

Q. Where did you go to mark the ballot?—A. Into the little room that is back of the town hall.

Q. Was there a table there?—A. A kind of desk.

Q. You marked it and brought it back?—A. I folded it myself and brought it back.

Q. Then when he made a remark about how you voted, it was not made from anything he saw on the ballot?—A. No, no.

Q. You saw him deposit the ballot in the box?—A. If it is the same ballot I handed to him.

Q. Did you sign any declaration afterwards about how you voted?—A. I did, yes.

Q. Who before?—A. Mr. Hays, R. C. Hays.

Q. How long after the election?—A. I don't know, I think it was the latter part of March or April.

Q. Do you remember when the election was?—A. Yes, the 21st of February.

Q. About how long afterwards did you sign the declarations?—A. About March, I was on the street one night, and went in and signed it then.

Q. Were you asked before if you would sign it?—A. Just at the time, yes.

Q. What kind of a paper was it you signed?—A. Just an affidavit to the effect I voted for McLean.

Q. He swore you to the affidavit?—A. Yes.

Q. Did he swear you on the Bible?—A. I think so. I didn't pay much attention to it at the time; I was just asked if I would make a declaration.

Q. Did he read the paper?—A. Hm, hm.

Q. And he swore you did he?—A. Hm, hm.

Q. And you signed it?—A. I did.

Q. Was it written or printed?—A. Printed, partly printed.

Q. Do you remember what parts were printed and what were written?—A. It well all printed, few pieces I think was just filled out.

Q. Just a few words to fill out?—A. Yes.

Q. That is the only paper you signed?—A. Yes.

*By Mr. Russell :*

Q. What time of day was this?—A. Yes.

Q. Morning or afternoon?—A. Between 20 minutes and a quarter to one.

Q. Did you notice Farr at that time, his condition?—A. He was feeling pretty good, that's all.

Q. He was feeling pretty good?—A. I fancy so from knowing him so well he was feeling better than he generally does.

Q. He generally feels pretty good, well on in the day doesn't he. He has done lately?—A. I don't know how his feelings are now.

Q. I am speaking about election time?—A. What was your question?

Q. You said he was feeling pretty well, you meant he had been drinking of course?—A. Hm, hm.

Q. What indications did he give to you he had been drinking?—A. He was a little more talkative than he generally is. He is a pretty talkative man anyway.

Q. But he was more talkative than usual?—A. Yes, and I could tell from the condition of his face.

Q. It was florid?—A. Yes, he had been intoxicated for about three weeks before that.

Q. He was getting towards being fuddled evidently?—A. Yes, he was fuddled for three weeks before that every day.

Q. Not constantly?—A. Pretty near, pretty near regular every day.

Q. Its a pity he was appointed, it is a pity he didn't agree to resign when asked to. He gave signs of being fuddled you think at this time?—A. A little, yes. Anybody could tell he had liquor on him.

Q. And that it was gaining on him?—A. Yes.

Q. In other words he was not like himself even at that hour?—A. He was just in condition to be in good shape.

Q. In what sense, to do business?—A. Well, not to do business right, I don't suppose he was.

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Q. In good shape to do business not right, about the way he did it?—A. Hh, hm.

Q. Is not that correct?—A. This is about it I guess.

Q. That was about the size of it, just in good condition to make blunders?—A. I won't say that; he was not that bad.

Q. I misunderstood you. I thought you said he was not in condition to do business?—A. I don't know that I said he was. He was just feeling good. You know how a man feels; you have probably seen a man that is feeling pretty good, and he was in just that condition and had been that way for a week.

Q. Did you think he was in condition to do the business of a returning officer?—A. He was. He was not that far gone.

Q. What do you mean by saying he was fuddled?—A. He had liquor in him.

Q. His face was florid, he was very talkative and you told me he was fuddled and had been fuddled for three weeks.

*By Mr. Borden :*

Q. He didn't say on this day?—A. No.

*By Mr. Russell :*

Q. A little fuddled on election day. Mr. Borden agrees that you said he was a little fuddled on election day. Is that correct?—A. He had been drinking for three weeks before election day and also had liquor in him on election day, because there was a great difference in him through drinking, because when drinking it showed on him. His face got very florid.

Q. It would show in his face, in his talk and his capacity to do business?—A. I don't think that.

Q. And you think he was in as good condition to do business in the last three weeks as at any time?—A. I do, yes.

Q. Have you changed your mind in the last ten minutes?—A. No, because he has done his work before when he was that way.

Q. Working, I am not speaking about work?—You know what I mean by fuddled?—A. I do, yes.

Q. Do you agree he was fuddled on election day?—A. He was not fuddled, not that he didn't know what he was doing.

Q. That is, he was a little fuddled?—A. No, no.

Mr. Powell objected to the manner in which the cross-examination was being carried on.

The WITNESS—The way I understand it the man was trying to take a wrong impression from what I was saying.

*By Mr. Russell :*

Q. What answer were you going to make?—A. I was saying that sometimes a man has a drink in him it doesn't prevent him from doing the kind of business Farr is accused of doing and that as a well known fact that he done in Goderich, that everybody says so.

Q. You don't know what you are talking about now, unless you are giving a decision for the committee?—A. Not at all.

Q. Which we can do for ourselves. Now, I understood you to agree that Mr. Farr had been drinking and I understood to quite a considerable degree for three weeks before the election?—A. Hm, hm.

Q. Any one would have said he was a man who was drinking?—A. Any man who didn't know him would think he was sober.

Q. But you never heard that he was drunk?—A. He was not drunk, but he had liquor in him.

Q. He had been drinking?—A. Certainly.

Q. To excess?—A. No, just a kind of steady drinking.

Q. Just enough?—A. Yes.

Q. You don't want to convey the impression now but that he drank more than was good for him?—A. He drank more than was good for him or he would not be where he was.

Q. He didn't drink to excess?—A. He got on a great big drunk and he got fired.

Q. He had been drinking to excess you told me a minute ago, what do you mean by that?—A. In the first place he got on a drunk and kept on it.

Q. I want you to answer me this question, was he drinking these three weeks to excess or not?—A. No, he was drunk all the time.

Q. Was he drinking more than was good for him?—A. He was for a man in his position.

Q. But was he drinking to excess, that is what I ask you?—A. No.

Q. Well, then let us see; you tell me this, witness, he was not drinking to excess?—A. Yes.

Q. And you also told me he was drinking more than was good for him?—A. Yes.

Q. When was this that he was on this big drunk you speak of?—A. About three weeks before the election.

Q. He was drinking to excess before that?—A. What do you mean "before that"?

Q. At the time he was on this big drunk?—A. Yes.

Q. And then he gradually sobered up till election day?—A. After he sobered up he kept drinking heavily, but not enough for any one to notice it; he didn't get sober enough to go to work and was fired.

Q. When was that?—A. About two or three weeks before the election.

Q. And he kept on drinking up till election day?—A. Yes.

Q. And on election day, when you observed him in the booth, he was under the influence of liquor or not?—A. He was under the influence, but no one would notice that; he was a peculiar man——

Q. And he was fuddled?—A. He wasn't fuddled at all——

Q. Then you allowed me to get ahead of you——? A. —— but I could know he had liquor on him.

Q. But you don't agree with me that he was fuddled?—A. No, I don't think he was.

Q. And you didn't agree a moment ago with the statement that he was fuddled?—A. No, but I know he had liquor on him.

Q. If the evidence shows you agreed to the statement that he was fuddled it will be wrong?—A. Well, does it say that?

Q. I think you agreed that he was fuddled?—A. You try to make me understand I don't know the condition of Farr; he was a man who, when he got on a big drunk, stayed on it——

Q. Did you make a declaration about this thing?—A. I did, yes, I declared that I voted for McLean, that was all the declaration I made.

*By Mr. Borden :*

Q. What you noticed on election day, as I understand, was that he was more talkative than usual?—A. That was it.

Q. And his face was flushed?—A. That was all; knowing the man as well as I did, he was a man when sober he would not take it but when he began he kept it up.

Witness discharged.

## Privileges and Elections Committee.

THOMAS H. BROPHY sworn.

*By Mr. Borden :*

Q. Mr. Brophy, you reside in the town of Goderich?—A. Yes, sir.

Q. Did you vote at the Dominion election in West Huron in February last?—

A. Yes, sir.

Q. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.

Q. Did you receive a ballot paper from him?—A. Yes.

Q. Did you put any mark on it?—A. Yes.

Q. What kind of mark?—A. An "x."

Q. Opposite whose name?—A. McLean.

Q. Was there any place there for that purpose?—A. A blank place for that purpose.

Q. And you put your cross in that place?—A. Well, in this blank space.

Q. Well, after marking your ballot and folding it, what did you do with it?—

A. Gave it to Mr. Farr.

Q. Did you give back to him the same ballot which you had received from him and which you had marked?—A. I did, sir.

Q. Did you observe what he did with it?—A. Yes.

Q. What was it?—A. Put it in the ballot box.

Q. Did he tear anything off?—A. No, I don't know.

Q. Did you stand there while he put it in the box or pass on?—A. Yes.

Q. Stood while he put in the box?—A. I did, sir.

*By Mr. Flint :*

Q. How long have you lived in Goderich?—A. About twenty-nine years.

Q. How long have you known Mr. Farr?—A. Perhaps eight or nine years, as far back as I remember.

Q. Who were in the polling booth when you went in to vote?—A. Well, there was Mr. Evans, one that I remember.

Q. There were several persons there?—A. Yes, but he was one.

Q. You remember Evans and Farr, do you remember the poll clerk?—A. No.

Q. You remember there was one, but you don't remember who it was?—A. No.

Q. There were several persons?—A. Yes.

Q. Did you notice anything peculiar in Farr's conduct?—A. No.

Q. About what time did you vote?—A. About 1 o'clock.

Q. Well, did Mr. Farr say anything to you or give you any instructions how to vote?—A. No.

Q. Did you notice him do anything to the ballot, put any initial or number on it?—A. No, he handed me the ballot and I marked it and gave it back.

Q. Do you remember where you marked it?—A. I don't remember whether in the room or in the hall on a table.

Q. You folded it?—A. Yes.

Q. And handed it to him?—A. Yes.

Q. Did he look at the back?—A. I don't remember.

Q. You don't remember him tearing anything off?—A. No.

Q. He put it in the box?—A. Yes.

Q. You noticed nothing unusual in his conduct?—A. No.

Q. Nothing else was said?—A. No.

Q. And you went out?—A. Yes.

Q. Did you notice any pieces of paper on the floor?—A. Yes, I noticed some.

Q. You didn't take any particular notice?—A. No.

Q. Have you ever seen Mr. Farr preside at other elections in Goderich?—A. I think he was deputy returning officer at other elections, the election before that, but I am not certain.

- Q. Do you know as a matter of fact he was presiding officer at other elections?  
 —A. No, only I remember he was presiding there.  
 Q. In the same capacity?—A. I would not be certain about that.  
 Q. What is his general reputation?—A. Oh, it is good.  
 Q. Do you know anything about his habits in regard to drink?—A. No, I don't.  
 Q. You don't?—A. No.  
 Q. Did you ever sign a paper after the elections how you voted?—A. Yes.  
 Q. Do you remember how long it was after?—A. A month or six weeks.  
 Q. Do you remember who it was before?—A. Before R. C. Hays.  
 Q. Did you swear to it?—A. No.  
 Q. Where was it made?—A. He brought it to my place of business.  
 Q. Was it printed or written?—A. Partly.  
 Q. Was it read over to you?—A. Yes.  
 Q. And were you sworn on it?—A. No.  
 Q. And he asked you to sign it?—A. Yes.  
 Q. And you signed it and he took it away?—A. Yes.

*By Mr. Britton :*

- Q. You say you didn't notice him tear off the counterfoil?—A. No.  
 Q. Did you notice where he put the white piece attached, what you would call the stub or counterfoil?—A. I didn't take particular notice.  
 Q. As a matter of fact you can't tell?—A. No.

*By Mr. Russell :*

- Q. Do you mean to say you can't remember what Farr's condition was on election day?—A. No, I didn't take particular notice of him, he looked all right to me.  
 Q. Was his face flushed?—A. No, he is quite robust with a rosy face.  
 Q. Did you see him shortly before the elections?—A. Yes.  
 Q. Did you notice if he was drinking?—A. No, I just met him on the street occasionally like other citizens.  
 Q. Did you notice whether he was drinking?—A. No, I never saw the man under the influence of liquor.  
 Q. Did you know he was dismissed from his place of business?—A. I heard so.  
 Q. Did you observe any papers torn up beside him?—A. Yes.  
 Q. Do you know what they were?—A. No.  
 Q. What did he do with the counterfoil he tore off your ballot?—A. I don't know whether there was a counterfoil on it.  
 Q. So you cannot say what he did with it?—A. No.

*By Mr. Britton :*

- Q. Did you know Farr well enough to know his politics?—A. Well, I did hear what his politics were.

*By Mr. Flint :*

- Q. He never told you himself, I suppose?—A. No, sir.

*By Mr. Borden :*

- Q. What did you understand to be his politics?—A. No, I never had any conversation with the gentleman regarding his shade of politics.

Witness discharged.

## Privileges and Elections Committee.

PATRICK NUGENT sworn.

*By Mr. Borden :*

Q. Do you reside in the town of Goderich, Mr. Nugent?—A. Yes, sir.

Q. Did you vote at the Dominion election in February last for the west riding of the county of Huron?—A. Yes.

Q. Who was the deputy returning officer at the poll where you voted?—A. Jim Farr.

Q. Did you receive a ballot paper from him?—A. Yes.

Q. Did you mark it?—A. Yes.

Q. What kind of a mark did you put on it, a cross?—A. Yes.

Q. Opposite whose name did you put the cross?—A. McLean's.

Q. Robert McLean?—A. Robert McLean.

Q. Do you remember whether there was a place opposite his name for putting your cross?—A. Yes, there was a round space. I put the cross opposite his name.

Q. In the round space?—A. Yes, I think so.

Q. And after you had marked the ballot you folded it I suppose?—A. Yes.

Q. And what did you do with it then?—A. I gave it to Farr.

Q. Did you take back to him the same ballot which he had given to you and which you had marked?—A. Yes, sir.

Q. Did you observe what he did with the ballot?—A. He gave me the ballot.

Q. But when you took back the ballot to him?—A. What did he do with it? Well, I was—he was just as there, and I was passing by and reached him the ballot, and he put his hand up and put it in the box and I passed on.

Q. Did you see him put it in the ballot box?—A. I think he did.

Q. You were passing along at the time?—A. Yes, sir, going out at the door.

*By Mr. Russell :*

Q. Were you canvassed for your vote before the election?—A. No, not that I know of.

Q. Did anybody speak to you as to how you were going to vote at the election?—A. Not that I am aware of.

Q. Do you mean that you are aware?—A. Because I didn't take much—

Q. Did anybody ask you for your vote for Mr. McLean?—A. Not that I am aware of.

Q. Of course you are the only person that can be?—A. I don't mind that I was.

Q. You are the only person that can remember that?—A. I know; but I don't think I was.

Q. Did you have any talk about the election with anybody before the election?—A. We were talking to and fro.

Q. And you recollect some people you were talking to before the election?—A. No; we were talking in the tavern about it.

Q. You cannot recollect anybody you were talking to about the election before the election?—A. No, I do not.

Q. Were you talking to anybody on election day before you voted?—A. No; but afterwards I was asked who I did vote for.

Q. But before you voted, I mean? Did anybody ask you if you would not give McLean a vote?—A. Not that I am aware of.

Q. You mean you don't remember?—A. No; because my memory is not as good as it used to be.

Q. I would like you to remember them, if you can?—A. I cannot remember that anybody was talking to me.

Q. How did you vote at the previous election in 1898. Do you mind saying?—A. Was that the—

Q. McLean and Cameron were the candidates?—A. I voted for McLean.

Q. For McLean?—A. Yes, sir.

Q. In the Beck and Garrow election?—A. I voted for Garrow.

Q. For Garrow?—A. Yes.

Q. Which is Garrow, a Grit or a Tory?—A. A Grit.

Q. Then you are a Grit in provincial politics and a Tory in Dominion?—A. No, I am not anything. I ain't prejudiced either way. I have polled as many votes on the Reform ticket as ever I did on the Conservative.

Q. But you are a McLean man all the time?—A. Always.

Q. That is, all the time he was in the field?—A. Yes.

Q. What time of day was it you voted?—A. I cannot say whether it was in the forenoon or not.

Q. Do you know Jim Farr?—A. Yes, sir.

Q. What sort of a man is he?—A. Well, Farr, I never seen anything with him out of the way.

Q. Excepting what perhaps is more to his credit, he is fond of his glass of grog?—A. Well, when he starts out he is, but he may walk five or six months and not touch it.

Q. He may walk five or six months and not touch it, but then again he does get on a spree and it takes him some time to get off?—A. Yes.

Q. This time for three weeks before the election he had been on a little tout, had he not?—A. I never heard of it.

Q. And you cannot remember. What time did you say it was when you went in to vote?—A. I cannot remember whether it was in the forenoon or the afternoon.

Q. If it was in the forenoon perhaps you would not notice if he was under the influence of liquor?—A. I never dreamed of the likes. I seen him very pleasant, because as soon as I ever went over he says, "Mr. Nugent," says he, "here is your ballot and go over and mark it." And I did mark the ballot in the same place and I marked it and went back and I seen no appearance of liquor then.

Q. This was before dinner?—A. I could not swear.

Q. Do you remember him tearing a piece off it or not?—A. I never thought.

Q. Did you notice any papers on the floor beside him where he was sitting?—

A. No.

Q. Afterwards you signed some sort of paper to show you voted for McLean?—

A. Yes.

Q. How long afterwards?—A. Perhaps three or four weeks.

Q. In the neighbourhood of three or four weeks you think?—A. Yes.

Q. Who brought that paper to you?—A. It was M. O. Johnston and McLean.

Q. Did you read the paper?—A. No, they read it for me.

Q. They read it to you?—A. Yes.

Q. And it stated you voted for Robert McLean in that election?—A. Yes.

Q. You didn't swear to it?—A. No.

Q. You just signed it?—A. Yes.

Q. And that was all about it?—A. Yes, sir.

Q. Did you see Farr any time shortly before the election?—A. Not that I remember.

Q. How nearly before the election was it you did see him that you remember?—  
A. It might be a couple of weeks.

Q. It might be a couple of weeks before the election that you saw him?—A. I think it might.

Q. Was he in liquor then more or less?—A. Of course he was drinking.

Q. He was drinking at that time?—A. Yes.

Q. And you have told me he was a man that once began drinking it took him some time to taper off?—A. A little time.

Q. Do you think he was altogether tapered off before the election came on?—  
A. I can't say to that.

Q. What is your general impression?—A. I could not say that he was tapered off and I didn't notice liquor on him at all and I didn't stop in the hall at all because he knew me and said "There is your ballot Mr. Nugent," and I took it and marked it and folded up the ballot and reached it to him and walked on out.

Q. Were his initials on it?—A. There was initials on it.

Q. His initials?—A. I didn't look.

## Privileges and Elections Committee.

Q. They were not yours?—A. You bet they weren't.

Q. That would have spoiled your vote; you would not do that. Which place was it that you marked it, the upper or the lower?—A. I marked it I think under McLean's name.

Q. Under McLean's name. But there was two round spaces on the ticket for you to put your cross in. Did you notice that?—A. Yes I did.

Q. Was it the upper or the lower that you marked?—A. I marked on the inside of one of them.

Q. And you don't know which one?—A. I marked just as I mark every ballot you know. I have been marking ballots for a long time and it was the open poll before that.

Q. Which would you sooner have, the ballot or the open vote?—A. The open vote.

Q. So would I?—A. And then there is no prejudice.

Q. You didn't take enough notice of Farr to notice whether he had tapered off or sobered up?—A. I did not.

Q. The last time you had met him if I remember right was only about a fortnight before the election?—A. About that.

Q. That was the time he was in liquor?—A. Of course he was drinking I know that.

*By Mr. Borden :*

Q. You don't know whether the space where you put your ballot was at the top or bottom, but you know you put your mark opposite McLean's name?—A. Yes. There was Mr. McLean's name and I marked in here on the inside of the ring.

Q. On the inside of the ring?—A. Yes, I think so.

Witness discharged.

The committee adjourned.

## HOUSE OF COMMONS, 9th August, 1899.

The Committee met at 10.30 a.m., Mr. Fortin in the chair.

Inquiry into the last Dominion election of the west riding of the county of Huron resumed.

Replies to the interrogatories directed to be sent to the County Court judge of the county of Huron were received and filed and ordered to be printed as part of the evidence; they are as follows:—

THE HOUSE OF COMMONS OF CANADA:  
IN THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

IN the matter of the reference respecting the last election for the electoral district of the west riding of the county of Huron and the last election for the electoral district of Brockville.

Interrogatories administered by James Masson, Esquire, judge of the County Court for the county of Huron, pursuant to a resolution of the said committee, to George Evans of the town of Goderich, and his answers thereto on oath.

1. Where do you reside?—A. In the town of Goderich.
2. Did you vote at the Dominion election for the west riding of Huron on the 21st day of February, 1899?—A. Yes.
3. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.
4. Did you receive a ballot from the said deputy returning officer?—A. Yes.
5. Did you mark the ballot you so received?—A. Yes.
6. What kind of a mark did you place on the said ballot?—A. A cross in pencil.
7. Opposite whose name did you place the said mark?—A. Robert McLean's.
8. For whom did you vote at the said election?—A. Robert McLean.
9. After marking your ballot to whom did you deliver it?—A. To James Farr, deputy returning officer.
10. If you say you delivered your ballot to the deputy returning officer, state whether you delivered to him the same ballot which you received from him and which you had marked?—A. I delivered to him the same ballot received from him and marked by me.
11. Did you observe what the deputy returning officer did with the ballot which you so delivered to him? If so, state what you observed?—A. He put it in the box, having first torn off the counterfoil or stub.
12. Is there any further fact which you desire to state relating to your voting at the said election? If so, state the same fully and particularly?—A. I have nothing further to state.

(Sgd.) GEORGE EVANS.

I hereby certify that the said George Evans was duly sworn by me true answers to make to the several interrogatories to be administered to him herein, and that the said George Evans did on oath answer the said interrogatories as above written, and I do further certify that the said interrogatories and answers as above written were read over by me to the said George Evans to sign the same in my presence.

Dated at Goderich this 7th day of August, 1899.

(Sgd.) JAMES MASSON,  
J.C.C., Co. Huron.

## Privileges and Elections Committee.

THE HOUSE OF COMMONS OF CANADA :  
IN THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

IN the matter of the reference respecting the last election for the electoral district of the west riding of the county of Huron, and the last election for the electoral district of Brockville.

Interrogatories administered by James Masson, Esquire, judge of the County Court for the county of Huron, pursuant to a resolution of the said committee to John Ralph, of the town of Goderich, and his answers on oath thereto.

1. Where do you reside?—A. In the town of Goderich.
2. Did you vote at the Dominion election for the west riding of Huron on the 21st day of February, 1899?—A. Yes.
3. Who was the deputy returning officer at the poll at which you voted?—A. James Farr.
4. Did you receive a ballot from the said deputy returning officer?—A. Yes.
5. Did you mark the ballot you so received?—A. Yes.
6. What kind of a mark did you place on the said ballot?—A cross with pencil.
7. Opposite whose name did you place the said mark?—A. Robert McLean's.
8. For whom did you vote at the said election?—A. Robert McLean.
9. After marking your ballot to whom did you deliver it?—A. To the deputy returning officer—James Farr.
10. If you say you delivered your ballot to the deputy returning officer, state whether you delivered to him the same ballot you received from him and which you had marked?—A. Yes, I gave him the same ballot.
11. Did you observe what the deputy returning officer did with the ballot which you so delivered to him. If so, state what you observed?—A. I cannot say what he did with it. I turned and came away immediately.
12. Is there any further fact which you desire to state relating to your voting at the said election. If so, state the same fully and particularly?—A. I have nothing else to say.

(Sgd.) JOHN RALPH.

I hereby certify that the said John Ralph was duly sworn by me true answers to make to the several interrogatories to be administered to him herein, and that the said John Ralph did on oath answer the interrogatories above written, and I do further certify that the said interrogatories and answers thereto as above written were read over by me to the said John Ralph, who afterwards signed the same in my presence.

Dated at Goderich, this 7th day of August, 1899.

(Sgd.) JAMES MASSON,  
J.C.C., Co. Huron.

THE HOUSE OF COMMONS OF CANADA:  
IN THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

IN the matter of the reference respecting the last election for the electoral district of the west riding of the county of Huron and the last election for the electoral district of Brockville.

Interrogatories administered by James Masson, Esquire, judge of the County Court for the county of Huron, pursuant to a resolution of the said committee to James Tobin, of the township of Colborne, and his answers thereto on oath.

1. Where do you reside?—A. In the township of Colborne.
2. Did you vote at the Dominion election for the west riding of Huron, on the 21st day of February, 1899?—A. Yes.
3. Who was the deputy returning officer at the poll at which you voted?—A. Donald Cummings.
4. Did you receive a ballot from the said deputy returning officer?—A. Yes.
5. Did you mark the ballot you so received?—A. Yes.
6. What kind of a mark did you place on the said ballot?—A. I put a cross on it.
7. Opposite whose name did you place the said mark?—A. Robert McLean's.
8. For whom did you vote at the said election?—A. Robert McLean.
9. After marking your ballot to whom did you deliver it?—A. To the deputy returning officer.
10. If you say you delivered your ballot to the deputy returning officer, state whether you delivered to him the same ballot you received from him and which you had marked?—A. Yes, I gave him the same ballot I got from him.
11. Did you observe what the deputy returning officer did with the ballot which you so delivered to him?—A. I did not stay long, I saw him tear off the counterfoil as I turned away and came out.
12. Is there any further fact which you desire to state relating to your voting at the said election. If so state the same fully and particularly?—A. Mr. Cummings is my next door neighbour and a good neighbour.

(Sgd.) JAMES TOBIN.

I hereby certify that the said James Tobin was duly sworn by me true answers to make to the several interrogatories to be administered to him herein, and the said James Tobin did on oath answer the said interrogatories as above written. And I do further certify that the said interrogatories and answers thereto as above written were read over by me to the said James Tobin, who afterwards signed the same in my presence.

Dated at Colborne, this 8th day of August, 1899.

(Sgd.) JAMES MASSON,  
*J.C.C., Co. Huron.*

## Privileges and Elections Committee.

THE HOUSE OF COMMONS OF CANADA :  
IN THE COMMITTEE ON PRIVILEGES AND ELECTIONS.

IN the matter of the reference respecting the election for the electoral district of the west riding of the county of Huron and the last election for the electoral district of Brockville.

Interrogatories administered by James Masson, Esquire, judge of the County Court for the county of Huron pursuant to a resolution of the said committee to William McManus, of the township of Colborne, and his answers on oath thereto.

1. Where do you reside?—A. In the township of Colborne.
2. Did you vote at the Dominion election for the west riding of Huron on the 21st day of February, 1899?—A. Yes.
3. Who was deputy returning officer at the poll at which you voted?—A. Donald Cummings.
4. Did you receive a ballot from the said deputy returning officer?—A. I did.
5. Did you mark the ballot you so received?—A. I did.
6. What kind of a mark did you place on the said ballot?—A. An x in pencil.
7. Opposite whose name did you place the said mark?—A. Robert McLean's.
8. For whom did you vote at the said election?—A. Robert McLean.
9. After marking your ballot to whom did you deliver it?—A. To the deputy returning officer.
10. If you say you delivered your ballot to the deputy returning officer state whether you delivered to him the same ballot you received from him and which you had marked?—A. I did deliver to him the ballot I received from him and marked.
11. Did you observe what the deputy returning officer did with the ballot which you so delivered to him. If so, state what you observed?—A. I think I saw him put it in the ballot box; I did not notice particularly.
12. Is there any further fact which you desire to state relating to your voting at the said election? If so, state the same fully and particularly?—A. I have nothing further to state.

(Sgd.) WILLIAM McMANUS.

I hereby certify that the said William McManus was duly sworn by me true answers to make to the several interrogatories to be administered to him, and the said William McManus did on oath answer the said interrogatories as above written And I do further certify that the said interrogatories and answers thereto as above written were read over by me to the said William McManus who afterwards signed the same in my presence.

Dated at Goderich, this 7th day of August, 1899.

(Sgd.) JAMES MASSON,  
*J.C.C., Co. Huron.*

62-63 Victoria.

Appendix (No. 3.)

A. 1899

# REPORT

OF THE

## SELECT STANDING COMMITTEE

ON

# AGRICULTURE AND COLONIZATION

FOURTH SESSION, EIGHTH PARLIAMENT

1899

*PRINTED BY ORDER OF PARLIAMENT*



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1899



# Agriculture and Colonization.

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(THOMAS BAIN, ESQ., *Chairman.*)

Messieurs :

|                                 |                                |
|---------------------------------|--------------------------------|
| Bain,                           | Macdonald ( <i>King's</i> ),   |
| Bazinet,                        | Macdonell,                     |
| Beith,                          | Mackie,                        |
| Bell ( <i>Addington</i> ),      | MacLaren,                      |
| Bell ( <i>Pictou</i> ),         | McCormick,                     |
| Bergeron,                       | McGregor,                      |
| Bernier,                        | McGugan,                       |
| Blanchard,                      | McHugh,                        |
| Bostock,                        | McInnes,                       |
| Bourassa,                       | McLennan ( <i>Glengarry</i> ), |
| Bourbonnais,                    | McLennan ( <i>Inverness</i> ), |
| Broder,                         | McMillan,                      |
| Burnett,                        | McMullen,                      |
| Calvert,                        | McNeill,                       |
| Campbell,                       | Marcil,                        |
| Cargill,                        | Marcotte,                      |
| Carscallen,                     | Martin,                        |
| Casey,                          | Maxwell,                       |
| Christie,                       | Meigs,                         |
| Clancy,                         | Monk,                          |
| Cochrane,                       | Montague,                      |
| Davin,                          | Moore,                         |
| Déchêne,                        | Morin,                         |
| Demers,                         | Morrison,                      |
| Douglas                         | Mulock,                        |
| Dugas,                          | Oliver,                        |
| Dupré,                          | Parmalee                       |
| Dyment,                         | Pettet,                        |
| Edwards,                        | Pope,                          |
| Erb,                            | Poupore,                       |
| Featherston,                    | Proulx,                        |
| Ferguson,                       | Ratz,                          |
| Fisher,                         | Reid,                          |
| Frost,                          | Richardson,                    |
| Gauthier,                       | Rinfret,                       |
| Gibson,                         | Robinson,                      |
| Gilmour,                        | Roche,                         |
| Godbout,                        | Roddick,                       |
| Graham,                         | Rogers,                        |
| Guillet,                        | Rosamond,                      |
| Guité,                          | Rutherford,                    |
| Haley,                          | Seagram,                       |
| Harwood,                        | Semple,                        |
| Henderson,                      | Sproule,                       |
| Hodgins,                        | Stenson,                       |
| Hughes,                         | Stubbs,                        |
| Hurley,                         | Sutherland,                    |
| Hutchison,                      | Talbot,                        |
| Ingram,                         | Taylor,                        |
| Joly de Lotbinière (Sir Henri), | Tolmie,                        |
| Lang,                           | Tucker,                        |
| LaRivière,                      | Turcot,                        |
| Leduc,                          | Tyrwhitt,                      |
| Legris,                         | Wilson.                        |
| Lewis,                          |                                |

# Agriculture and Colonization.

## REPORT

The Select Standing Committee on Agriculture and Colonization present their Fifth and Final Report, as follows :—

The investigations of the Committee during the current Session of Parliament, included, *First*,—Agriculture in its correlative phases of Production and Commerce ; *Second*,—Immigration coupled with the settlement of new arrivals upon homesteads in Western Canada, in 1898.

The evidence taken by the Committee on each of these divisions of inquiry, is appended hereto as an essential portion of this report.

The Committee recommend that the evidence herewith, on immigration and homesteading by immigrants, be printed forthwith, in order to the immediate publication of this entire report, in one volume.

Respectfully submitted,

THOS. BAIN,  
*Chairman.*

House of Commons,  
1st August, 1899.



**Agriculture and Colonization.**

**T H E E V I D E N C E**

**P A R T I**

**INCLUDING**

**AGRICULTURE AND DAIRYING**

**IN**

**C A N A D A**



# Agriculture and Colonization.

## FATTENING OF CHICKENS.

COMMITTEE ROOM 46,

HOUSE OF COMMONS,

TUESDAY, 2nd May, 1899.

The Select Standing Committee on Agriculture and Colonization met here this day at 11 o'clock a.m.; Mr. Bain, Chairman, presiding.

MR. JAMES W. ROBERTSON, Commissioner of Agriculture and Dairying, was present at the request of the committee, and made the following statement :

Mr. Chairman and Gentlemen,—I had proposed to lay before the committee this morning what I think to be the most important statement I have made before any committee in regard to the agriculture of Canada ; but since the chairman says he would be pleased to have a larger number of members present, and since that would also be quite agreeable to myself, if you will allow me, I will lay before you this morning a statement on the fattening of chickens, and reserve the subject of general agriculture for a future meeting.

### THE DEMAND FOR HAM AND CHICKEN.

I found in Great Britain last year a change in the class of food that is in most demand. I found, first of all, that it is no longer fashionable to serve cheese on the tea tables of the people. In farmhouses and towns I found the women, saying that it is "not good form" to offer cheese to guests ; and the grocers and provision dealers told me that was making an appreciable difference in the sales of cheese. I found a growing demand everywhere for lean bacon, ham and well-fattened chickens ; and by looking into the preferences of the people, as shown in hotels, railway restaurants and private houses, I found that cold ham and chicken were in far more common use than before. These two go together, and are becoming an almost typical fare of the population south of Liverpool.

The trade returns of Canada, show an enormous growth in the exports of bacon. In 1891, the total exports were a little over six hundred thousand dollars, and in 1898, these had grown to eight and a half million dollars worth of pork, bacon and hams from Canada to Britain, a tremendous increase in these few years.

*By Mr. McNeill :*

Q. Will you kindly repeat those figures ?

A. In 1891, the exports were \$632,558, and \$8,092,930 in 1898 ; for the years ending 30th June, in both cases.

Q. For bacon and hams ?

A. For pork, bacon and hams ; and for the six months ending 31st December, 1898, the exports were valued at \$5,690,995 for the six months only.

The chickens that are eaten with cold ham in Britain are specially fattened chickens ; and as different from common thin chickens as the beef of lean steers would be from well fattened flesh ; as different in flavour, tenderness and in the percentage of edible portion in the total amount that is paid for.

## WELL-TO-DO FARMERS FATTEN CHICKENS.

I did not find that the men who fattened chickens in Britain were poor farmers who had no other means of making a living. In Canada there is an idea that it is only poor farmers who can do nothing else, who may raise chickens. The people who raise and fatten chickens in England are to be found South of London, between London and the English Channel, on about the richest part of the island, with the finest situation, close to the best markets. These are the men who have developed the chicken fattening industry, not the faraway, ignorant, incapable and poor farmers, but the men who are in the best position as to locality and soil of any in the British Isles. Then across the channel, in the North of France also, chicken-raising is carried on; so that in the two parts of the European countries which are the richest, we find chicken-fattening. The business is not for the out-of-the-way farmer of Canada alone. I learned also that there is money in the business, and instead of reasoning that out in the abstract, let me tell you in simple narrative what I found when last year I made the acquaintance of a chicken fatterer near Uckfield, who is known as one of the best poultry fatteners in Britain. I had got the name of Mr. Samuel Taylor from one of the leading poultry dealers in London. When I got to his place I found Mr. Taylor was a successful farmer. He had begun life as a farm labourer without capital. When I visited him he had a fine farm-stead and was doing a prosperous business. I would not like to say how much money the chicken-fattening business brought him in; but I would not be surprised to learn that his annual net balance was over £1,000. This man had begun life as a farm labourer, and by sticking to this business had made money out of it. Chicken-fattening is not to be sneered at as a small affair; some of the biggest profits are made out of small things.

## AS CARRIED ON IN ENGLAND.

Mr. Taylor had on an average four hundred dozens of chickens fattening at his place. In approaching his house, I may say that I went down a lane which was lined on both sides with coops, in which there were chickens; and around the stackyard and in a few open sheds there were some more. The special buildings required for this purpose were cheap and not at all large. Two-thirds of the fattening was done in the open air. Mr. Taylor did not rear one-tenth of all the chickens he fattened. He had a man who went around on certain routes every fortnight, collecting chickens from the farmers who were in a sense his patrons. The farmers and cottagers brought them up to about 3½ pounds live weight; and then sold them as they ran. The chicken-fatterer collected them and paid on an average one and nine-pence apiece for these chickens—42 cents each in our currency. He sent around and collected them from his customers regularly every fortnight. Those who raised the chickens were sure of a regular market and good prices.

*By Mr. Calvert:*

Q. Would he pay that much for any number?

A. Yes, but they had to be of fair size, say from 3 to 3½ pounds live weight. They were not exceptionally large chickens and no better than chickens we could raise here.

The coops in which the chickens were put for fattening were about 6½ feet long and about 16 inches square inside. Each coop was divided into three compartments, and in each compartment there were five chickens, making 15 chickens in each coop. The coops were constructed by using sticks or rods, such as we would call slats; and in some cases small hazel rods such as are used for heavy basket making. A little sliding door in front of each compartment gave a chance for the chickens to be taken out when that was required. The chickens were fed for about three weeks,

## Agriculture and Colonization.

sometimes a little less, sometimes a little longer, according to the condition of the chickens when received and the activity or dullness of the market. The chickens were fed on oats ground very fine, the hulls being pulverized until they were almost like dust, mixed with skim milk either sweet or sour, preferably sour. The mixture had a consistency about as thick as thin porridge, so that from the end of a wooden spoon it would drop off but not run.

*By Mr. Rutherford :*

Q. Was it fed raw ?

A. It was fed raw. In front of each coop was a small wooden V shaped trough. The chickens could put their heads through between the slats of the coup and eat out of it.

*By Mr. McNeill :*

Q. Was it fed just as it was mixed or was it allowed to stand for a time ?

A. Both ways. Sometimes in the morning it was mixed for a day's supply ; and sometimes it was fed just after it was mixed. That made no difference. The meal was ground fine ; it did not require much soaking to make it soft. The chickens were fed a small allowance of the mixture three times a day at first. A man took a pail and a wooden stirrer, such as would be made in the country from part of a shingle, and spread the mixture along the " V " trough, three times a day. The chickens were kept hungry during the first week. After that they were fed twice a day as much as they would eat. During the last ten days they were fed a small quantity of tallow in the mixture. The tallow was melted and mixed with a small portion of meal. That was readily mixed with the bulk of the food. A pound of tallow per day was allowed to 70 chickens at the beginning of the 10 day feeding time, and by the end of that the quantity was increased to a pound of tallow for 50 chickens per day.

Sometime during the feeding period, in his case just before the killing time, the chickens were taken out and a pinch of sulphur rubbed under a wing and under the tail. That, he said, was a sure means of killing all the vermin on the chickens. I tried that on chickens covered with vermin and did not see a single insect on them after the treatment was applied twice. The sulphur seemed also to give a rather nicer appearance to the skin of the chickens when plucked.

*By Mr. Calvert :*

Q. Did one application of sulphur suffice ?

A. I put it on twice at an interval of about a week.

After feeding the chickens for about a week on the thin mixture three times a day, they were fed for about a week on a thicker mixture twice a day only ; and then they were fed during the last week of the fattening period with what is known as a crammer.

This cramming machine is simply a hopper or reservoir about the shape and size of a large pail, on a stand about four feet from the ground. At the bottom of the hopper is the cylinder of a pump. That may be about three inches in diameter. The piston rod is connected with a lever to be worked by a man's foot. When the foot is pressed down that pumps the stuff out. At the bottom of the cylinder of the pump there is an opening or small nozzle to which is connected a rubber tube about as large as my little finger and about ten inches long. Different sizes of tubes are used for chickens and turkeys. When the cramming process is begun the hopper is filled. A boy hands out a chicken to the operator. He opens the chicken's beak with one hand, then slips the tube down the throat. The tube is moistened with the food, the mixture being an oleaginous one. One stroke of his foot, with his hand across the chicken's breast, gives the chicken its breakfast or its dinner, as the case may be. The point is to give the chicken enough, but not so much as to distend its crop unduly. The foot is lifted up and all pressure is taken

off the pump before the tube is withdrawn from the crop, otherwise there is danger of choking the chicken by spreading the sticky food up its throat and over the windpipe. When any food remains in the crop of the chicken, it should not be fed. It should be allowed to miss one meal until the crop is empty.

An expert chicken man with a boy to help him, and in some cases two boys, will feed from 300 to 350 chickens an hour. It is not a tedious or expensive operation, nor is it an operation that injures the chickens. The average death rate at a large fattening establishment was reported as less than a chicken a week where about 5,000 chickens were kept. At one of our fattening stations in Canada the woman in charge took a sickly chicken and nursed it back to strength in a few days by using the machine. The chicken assimilated the food and derived strength from it. There is nothing cruel or brutal in the practice. The chickens did not squawk or try to get away after the third or fourth time of feeding. They seemed to know what was coming and seemed quite willing to accept the dose.

*By Mr. Rogers :*

Q. Did you try any other mixture ?

A. We tried a mixture of oats, barley, wheat and pease.

Q. No corn ?

A. Indian corn is not used. It makes the fat of the chickens yellow; and the English buyer objects to that. He likes the flesh as white as possible; and feeders find the oats and skim milk the best mixture.

*By Mr. Burnett :*

Q. What is the cost of the machine ?

A. Four pounds, fifteen shillings, in England.

Q. And what in Canada ?

A. We are hoping to get them made in Canada. We imported two. I think they can be made and sold at a profit at \$15 apiece.

*By Mr. Calvert :*

Q. How often are the chickens fed ?

A. Twice a day, morning and night, with the machine.

*By Mr. Rutherford :*

Q. Do they supply them with water ?

A. We found in this country the chickens did better by getting a little water once a day.

I found that the chickens were killed by having their necks wrung. They were not bled and they were not drawn when sent to market. Their necks were broken, wrung in the usual sense of that word. It is done by taking the chicken in the hands, stretching the neck, holding the crown of the head in the hollow of the hand, and giving it a quick turn backwards. It is very easily done.

*By an hon. Member :*

Q. Why do they adopt this method, do they cut off the head ?

A. No, they do not cut off the head. The object of killing them in this manner is to avoid any mutilation of the chicken. The English buyer is very particular upon this point and will not buy a chicken that has had its head cut off. Chickens that are mutilated might possibly have been killed by some animal. When the chickens are killed they are taken and plucked while warm. It is not a very tedious operation when

## Agriculture and Colonization.

one is trained to do the plucking properly ; and those employed at this work do it very quickly. A lad told me that each one of the boys would pluck from 12 to 14 chickens per hour.

*By Mr. Burnett :*

Q. That does not include the pin feathers ?

A. They plucked them fairly clean only ; the pin feathers and down are taken off by the poulterers in the shops. It is almost impossible for those who are not trained to do the work quickly. In any trade or business a person's fingers become more nimble and far more skilful with practice. I am not at all accustomed to plucking chickens myself, in fact never tried it before ; but after we had fattened some chickens, I took one chicken and plucked it. It took me a considerable time, but afterwards I found I could do it at the rate of about six an hour ; and I was not at all expert. One of the maids at my house became expert with a little practice, and could pluck sometimes eight an hour. The method they adopt when plucking is to pull the feathers slightly outward and away from the tail end of the bird with a quick jerky motion. I never before actually understood the meaning of the expression "make the feathers fly" until I saw the plucking of chickens. They are plucked clean except a ring around the neck about an inch or an inch and a-half long. Those feathers hide any discoloration at a point where the neck is broken.

*By Mr. Calvert :*

Q. Are all the pin feathers taken off ?

A. No ; and in some cases a few decorative feathers are left at the tips of the wings. When the chickens are plucked they are put on a shaping board. That may be a board about six inches wide, placed against a wall and making with the wall an angle of about 65 degrees. Or it may be a V shaped trough with about that angle. As soon as each chicken is plucked its legs are laid alongside its breast. The stern of the chicken is struck or pushed against the wall and pressed into the angle of the shaping board or trough. Each bird is laid in with its breast downward, a glazed brick or other weight is laid on top, another brick is put alongside to keep it in position until the next bird is pressed closely there. After the row is full, the chickens are left lying on their breasts with a board laid on top of them, with sufficient weight to hold them firmly and crush the breast bones slightly, but not so as to break them. While they are in this position the body is partly drained of the blood which collects in the neck. They are left there to cool, and set, and then they are packed in crates and shipped to market. The squeezing on the setting board gives them a more compact shape.

*By an hon. Member :*

Q. What was the profit upon these chickens ?

A. At the time I was at Mr. Taylor's, he was paying one shilling and nine pence each to the farmers for the chickens for fattening ; and he was selling them as fast as he could get them ready at three shillings and sixpence each, which is 84 cents each in our currency, or twice the price which he paid for them.

*By Mr. Rutherford :*

Q. This board you speak of is set at an angle of 65 degrees sloping away from the wall ?

A. No, it is sloping towards the wall. The angle formed by the board and the wall on the upper side is about 65 degrees, about one-half the body is above the level of the edge of the board and consequently the blood is drained into the neck. While it is being plucked the neck is hanging downwards and the draining of the blood into the neck goes on.

*By Mr. Pettet :*

Q. Do they starve the chickens before killing them ?

A. I found it advisable to do so in this country for about 36 hours, but in England they are not particular to starve them so long as that, because the chickens are sent to the market very quickly after killing. Here we found we should starve them for 36 hours, in order to have the crops quite empty and thus avoid the risk of leaving any food in the crops and intestines which would ferment and spoil the flavour of the birds.

*By Mr. Calvert :*

Q. Then this man doubled his money in about three weeks ?

A. Yes ; but for that he collected, fattened and sold the chickens.

*By Mr. Parmalee :*

Q. What will be about the average weight gained ?

A. They were gaining about two and a half pounds a piece, and selling at from five and a half to six pounds.

*By Mr. Clancy :*

Q. How long were they fed ?

A. When I was there they were feeding about three weeks. There is no profit in feeding more than five weeks. About four weeks seems to be the period in which a chicken will grow best. More than that they will waste, and if you kill them before that you are sacrificing a little.

*By an hon. Member :*

Q. Is this fattening business confined to the south of England ?

A. Almost entirely. It is not spread over England ; and some of the poulterers even in Edinburgh get their chickens from the London market.

#### CHICKEN-FATTENING IN CANADA.

I reported this matter at the time to the Minister of Agriculture, whom I accompanied to England. I reported again to him upon my return to Canada and received authority to start two chicken-fattening stations in order to see whether similar results would be obtained here, and whether chickens fattened here would find a market and bring as good a price as those in England. We had a number of crates made of the same size as those I saw in use in England ; but instead of using small poles of willow or hazel, we made ours of basswood. In order to get the material we took basswood boards one inch thick and had them sawn into strips about an inch by five eighths. These were planed in order that the coops might be the more easily cleansed. The bottoms had no floor except the slats. The droppings fell through on the ground. The crates were about 3½ feet off the ground, and the droppings were received, on soil or sand underneath. We arranged with Mr. and Mrs. Joseph Yuill, of Carleton Place, Ontario, known as good chicken raisers, to carry on this work. At Carleton Place directions were given to Mr. and Mrs. Yuill to buy chickens from the farmers of as good quality as possible, from 3 to 3½ pounds live weight, of breeds likely to fatten well, and having white, or if that were not possible, at least light yellow legs. The English poultry buyers object to black legs. Only about half the price is obtainable for chickens with black legs as compared with those which have white or light yellow legs. A similar fattening station was started at Bondville, Quebec, under the charge of Mr. Hillhouse.

## Agriculture and Colonization.

*By Mr. McGregor :*

Q. What time of year was this ?

A. In September and October.

At Carleton Place the chickens were bought, costing  $53\frac{3}{4}$  cents a pair. They could have been bought a little cheaper if it had been two months earlier as chickens are available two months after July. These chickens weighed on the average four pounds five ounces each, live weight. They were put up in coops and fattened on ground grain, chiefly oats mixed with skimmed milk. During the last two weeks they received an allowance of tallow.

The crates or coops in which the fattening was carried on were  $6\frac{1}{2}$  feet long by 16 inches square, inside measurement. Each crate was divided into three compartments ; and each compartment held four chickens. When the chickens are comparatively small, five may be put in each compartment. The crates were made of slats running lengthwise on three sides—bottom, back and top—and up and down in front. The slats were one inch wide by five-eighths of an inch thick. The spaces between the slats in front should be not less than two inches wide to permit the chickens to put their heads through for feeding from the trough. The slats on the bottom should be put on three-quarters of an inch apart, and the outside slat nearest to each side should be an inch or more from the corner piece. That prevents the corner piece along the inside of the bottom from becoming a ledge to hold the droppings of the chickens. Each compartment has a small sliding door in front.

The crates were placed on stands about  $2\frac{1}{2}$  or 3 feet from the ground. The droppings from the chickens were received on sand or some absorbent material.

A light V trough  $2\frac{1}{2}$  inches inside, was placed in front of each crate, being carried on two brackets nailed to the ends of the crate. The bottom of the trough was about level with the floor slats of the crate.

The grain was ground fine and was mixed with skim-milk, sweet or sour, preferably sour. The hulls of the oats should be pulverized until they are scarcely discernible. The mixture should have about the consistency of thin porridge ; so thick that it will not run readily ; and so thin that if a large spoonful of it were put on a plate it would spread.

The chickens were fed from the troughs three times a day at first. After the first ten days they should be fed only twice a day. At the end of the second ten days, they may be fed by the use of the cramming machine which has been already described. During the last ten days of the fattening period a small portion of tallow should be put with the feed. At first, at the rate of one pound of tallow per day for about 70 or 100 chickens. The quantity may be gradually increased until one pound per day is given to from 50 to 70 chickens according to size. The best way to mix the tallow is to melt a portion of it, thicken it while still hot with meal, and then mix the right quantity of that paste with the other feed for the day.

The chickens at the fattening stations at Carleton Place, Ontario, and Bondville, Quebec, were fattened in the manner above described.

An important point is to feed regularly ; and if any food remains in the crop from a previous meal, not to feed at all until the crop is quite empty. In case a bird becomes sick it should be taken out and put in an open run without food for a day. Grit should be offered to all the birds once a week, and water supplied every day.

The following tables show the results from the chickens which were fattened at Carleton Place.

On 11th October, the 133 chickens weighed 575 pounds.

The following table shows the gain per week :—

|                                 |              |
|---------------------------------|--------------|
| 1st week ending October 18..... | 57 lbs.      |
| 2nd " " 25.....                 | 74 "         |
| 3rd " " November 1.....         | 127 "        |
| 4th " " 8.....                  | 12 "         |
| 5th " " 15.....                 | 13 "         |
| 6th " " 22.....                 | 58 "         |
| Total gain.....                 | <u>341</u> " |

The average gain per chicken was two pounds nine ounces. The chickens began to moult at the end of the third week, and did not thrive well again until the beginning of the sixth week.

The total quantity of feed consumed was :—

|                  |            |                        |                |
|------------------|------------|------------------------|----------------|
| Ground oats..... | 1,256 lbs. |                        |                |
| " barley.....    | 247 "      |                        |                |
| " wheat.....     | 172 "      |                        |                |
| " pease.....     | 63 "       |                        |                |
|                  | 1,738 "    | at \$1 per 100 lbs.==  | \$17.38        |
| Tallow.....      | 23 "       | at 3c.                 | = 0.69         |
| Skim-milk.....   | 2,589 "    | at 15c. per 100 lbs.== | 3.88           |
|                  |            |                        | <u>\$21.95</u> |

The cost for feed at those prices was 6.43c. per pound of increase live weight, or practically 6½c. per pound.

The quantity of feed consumed was 5.1 pounds of ground grain plus 7.6 pounds of skim-milk per pound of increase in live weight.

I may mention here that in feeding 48 smaller chickens at a later date at Bondville, the quantities of feed consumed per pound of increase when the chickens were fed from the troughs were greater than when the cramming machine was used.

The following table shows the quantities consumed per pound of increase live weight.

|                            | Ground meal.   | Skim-milk. |
|----------------------------|----------------|------------|
| From trough (3 weeks)..... | 6.73 lbs. plus | 9.38 lbs.  |
| By machine (10 days).....  | 5.15 "         | 6.17 "     |

In all instances the figures do not include anything for labour.

Reverting again to the chickens at Carleton Place, at the end of six weeks they were starved for from 24 to 36 hours and killed by wringing their necks. They were plucked but were not drawn. A ring of feathers about two inches long was left at the head of each bird. They were placed on a shaping board as already described. After being thoroughly cooled each bird was wrapped in a piece of clean brown paper leaving the neck and head to project at one end and the legs at the other.

Shipping cases were made to hold 12 fowls each. The cases were 33 inches long by 19 inches wide by 6½ inches deep. The ends were one inch thick, as also was the centre piece across the middle of the case. The sides, top and bottom were of five-eighth inch spruce. The fowls were sorted into sizes. The largest birds were reserved for exhibition uses in Canada; and 9 cases containing 108 fowls were shipped to James Ruddin, Esq., St. John's Market, Liverpool.

They were sent by express from Carleton Place to St. John, N.B., and thence in cold storage to Liverpool.

The total charges, for freight in cold storage from St. John, N.B., to Liverpool, for selling commission and other expenses such as wharf dues and cartage was 23¼ cents per

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pair of chickens. Taking the ordinary freight charges on a less-than-carload lot from Carleton Place, via St. John, to Liverpool, in cold storage, the total transportation and selling charges would amount to about 18 cents per pair of chickens of an equal weight with those sent in the trial shipment. The 108 chickens weighed five pounds more than 11 pounds per pair on the average.

The following table shows the cost with freight on usual basis (not express) of laying down and selling such chickens in Liverpool.

|                                    | Per Pair. |
|------------------------------------|-----------|
| Original cost of chickens. . . . . | 54 cents. |
| Cost of feed. . . . .              | 33 "      |
| Cost of shipping cases. . . . .    | 3 "       |
| Freight, commission, etc. . . . .  | 18 "      |
|                                    | \$1.08 "  |

These figures do not include anything for labour of feeding or shipping. The chickens which were consigned to Mr. Ruddin met with a ready sale at eight pence (sixteen cents) per pound. As they weighed 11 pounds per pair, that was equal to \$1.76 per pair. Mr. Ruddin wrote as follows:—

“I was agreeably surprised at the all-round excellence of your small experimental shipment of Canada capons. On opening the cases the birds were found to be in beautiful condition and presented a most saleable appearance.

“After the birds were uncased I hung one to find out how long it would retain its bright appearance, and found that it became milky white in colour as soon as the bird had dried out of the chilled state; to-day, five days later, it is as nice looking as a fresh-killed bird.

“I think the price obtained will both please and pay you. It is a fair market price, and on a par with the present rates for Surrey chickens. For small weekly arrivals, I venture to think the price could be maintained, but anticipate that large consignments would bring the figure down to sevenpence (14 cents) per pound.”

These fowls were landed in Liverpool in the second week in December. That is not a particularly favourable time as poultry from all quarters is being received then before the Christmas markets.

Shipment of the fowls from the Bondville, Quebec, fattening station was made to London, England, at the same time. They also were landed in fine condition but they were not sold so well as those in Liverpool. Some of them were sold for three shillings (that is 75 cents) each, and the smaller ones did not do so well. The London shipment was not sold to my satisfaction. Another firm in England cabled to the firm who are the largest shippers of eggs from Ontario, inquiring whether they could ship a large quantity of fattened poultry weekly—of poultry similar to those in our trial shipments. These three firms alone intimated their ability and willingness to handle about 2,000 cases per week at good prices.

*By Mr. Calvert :*

Q. May I ask you one question? In shipping in cold storage, what is the additional cost of transport?

A. Ten shillings per ton additional for cold storage on the steam-ship, the ton being 70 feet cubic measure or 2,240 pounds weight.

*By Mr. McNeill :*

Q. Was that industry carried on all the year round in England?

A. The whole year round. The scarcity in chickens is from January to June; and the greatest supply from June to the end of December. As to the possibility of having it all the year round in Canada, I may say that we have still something like 40 chickens fattened last fall in cold storage in Ottawa, in the very best condition.

*By Mr. Wilson :*

Q. Does not keeping them cold affect the flavour and the price ?

A. I have been testing them as to flavour and other qualities, and I find them uninjured. In fact they have a method now in England of defrosting frozen beef, and one cannot tell the defrosted from the unfrozen chilled beef.

*By an hon. Member :*

Q. Does the storage not discolour the flesh of the chickens ?

A. Not at all. It is quite white.

*By Mr. Wilson :*

Q. Does not freezing discolour beef ?

A. Beef when taken out of cold storage become discoloured readily on the surface ; but the flesh inside need not be discoloured. The Liverpool merchant said that the flesh of the chickens we sent over was particularly white.

*By Mr. McNeill :*

Q. What is the object of feeding the tallow ?

A. It makes the flesh of the chickens juicy.

*By Mr. Rogers :*

Q. You would think the blood would colour the flesh ?

A. It does not appear to do so. Since there is no cut on the skin of the chicken, either on the neck or for removing the entrails, the chickens will keep a long time without any decomposition. The juices of the flesh are not exposed, and there is no chance of bacteria getting at them. The safe keeping is possible only when the chickens are starved for thirty-six hours, and there is no food in their crops or intestines to decay.

Some turkeys sent over from Ontario last year, starved twenty-four hours and plucked, killed and prepared in the way recommended, were landed in splendid condition ; whereas some turkeys sent from Prince Edward Island, with the feathers on and the crops full of food, were landed in such condition that they had to be cut and sold on hucksters barrows for one shilling and six pence.

*By an hon. Member :*

Q. Are there facilities for regular transportation in cold storage ?

A. There is regular cold storage from St. John and Halifax, and regular cold storage from Montreal till navigation on the St. Lawrence closes.

*By Mr. McLaren :*

Q. Which is the more harmful, leaving the feathers on or the food ?

A. Oh, the food. It causes decomposition. The feathers being left on prevent the birds from being properly cooled, but otherwise they preserve the skin.

*By Mr. McNeill :*

Q. Would extreme hot weather have any deleterious effect upon the process of feeding ?

A. I do not think so, unless it was continued too long.

Q. Would the birds thrive if kept closed up in hot weather ?

A. I think, if they were kept in shaded, well ventilated places, they would do well.

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## FATTENED VERSUS LEAN CHICKENS.

One morning I bought in the market in Ottawa 101 chickens just as they were brought there alive to be sold for food. I did not get the best on the market, and I would not take the worst.

*By Mr. McNeill :*

Q. Were they dead ?

A. No, they were all alive.

I had some coops or crates as already described. I put some of them in an open shed ; and I put other coops beside a close board fence outside with a board protection overhead. When I got these chickens home they had cost me 38 cents a pair. I valued ground oats at a dollar per hundred pounds ; and I had skim-milk from a couple of cows. I valued the skim-milk at 20 cents per 100 pounds. I fed them a little over five weeks, exactly 36 days. I did this for my own information and at my own expense. I obtained some information in addition to what was got from the Government stations.

For every pound of increase in live weight they consumed on the average 5.44 pounds of ground oats, plus 6.43 pounds of skim-milk. At \$1 per hundred pounds for the ground oats and 20 cents per hundred pounds for the skim-milk, the cost was nearly six and three-quarter cents per pound of increase in the live weight, for feed only.

*By Mr. McLaren :*

Q. Did you use the crammer here ?

A. I had one brought here in order to give lessons in the use of it, but my own chickens were not fed by the crammer.

When I got these chickens home I killed three average chickens as soon as I could. I selected them as a fair average of the lot. I had them dressed and steamed until they were fairly tender. After being steamed they were put aside, wrapped in napkins for two days. During that time they probably lost a little in weight, but not very much, as they were wrapped up. I then took them and carefully removed all the edible portion. I found that the edible portion on these three chickens weighed 2 pounds 6 ounces. They were a fair average of the 101 chickens which I had bought. After I had fed the other chickens in the way I have mentioned (and mine were not fed by the cramming machine) for a little over five weeks, I again selected three chickens, as nearly the average as I could select them, and killed them. I treated them in precisely the same way as the first lot. After removing the edible portion, I found that I had 7 pounds 6 ounces off the three. That is, I had more cold chicken for the table per chicken from those which had been fattened than I had off the whole three that were killed before being fattened.

The following table shows the difference in the weights of representative chickens killed before being fattened and similar chickens killed after being fattened for 36 days :—

WEIGHT OF THREE CHICKENS.

|                                  | Before<br>Fattening. | After<br>Fattening. |
|----------------------------------|----------------------|---------------------|
| With feathers off.....           | 8 lbs. 8 ozs.        | 16 lbs. 4 ozs.      |
| Ready for cooking.....           | 5 " 2 "              | 11 " 6 "            |
| After being cooked and left cool |                      |                     |
| two days.....                    | 3 " 8 "              | 9 " 2 "             |
| Bones.....                       | 1 " 2 "              | 1 " 11 "            |
| Edible portion.....              | 2 " 6 "              | 7 " 6 "             |

This shows that there were three times more edible portion from the fattened chickens than from the others, and every ounce of it was of better quality.

*By an hon. Member :*

Q. There was a gain in quality too?

A. Yes. A great improvement, any one who has used fattened chickens as I did last winter would never willingly go back to lean chickens.

*By Mr. McNeill :*

Q. What time was it you bought those chickens?

A. I bought them in October and killed them in November. That shows that as a householder in Ottawa it would pay me a great deal better to pay 60 cents for a well fattened chicken than to buy the other ones as they are sold on the market at 20 cents each. I would have better value at 60 cents than I would have at 20 cents; and I am confident that in the market here as well as in England there will be a very large demand for fattened chickens and at a good price per pound.

*By Mr. Calvert :*

Q. It costs some 6½ cents per pound for the increase?

A. About that.

*By Mr. Clancy :*

Q. You have allowed nothing for labour?

A. No, I am taking the cost of the feed only. The labour is an item that is not a very serious one, and the manure is an exceedingly valuable thing for the garden. In many localities in Canada there are farmers who grow thousands of chickens, and who can sell them at three months old. If each such locality had a good chicken fatterer, he would find himself in a profitable business, and could provide a market for all the chickens raised by his neighbours who have not time to fatten them themselves. I think an expert trade can be built up which may be made worth several millions of dollars a year in five years' time, if the business is taken hold of and carefully handled.

*By Mr. McLaren :*

Q. For a man starting in at the present time would he be able to find a market for those he has?

A. I think so, both in Canadian cities and in Great Britain.

*By Mr. Martin :*

Q. What breed of chickens do you prefer to have?

A. In England the breed which is preferred is the Dorking. They are a long breasted heavy bird. We found the Plymouth rocks and grades of Plymouth rocks, Wyandottes and light Brahamas do very well. Any of these heavy bodied fowls do well. I did not find any difference between the fattening qualities of the cockerels and pullets, but in shipping they should be put in separate cases. The more evenly the birds are sorted in each case as to appearance and size, the better they will sell in the English market. An Englishman, in buying, does not like to have an assortment of birds of different sizes and appearances in the one case.

*By Mr. Calvert :*

Q. Do you know why they object to birds with black legs?

A. No, I do not; but they do not want them.

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*By Mr. Cargill :*

Q. Supposing a person is going into this line of business and getting chickens ready for the market, where would he find a market for them?

A. It is quite likely that he will find business men in Toronto and Montreal to whom he could sell them for export. There are a few men in Montreal and Toronto who export turkeys and some of them say they will export chickens this year if they can get them. Some firms in England, three at least, have been writing to ask where they can get chickens. There is also a capital local demand growing up for fattened chickens.

I have been authorized to arrange for starting several more of these fattening stations in different parts of the country this year, for the purpose of giving object lessons in different places.

*By Mr. Burnett :*

Q. I want to ask you a question in regard to plucking. Did you allow them to get cold or did you pluck them immediately?

A. Immediately after the necks were wrung, while the chickens were still warm.

*By Mr. McNeill :*

Q. Would you kindly tell me about winter accommodation; surely something more than mere coops are needed if it is to be continued in winter, or is this only an industry to be carried on in the spring, summer and autumn?

A. I think in this country fattening will be carried on only from July to November, out of doors; then the chickens will be killed off and stored for domestic use or for export.

Having examined the preceding transcript of my evidence, I find it correct.

JAS. W. ROBERTSON,  
*Commissioner of Agriculture and Dairying.*

## IMPROVEMENTS IN CROP GROWING.

COMMITTEE ROOM 46,  
HOUSE OF COMMONS,  
FRIDAY, 5th May, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 o'clock a.m., Mr. Bain, chairman, presiding.

Mr. JAMES W. ROBERTSON, Commissioner of Agriculture and Dairying, was present by request of the committee, and spoke as follows:—

Mr. Chairman and Gentlemen,—I desire to speak this morning on the fundamental principles that underlie the successful growing of crops in Canada. This is essentially an agricultural country, since 45 per cent of the population are engaged in that industry. About 20 per cent more of the population are engaged directly or indirectly in handling the products of the farms or in making or handling machinery and implements for the farm. A very large proportion of our people depend for their living and for their success in life on agriculture. In the widest sense, national prosperity depends primarily on the production of wealth out of our natural resources. The great fisheries of this country yield annually \$23,000,000; the mines and mining, including coal, \$37,000,000; the forestry and lumber interests, including firewood, as near as they can be estimated, \$80,000,000; the farm crops not less than \$280,000,000, and all farm products, including crops, not less than \$600,000,000. Good times follow the fortunes of the farmers.

## THE DIFFICULTIES OF FARMING.

The difficulties that confront the farmers in Canada, as I see them, are mainly of five sorts; and I believe that if they understand the fundamental principles of growing crops successfully, they will overcome these difficulties successfully in most years. But if they trust to a series of prescriptions or rules to guide their work, they will not make progress in crop growing.

These difficulties I put down as follows:—

(1.) Those that arise out of the growing of crops; (These are becoming greater every year from the partial exhaustion of the soil, from the increasing prevalence of weeds, and from the more vicious and general attacks of insect and fungus pests.)

(2.) Those that come from the necessity of meeting the demands of markets for better qualities in everything;

(3.) Those which grow out of the changed conditions of life, and which require the farmers to carry on more varied, mixed or diversified classes of farming; (These come from the growth of population in cities and towns; from the people becoming better off and more fastidious and exacting in their tastes; and through cold storage giving them an opportunity to market perishable things abroad.)

(4.) Those which have come with low prices for general farm products, and which are beyond the control of the people of this country; and

(5.) Those that are inseparable from maintaining the fertility of soil economically.

Now, although the Government may not have the power to remove difficulties, every one admits that it may and should assist farmers to overcome them. These difficulties increase, and should not be left to the weakness of even the strong individual,

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strong though he may be in discernment, in good judgment, in practical ability and farming skill.

Since we have, over large areas of the country, lamentably small crops, considering the character of the soil, which could and should carry large crops, we come to the question,—To what are the small crops due ?

They must be due to one of several causes, or to several or all of them combined. The first is either insufficient moisture in the soil or too much. The second is unfavourable temperature in the soil and over the soil. The next is unsuitable physical conditions for the roots of plants in the soil. The fourth is the want of available plant food for the crops that are growing. The fifth is the lack of inherited or other powers in the plants themselves. The first two—moisture and temperature—belong to the climate, and are in a measure, but not wholly, beyond the control of the farmers. The third—the physical condition of the soil—is nearly altogether under the control of the farmers, because that depends on cultivation, including drainage. The fourth—the want of available plant food for crops that are growing—may be corrected by management, the rotation of crops and the application of farmyard manure. The fifth—the lack of inherited or other power in the plants—can be remedied by selection of the seed that is sown on the fields.

In brief, (1) the ease or difficulty with which plants may secure their food out of the soil and air, and (2) the power of the plants to take their food out of the soil and air, are the two big things in the consideration of growing crops. The climatic conditions of the season, and the ability and intelligence of the farmers, as applied to the growing of crops, are what affect these most ; and through these, determine whether the crops shall be large or small.

I believe that if the farmers can be got to understand clearly a few fundamental principles, and know the underlying reasons for the common things they do, they will do these far better.

### TO CONTROL MOISTURE AND TEMPERATURE.

That brings me to speak for a little of the effect on crops of controllable climate. In ordinary seasons the moisture in the soil, available to growing plants, depends almost entirely on the amount of what is called humus or decaying plant material which the soil contains. An abundance of that, with good cultivation and drainage, will regulate the moisture, and permit the air to have access to the roots. The burying in the soil of some form of decaying plant substance is one of the wisest ways of controlling the soil moisture and of influencing the soil temperature favourably. Farmyard manure and green crops which may be ploughed under, should be kept as near the surface as is practicable. Plenty of humus from decaying vegetable matter in the soil, and such cultivation as will keep the surface loose and friable, will regulate the moisture in a large measure. You see I am not going far into details of methods on this part of the subject, because I verily believe that if the farmers are taught principles they will apply them by methods suited to their circumstances and farm conditions.

The next point is temperature—controllable temperature in the soil. Heavy soils are often wet soils, particularly in the spring. From want of drainage, want of deep grown roots, they are so compact that they hold water. When that evaporates rapidly, it cools the soil and sometimes bakes it. Rapid evaporation removes the moisture but makes the land cold. You know that when seed is put in, in springtime, it is most important that the temperature should be favourable to a quick germination of the seed. Every one knows that the seeds which germinate most rapidly give the most vigorous plants. If you have a delayed, if you have a difficult germination, you have a relatively weak stand of plants. Quick, active germination after sowing is most important towards getting a crop well grown afterwards. Take the matter of rolling alone. Comparing rolled land with land not rolled after the seeds were in, on an average of eight farms, in the springtime, in clear weather, the rolled land had a temperature over three degrees (3·12) higher at a depth of an inch and a half from the surface, than the unrolled land alongside ; and at a depth of three inches down it had a temperature of nearly three degrees (2·92) higher than the unrolled. The rolled land was three degrees warmer

than the unrolled land lying alongside. The lumpy irregular surface of the unrolled land radiated the heat from the rays of the sun into the air ; the rolled land retained more of it in the soil. That might make the difference between the quick starting of a crop and the delayed germination and consequent weakening of the crop. These figures are given by King, and are the average for eight farms in Wisconsin ; these farms were of different kinds of soil, clay, gravel and loam ; and the temperatures were taken between one and four o'clock in the day.

#### SURFACE CULTIVATION.

The third point is that of cultivation. I have only a few words to say on that. Cultivation is not only to make a suitable seed-bed for the root-hold of the plants ; it is to kill weeds which are the great thieves of plant food and mainly the thieves of the water, which they evaporate into the atmosphere. Surface cultivation keeps the moisture near the roots of the plants. Experiments at the Experiment Station in Michigan show that frequent cultivation between rows of Indian corn made a difference of 86 per cent in the yield over the uncultivated. Frequent cultivation gave an increase of 17 per cent over partial infrequent cultivation. Surface cultivation makes a loose mulch of soil which arrests the capillary movement of the water from beneath ; and leaves it available to the roots. For nearly all the crops, the ideal method of surface cultivation is to roll the land after they are put in (that makes the soil warmer) and then immediately before the plants are up or after they are a few inches high, to harrow it lightly to make a surface mulch (that makes the soil moisture available and prevents drying and cooling the soil by rapid evaporation until it is shaded by the crop). All matter taken up by the roots of the plants is taken in solution. It has been estimated that for every ton of dry matter which a crop contains it has thrown off through its leaves not less than 300 tons of water in its growing. Then there is the solvent action of juice from the roots of the plants. Exudations from the roots touch mineral matters and dissolving them make them available for the rootlets to take up.

A plant is an organism composed of some thirteen substances obtained from air, water and soil. These are acted upon by the energy of life in the plant and the energy of the sun. Cultivation is also to allow the air to penetrate the soil and to deposit dew while warming the soil. Dew does not refresh so much by getting on the leaves of the plants, as by distilling itself into the porous soil through which it reaches the roots. Farm crops as far as we know do not take in any moisture through their leaves. Through its penetration and the depositing of dew, the air warms and moistens the soil. Then the acid juices from the tiny rootlets corrode mineral matters and make them available. I have put a nail in soil for three days and then rubbed off some of it with my finger. The corroding action of the juices of vegetable matter, makes the rust ; and you can rub that off and put it in water and taste it. It is a question of making things available as plant food, that are otherwise unavailable.

#### CANADIAN SOILS ARE RICH.

In most of the soil of Canada to the depth of one foot, there is plenty of the elements of plant food ; but they are not always in available form. The averages of some analyses, by Mr. Shutt, of the Central Experimental Farm, of soils in Canada, give the following results:—In the top foot there are 7,700 pounds of nitrogen per acre. If that is in available form there is enough for over 150 very large crops of cereals. There is on the average in the same depth, 5,400 pounds of phosphoric acid. That, if all available, would be sufficient for not less than 250 large crops of cereals, without putting any back into the soil. Of potash there are 11,700 pounds in the top foot of soil, which is enough for 300 crops of cereals of large yield, without putting anything back. These things, however, are not always in available form ; and a plant may starve even in the

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midst of plenty, if they are not available. When the quantity falls below a certain percentage, the soil is practically barren and yields no return for the labour put upon it.

### THE VALUE OF CLOVER CROPS.

One means of increasing the amount of nitrogen in the soil, and of making some of the nitrogen already there available for grain crops, is by the growing of clover and similar plants that have the power of taking some nitrogen from the air and organizing it into such forms that a succeeding crop may use it. A crop of clover contains a large quantity of nitrogen in itself, nearly twice as much as an equal weight of hay without clover. When a crop of clover is removed from the land it takes off about 50 pounds of nitrogen per ton of dry clover. At the same time it leaves the soil richer in available nitrogen than does a grain crop which has taken off the land less than one-quarter as much nitrogen. It is further found that the above-ground and under-ground stubble and root parts of a clover crop, leave in the land a greater quantity of vegetable residue than any cereal crop; and the whole quantity so left is richer in nitrogen. Most valuable information on this point is furnished by the experiments at Rothamsted, England, which were reported on for a period of 32 years (1852 to 1883). I submit one striking instance of the effect upon a crop of barley of the growing of clover on the same land the preceding year.

A field had grown one crop of wheat, one of oats, and three of barley in succession, with artificial and nitrogenous manures, but without any farmyard or other organic manure. The following year (1872) barley was again sown; that was the fourth crop of barley in succession. On one-half the field the barley was sown alone; on the other half it was sown with clover. The next year (1873) barley was again sown on the one-half; but the clover only was grown on the other half. The following table shows the quantity of nitrogen per acre removed in the crops:

|                   | Nitrogen per acre;<br>pounds. |
|-------------------|-------------------------------|
| 1873, Barley..... | 37·3                          |
| Clover.....       | 151·3                         |

In the succeeding year (1874) barley was grown over both portions of the field. It is to be observed that the clover crop of 1873 had removed four times more nitrogen per acre than the barley crop of that year; but the barley crop of 1874, **yielded 77 per cent more** on the portion of the field **where it followed clover** than it did on the portion where it followed barley. This agrees with what is well known in agriculture that the growth of clover increases the produce of a succeeding cereal crop as much as if a liberal dressing of manure had been applied.

Clover provides excellent fodder for cattle, horses and sheep, and by far the largest part of its nitrogen may be left on the farm in farmyard manure. I think the part of it that can be used for feeding live stock should not be ploughed under until they have taken their toll of it in that way. As far back as the beginning of the Christian era, it was distinctly recognized by the Romans that leguminous crops were not only valuable as food for animals; but that their growth enriched the soil for succeeding crops, in fact were of value as restorative crops grown in alternation (by turns) with cereals.

The following table shows the results of some investigations by Mr. F. T. Shutt, Chemist, Dominion Experimental Farms, on the manurial value of clover, and the weight of nitrogen per acre which the crops had collected into their stems, leaves and roots.

NITROGEN PER ACRE IN CLOVER CROPS.

| No. | Kind.          | Sown.       | Collected. | Weight of Material (fresh) per acre. |       |        |       |        |       | Weight of Nitrogen per acre. |        |        |
|-----|----------------|-------------|------------|--------------------------------------|-------|--------|-------|--------|-------|------------------------------|--------|--------|
|     |                |             |            | Stems and Leaves.                    |       | Roots. |       | Total. |       | Stems and Leaves.            | Roots. | Total. |
|     |                |             |            | Tons.                                | Lbs.  | Tons.  | Lbs.  | Tons.  | Lbs.  | Lbs.                         | Lbs.   | Lbs.   |
| 1   | Mammoth Red... | April, 1894 | May, 1895  | 10                                   | 70    | 5      | 1,476 | 15     | 1,548 | 101                          | 49     | 150    |
| 2   | " " " " " "    | " 1893      | " 1895     | 5                                    | 1,235 | 9      | 535   | 14     | 1,770 | 50                           | 61     | 111    |
| 3   | Mammoth Red... | July, 1896  | Oct., 1896 | 6                                    | 1,310 | 3      | 1,260 | 10     | 570   | 82                           | 48     | 130    |
| 4   | Common Red...  | " 1896      | " 1896     | 4                                    | 1,779 | 2      | 1,445 | 7      | 1,224 | 70                           | 47     | 117    |
| 5   | Mammoth Red... | May, 1896   | May, 1897  |                                      |       |        |       | 2      | 1,995 |                              |        | 81     |
| 6   | Common Red...  | " 1896      | " 1897     |                                      |       |        |       | 3      | 125   |                              |        | 62     |
| 7   | Mammoth Red... | May, 1897   | Oct., 1897 | 4                                    | 508   | 2      | 1,785 | 7      | 293   | 62                           | 35     | 97     |
| 8   | Common Red...  | " 1897      | " 1897     | 5                                    | 209   | 3      | 296   | 8      | 505   | 76                           | 54     | 130    |

Nos. 1 and 2.—Roots taken to a depth of four feet. Good spring growth when sample collected.  
 Nos. 3 and 4.—Sown in orchard as "cover" crops. Roots taken to depth of two feet.  
 Nos. 5 and 6.—Winter-killed. Sample collected consisted of dead stems, leaves and roots.  
 Nos. 7 and 8.—Nitrogen estimated not determined.

It shows that when clover was sown in April of one year and the whole produce was collected in May of the following year to a depth of four feet, the stems, leaves and roots of the clover crop contained 150 pounds of nitrogen per acre. It does not follow that all of that was collected from the atmosphere. Doubtless a good deal of it was got from the soil; but the clover plant does take some of its nitrogen from the atmosphere. It appears to bring the nitrogen into combination under the influence of or by the action of micro-organisms within nodules on the roots of the plants. Clover has not only a long period of growth each year, but it has an uncommonly extended range of root in the soil and subsoil. That gives it great capacity for collection and also for loosening and enriching the land where it is grown. It would take 10 tons to the acre of farm-yard manure of average good quality to put on as much nitrogen as was contained in the stems and roots of that one-year-old clover crop. Ten tons to the acre would not supply any more nitrogen than was found in the clover. While it was not all got from the atmosphere, a large portion of it doubtless was taken from that source. The remainder which was taken up from the soil was left in such forms as to become readily available to succeeding crops.

BACTERIA ON SOY BEANS.

Then there is nitrification in the soil by other forms of bacterial life. One instance I will mention. Several years ago I went down to Massachusetts to attend a large convention of farmers. Professor Brooks who had spent several years in Japan exhibited specimens of Soy bean plant which were nearly four feet high. He reported that there was an abundant crop of the plants in Massachusetts. The roots of the plants were covered with little nodules or warts. Some one from the neighbouring state of Connecticut said that they had sown seed of Soy beans and reported that they had met with comparative failure. The roots of the bean plants which grew in Connecticut did not have any nodules or warts on them. Examination of the roots of the bean plants grown in Massachusetts showed that bacteria inhabited the nodules on the roots, and evidently by their life and the formation of the nodules, nitrogen had been captured from the air whence it was absorbed by the plants. The following year some bags of the soil were taken from the field in Massachusetts and sown on the Connecticut field. Thereafter a splendid crop of Soy beans was got. Thus a field which the year before was almost

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barren so far as the Soy bean was concerned, was made to give a very good crop by spreading these bacteria on it. Low and minute forms of life in the soil are the best agents for maintaining and increasing fertility. They need warmth, moisture and air. Cultivation is a first necessity to them also.

### WHAT MAKES CROPS RUN TO STRAW.

It is very important that the nitrogen should be available at the right time and not at the wrong time to the growing crop. If the nitrogen in the field becomes soluble and available as late say, as July in Canada, it promotes the growth of the roots, stalks and leaves when the energy of the plants, if for grain crop, should be directed towards making seeds. The time when nitrogen should be available, and is worth most to cereal crops, is when the plants are young and getting their growth.

By the availability of nitrogen the growth of the roots, stems and leaves is greatly promoted and the formation of the buds and flowers and seeds is slightly retarded. Everybody knows that if you have land particularly rich with farmyard manure, or other decaying vegetable material, in a wet season, the crops of grain do not ripen readily but keep on growing straw at the wrong time. That, in my opinion, was the main cause of the failure in the crops of wheat in the maritime provinces last year. The application of farmyard manure in the spring followed by a wet season had a tendency to make the straw grow too late and prevented the heads from filling with seeds.

The leaves of plants are like mouths and stomachs through which they take in carbonic acid gas from the air and build it into carbohydrates, such as starch, sugar and cellulose. Starch forms a very large proportion of all the farm crops grown for food, and therefore it is most important that plants should have vigorous leaves in a healthy condition, to take in the substances out of which starch is formed.

### MINERAL FERTILIZERS.

Potash is necessary to the formation of starch in the leaves, and then to the transference of it from the leaves to the place where it is to be deposited. That is why, as far as I know, an application of potash is especially valuable in the case of a potato crop, the dry matter of the potato being mostly starch. Certainly when the leaves are damaged or eaten off by insects, before the crop is ripe, the feeding, the growing and producing capacity of the crop is proportionately reduced.

Indirect fertilizers, such as gypsum, lime and common salt do not in themselves furnish plant food that is needed. Indeed they are remarkably like stimulants. They change unavailable forms of plant food in the soil into available forms, and so help the crop in many cases.

Gypsum aids in the process of the nitrification of soil. It acts on the insoluble forms of potash and makes them available for the plants. It is of special value on such crops as clover, pease and lucerne.

Lime, which is not a fertilizer, except of an indirect sort, loosens clay soils, and gives compactness of body to loose, light soils.

Quicklime decomposes vegetable matter, and the application of lime to a newly cleared farm or field will usually give excellent results. It acts also on potash and converts its insoluble forms into soluble forms.

Salt is also in some way an indirect fertilizer, and changes unavailable forms of plant food, chiefly potash, into available forms.

Phosphoric acid assists plants to assimilate other ingredients of their food, helps to hasten the maturing of the plants, and has, in plant growth, the function of helping to transfer the nitrogen into the seeds. That is what ripening is in a large measure, the transference of compounds from the roots, leaves and stalks, into the seeds. Phosphoric acid has evidently an important part to play in doing that.

### THE ROTATION OF CROPS.

The productiveness of the soil depends upon the substances present in the soil, and still more on the condition of the substances as to availability. That is where and how

the rotation of crops comes in, and can be of very great benefit to the farmer who understands the underlying principle, or at least follows the practice. Some crops by growing on land not merely give a good return in themselves, but they make available in the soil, the plant-food that the succeeding or some succeeding crop needs and can get in better form through their action.

It is admitted that the rotation of crops has been the chief means of improving the agriculture of Great Britain and some other parts of Europe during the century. The practice itself consists in growing roots (or some other cultivated green crop), and leguminous crops (such as clover, beans or pease), or grass (or hay crops), alternately with cereal crops ripened for grain. The famous four-course Norfolk rotation was roots, barley, clover or beans and wheat. The chief point seems to be to make those crops follow each other which have different requirements, as to the time of the season when they benefit most by plenty of available plant-food in the soil and different habits of growth in other respects, particularly in the ranges of their roots. The rotation for any farm must have regard to the soil, the climate, the markets for rotation crops, and other local conditions. Not only the increase in the yield of crops has to be taken into account, but also the value and uses to which the crops can be put when grown. It is for every one to determine what crops he can raise and sell at a profit, and then to plan a rotation to give each of those crops the best possible chance to yield largely.

#### THE ROTHAMSTED EXPERIMENTS.

At the Rothamsted Experiment Station (England), which I have already referred to, and which I think is the foremost in the world for thoroughness, reliability and comprehensiveness of work with farm crops, a series of experiments were begun in 1848, and have been carried on continuously since that time, to discover the results from growing crops on the same land continuously without and with manure, and from growing similar crops in rotation without and with manure. The rotation was the four-course one of turnips, barley, clover (or beans) or fallow, and wheat. Without going into the details of the experiments and the records as published, I desire to present the following table which I have arranged from the reports of eight courses, thirty-two years (1852-1883). The results from the continuously-grown crops relate to the produce of the same eight seasons as those in which the rotation crops were obtained. The unmanured and superphosphate conditions were the same in both cases. In the case of the mixed manure results, it is to be observed that in the rotation experiments, a quantity of manure was applied for the turnip crops only, which was to carry the whole of the crops of the four-years' course; whilst in the continuous-crop experiments, the quantity of nitrogen which was supplied each year amounted to rather more than one-fourth of that applied for four years in the rotation experiments.

#### ROTATION *versus* CONTINUOUS.

Average quantities of dry matter per acre in wheat and barley grown in rotation, compared with those grown continuously.

|                          | Unmanured and Superphosphate only. |        | Mixed Manure. |        |
|--------------------------|------------------------------------|--------|---------------|--------|
|                          | Grain.                             | Straw. | Grain.        | Straw. |
|                          | Lbs.                               | Lbs.   | Lbs.          | Lbs.   |
| Wheat, rotation.....     | 1,515                              | 2,585  | 1,694         | 3,188  |
| Wheat, continuous.....   | 706                                | 1,143  | 1,238         | 2,142  |
| Percentage increase..... | 114                                | 126    | 36            | 48     |
| Barley, rotation.....    | 1,452                              | 1,549  | 2,109         | 2,368  |
| Barley, continuous.....  | 1,001                              | 1,000  | 2,298         | 2,489  |
| Percentage increase..... | 45                                 | 55     |               |        |
| “ decrease.....          |                                    |        | 8             | 5      |

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I shall present also the results from an experiment conducted at the Purdue University Experiment Station, Indiana. The object of the experiment was to ascertain the effects on soil and crops of different systems of cropping without the addition of manures or fertilizers. One series of plots was devoted to *continuous* grain growing, the *same* crop being grown every year on one part of the series, and *two* grain crops alternating with each other on another part. On another series of plots three different *rotations* were followed, each one of which included wheat. The following table shows the average yields per acre in bushels for the seven years 1887 to 1893 :

|                        | Bushels per acre. |
|------------------------|-------------------|
| Wheat, rotation.....   | 21·61             |
| Wheat, grain only..... | 15·89             |
| Increase.....          | 5·72              |

This shows that wheat grown in **rotation** with other grain and grass crops has yielded 36 per cent more on an average, than when grown **continuously** on the same soil or in **alternation** with another grain crop.

### SUMMARY OF BENEFITS.

The great increase in crops grown in rotation over those grown continuously, seems to be because more nitrogen is available to the former ; and perhaps because it is available during the early period of their growth, from the preparation of it by the preceding crop or by the cultivation of that crop. Other benefits from systematic rotation of crops are (1) the distribution of the mechanical operations of the farm over the season ; (2) the opportunity for cleaning the land ; (3) the comparative freedom from damage by insects ; and (4) the production of a variety of products for feeding to live stock and for sale.

### THE TWO PROCESSES OF INCREASE.

In the growth of all plants that form farm crops there seem to be two processes that govern the increase ; and the understanding of the principles of these will, I think, help any farmer and every farmer to form rotations for himself that will be exceedingly valuable ; whilst without an understanding of these principles he will be always groping in the dark after the best methods. In the growth of plants one set of conditions make for increase in the size of the roots and the stems and the leaves. These are the vegetative part—the part of a plant that perishes utterly when the plant dies. There is another part of the plant that does not perish when the growth ends, viz., the seed that carries the life over to the next crop. The conditions which make for the enlargement of the roots and the stems and the leaves, do not make for increased production of seeds. That is to say, the conditions most favourable to the vegetative processes of the plant are not favourable to the maturing processes, but are almost the opposite. If you will allow me a parenthesis : The understanding of that principle, with the selection of seeds, will do more to improve farming in Canada than anything else I know of in regard to agriculture. The set of conditions favourable for continued increase in size of root and size of stem and size of leaf do not make for increase in the quantity of seeds, but rather for the opposite. The extension of the vegetative stages of development—the formation of roots, stems and leaves—is at the expense of the development of the reproductive parts—the seeds. Take the instance of a bunch of oats growing in a dung-hill ; what happens ? A very large root, a grossly large stem, broad long leaves, and very, very, very few seeds in the head. That is to say, the conditions that make for the continued enlargement of the root, the increase of the stem, and extension of the leaf do not make for an increase in number and weight of the seeds. That is an extreme case, but it reveals a principle. Now, take another set of extreme conditions, where a plant can grow only with difficulty, either in root or stem or leaf. Look on a bare roadside, where a small grass plant tries to form seeds when only three or four

inches high; then count the percentage of weight of the whole plant made up of the seeds; and you have a revelation on the other side. The conditions that make it difficult for a plant to grow a larger root and a larger stem and larger leaves after the time of ripening has come, make for the increase of the number of seeds and the increase of the proportion of weight they bear to that of the whole plant. Of course, the conditions that make for the increase of size of root and size of stalk and size of leaf up to a certain point, also make for the increase of seeds; because the seeds are formed out of what the plant takes in, through its leaves and roots. But when there is an excess of available plant food in the soil, only late in the growing and maturing period of the plant, that may prevent seeds from forming plentifully and ripening thoroughly. That is what happens frequently when farmyard manure is ploughed in, in the spring, for a grain crop in Canada.

In some plants the farmer wants a large root and large stem and large leaf; and in others he wants only the seeds—the other parts being an unimportant and secondary consideration. An abundance of plant food, an excess of it if you will, early in the life of the plant, makes for the growth of roots and stem and leaves; and then after the plant is about full size, some difficulty in getting more of it, makes for the growth of seeds. If a man wants large turnips let him pile on the manure. You never saw too much manure on a turnip field, for the size of the turnips. That is quite unlike the bunch of oats on the dung hill. Then you never saw a hay field over manured, so far as the growth was concerned. In the hay you want the stem and leaf; and in the turnip and mangel and carrot you want the root: therefore, manuring is the right thing for them. Besides their period of growth and accumulation extends many weeks after the period of collection by ripening cereals has ended; and that at a time when the farmyard manure applied that season is most readily available; and when nitrification in the soil is most active.

There is a fundamental principle to guide in making a rotation of crops,—apply manure only for green crops and hay; and follow these by cereals sown in soil having a very fine tilth, since for them there is only a short growing season. That the early first part of it should be favourable is most important for the yield of grain.

Application of farmyard manure directly for grain crops is almost always a wasteful practice; but put on for root or other green crops it puts and leaves the soil in the best condition for grain crops to follow. I do not contend for sowing grain on poor land, but for putting manure on for green crops and for grass and for hay, which take all the nourishment they require; and leave enough, and that in the best condition, for the growth of the succeeding crop of grain.

*By Mr. Featherston:*

Q. Does that apply to Indian corn?

A. Yes, you want the large stalk and leaf in Indian corn as in hay.

#### SEED GRAIN.

There is another matter that I wish to lay before the Committee this morning. I have spoken of the availability of plant food in the soil, and the making of it more so by cultivation and a rotation of crops. I want to speak also of the power of the plant to take these things out of the soil and the air—the inherited power of the plant. A plant has inherited its initial vital power from all the crops through which it came—all the ancestors through which it ascended or descended. An appreciation of the inherited as well as the acquired power of plants will be of assistance in selecting the kind of seed that will do best on each farmer's land. The matter of vitality of seeds I will not discuss at all this morning. I am not discussing at all the purity or cleanness of seeds, and shall only mention in passing the question of the vitality of seeds. What I want to make clear is the difference in the vigour of growth between seeds of the same variety when sown in different localities, and the difference—the amazing difference—in the productiveness of selected large plump seeds over small seeds of the same variety.

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The seed of a cereal is a plant in embryo, and a store of food for the nourishment of the young plant after it wakens into activity (germinates), and until it takes in food through its rootlets and leaves. The germination of the seed is not the so-called creation of life. That happened when the plant was fertilized: and the seed is an embryo, with a store of food lying close by it and within the same skin. The store of food which composes the greater part of the seed is for the maintenance of the young plant until it is able to take enough nourishment through its leaves and rootlets. A young plant is wakened up as soon as the moisture and warmth are sufficient, and its food close by is prepared under the same conditions.

Sometimes an embryo plant is imperfectly formed and weak; and tests show that imperfectly ripened seeds, under ordinary conditions, do not give nearly as good a crop as fully ripened seeds in each of which both the embryo and its food have been fully prepared. Those seeds which germinate most quickly are the best, and it has been proven over and over again that heavy seeds give larger and better crops than small seeds of the same sort. This has been proven over and over again. The reason seems to be that in one case (large seeds), the supply of food for the young plant is plentiful when it most needs it, while in the other case (small seeds), the food supply may be insufficient to nourish the young plant adequately at the most critical time when it is tender and struggling for survival. Under the most favourable conditions of temperature, moisture and food supply in the soil, small seeds might give as much in crop as large seeds. On comparatively poor land, in unfavourable seasons, is where the small seeds give their worst returns. The farmer who has rich soil in a fine condition of tilth is the only one who can afford to sow small seeds, and the risk of comparatively small crops is great even then.

### THE TENDENCY TO VARIATION.

Every plant that grows has in itself a tendency towards variation. I do not know of a plant that is exactly like any other plant that ever grew or is growing now. I have looked over a lot of peas, and cannot find two that are exactly alike.

*By Mr. McMillan:*

Q. Do you know of any two objects in nature that are exactly alike?

A. No, not any form of life. What I want to say is that there is no real stability or exact continuity in the forms of plant life. Endless variation is the rule; endless variation even within named varieties.

When plants are grown under a set of conditions that are not changed much from year to year they get more into a state of equilibrium than if they, or the crop from their seeds, are grown one year under one set of conditions and another year under another set of conditions. They continue more like what they have been, when they are grown year after year under one set of conditions than if those conditions are changed. If the conditions are changed greatly, from those to which the plants have been accustomed, that change brings out and intensifies the tendency towards variation. Thus every plant that grows will make a strenuous effort to adjust itself to its surroundings so as to make its development and continuation possible: and in so far as it adjusts itself to those surroundings so far does it succeed and no farther. That process of adaptation never stops. Life is a ceaseless struggle, a constant effort to fit in.

### SOME CAUSES OF VARIATIONS.

If you bring about a change in the life of the plant itself such as by cross-breeding, you intensify the tendency to variation so that it will vary much more than in the line of direct descent; a similar result follows when the conditions under which it is grown are greatly changed. Let me make an illustration. If you take a man who has lived in one part of the globe, living in a modest and uneventful way, and put him over in another part of the globe where life is under an entirely new and different set of conditions to those to which he has been accustomed, in a year or two he becomes an entirely

different man in regard to his ability and activity. He has been lifted out of the conditions under which he has existed and to which he had adjusted himself; and after the change, if he follows the fundamental law of nature he will adjust himself to the new conditions and succeed. That is one reason why we have in Canada the right kind and type of capable people. They have adapted themselves to their surroundings; and adjusted and are still adjusting their surroundings and conditions for their own betterment.

A change of food supply will also bring about a difference in the plants. Starvation as against abundance of food alters the plants.

Then you bring about a difference—a stronger tendency to variation—by the “crossing” of seeds of plants. It is only a chance whether the product will be as good or better than either of the parent seeds. In the most strict sense, perhaps nothing happens altogether by chance, but when there is impossibility of discerning cause and continuity we say it is haphazard or chance. When plants resulting from “the cross” are found to vary in the desired direction, then continued selection of the seeds from those, and again and again of the seeds from those, may develop a valuable and productive strain of seed.

#### STRIKING RESULT OF SELECTION.

On the Experimental Farm in 1892, “a cross” was made between the *Mummy* pea and the *Black-eyed Marrowfat* pea. Those are the samples of the two varieties. The crop from “the cross” was grown in 1893, 1894 and 1895. The pea was “a cross” and carried in itself, like every other plant, a tendency towards variation greatly intensified by the cross-breeding.

Before the crop was sown in 1896, the large pease were selected and sown separately and the small pease were also selected and sown. The crop was harvested and selections of large pease from the product of large pease, and selections of small pease from the product of small pease were made before the crop of 1897 was sown. The large pease were sown by themselves and the small pease by themselves on similar land practically side by side. A similar selection was made before sowing in 1898. Those (showing samples in bottles) are samples of the crops of 1898. The pease which are the product of the large pease are nearly twice as large as those from the small pease. These (the produce of the small pease) weighed 270 grains to the 100 pease and those (the produce of the large pease) weighed 538 grains to the 100 pease. Three years' selection in the size of the pease sown, made that difference in the average of the crops of 1898.

*By Mr. Bell (Addington):*

Q. Were the conditions the same in both cases?

A. Both crops were grown side by side annually in the same soil upon the same farm.

#### A CHANGE OF SEED.

What I want to say now is this, that so far as I can learn, and I will give you abundant proof in a moment, the sowing of seed in a new locality, a locality new to the seed, brings out the tendency to variation, evidently by the plant trying to adjust itself to the new conditions. If it succeeds in that effort, it becomes a suitable plant and suitable variety or strain for that locality. I have heard a great deal about the advantages of a change of seed; but indiscriminate change of seed is a dangerous practice; and the theory that seeds necessarily run out and require to be changed from locality to locality is misleading.

Selection of seed from the best quality and most productive variety or strain in the locality, as seed for that locality, is the right plan and practice.

Now, I want to give some evidence.

I spoke of the effect of a change of conditions,—the effect in producing variations. That is admitted everywhere—everybody knows it. Since that is so, how can the varia-

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tion be controlled into a direction that will leave the most profit for the farmer? That is the point. The selection of seeds from plants which have adapted themselves to the conditions in which they are to grow, will give a crop which becomes superior, and better able to adapt itself fully to the conditions of that place, the longer the selection is continued from year to year. A selection of seed from heavy-yielding crops year after year in the same locality, will yield larger crops than by any other method or practice known in the handling of seeds.

I have not said nor do I believe that you can by selection cause plants to vary much in certain respects. The trouble has been that the methods for improvement in crossing, and breeding, and growing flowers and shrubs, have been applied to grains for farm crops; and this has been mischievous in retarding a proper selection of seeds for farm crops all over this continent.

### THE CHARACTERISTICS OF VARIETIES.

Plants will vary in endless ways; there are variations within named-varieties as well as between varieties. Some of the distinguishing characteristics of varieties are in their form (shape and size); their colour; their habit of growth; their hardiness; the length of their growing period; and their productiveness. If a plant or variety once gets a reasonable measure of fixity in regard to shape of seeds, these qualities are not easily modified or varied. Plants will vary and sport in regard to colour, but if you get that quality once fixed in a variety it will not vary much by change of locality or those other conditions I have spoken of. Black oats will lose their colour gradually, a little under certain conditions, but not easily. You see the point? The qualities of form and colour do not vary easily by change of locality, change of food, or change of climate. The habit of growth does not vary readily or greatly. For instance, a branching variety of oats will continue that habit of growth, and a mane or side-growing variety of oats will keep its distinctive habit of growth all over the Dominion. The habit of growth does not vary readily; a branching variety of oats does not become a mane variety of oats. The comparative growing period of the variety will not vary quickly.

On the other hand the productiveness of the plant and of the variety, which is the quality we are after as farmers, will vary greatly on the least provocation by a change of seed, which ordinarily means a change of locality.

The productive variety of good quality is what we are after. Who cares whether the variety of oats be white or black, if it gives twenty bushels more to the acre and has a big kernel inside? The only means known to insure productiveness in a variety is by continuously selecting seeds from plants that have shown themselves productive in that locality.

Now for the evidence of that. If any variety as such, has a quality of constant superiority in regard to productiveness, then it would have that superiority in all localities where it would grow. I would like to make that as clear as I can. If there is a quality in a variety that leads it to be more productive than others under all ordinary conditions of growth in different localities, then superior productiveness would continue to characterize it over a wide area under different conditions. The form, colour, habit of growth, and hardiness are qualities which are fairly constant in a variety of grain in different localities; but there is a great deal of evidence to show that productiveness is not; and productiveness is what we are after.

### VARIETIES OF GRAIN ON DOMINION EXPERIMENTAL FARMS.

Take first Bulletin No. 32 of the Central Experimental Farm, which reports on the results obtained in 1898 from trial plots of grain, by Dr. Saunders, director. I use this evidence because, as we all know, the records are kept carefully and correctly; and what is stated in this Bulletin is reliable. I find there were grown on the Central Experimental Farm last year and on three of the four branch farms of which the committee are aware—one in Manitoba, one in the North-west Territories, and one in British Columbia, four widely different localities—there were grown on these farms, for com-

parison as to productiveness, 47 varieties of pease. The twelve varieties of pease that gave the largest crop on each farm were put in lists by themselves. Now if the quality of superior productiveness were inherent in a variety, in different localities and under different conditions, you would expect that in the lists of the twelve most productive at each place, viz., at Ottawa, Brandon, Indian Head and Agassiz, there would be only a few more than twelve. Instead of that, out of 47 varieties tested there were no less than 32 varieties included in the lists of the twelve best varieties at each of the four farms.

#### IS IT MORE THAN CHANCE?

Now, I believe if you put the thing to a trial by hazard you would get about the same proportion in lists of twelve each. The hazard is whether the seed of a variety new to a locality will adapt itself to the conditions of that locality. At any rate if superior productiveness is constant in a variety as such, there would be evidence that the varieties most productive at one place, even if not in all the lists of twelve best, would be among those above the average at every place. The facts are, as shown by the Experimental Farms Report, 1898, that the variety of pease, *Arthur*, (46 bushels per acre) which was **highest at Ottawa** was the **second lowest** (28 bushels per acre) of all the varieties at Indian Head, N.W.T.; and the variety *White Wonder* (20 bushels per acre) which was **the lowest** in yield of all the varieties compared at Ottawa was **second highest** at Agassiz, B.C., (39 bushels per acre.)

The variety *Harrison's Glory* (59 bushels per acre) which **headed the list** for productiveness at Brandon, Man., gave **the lowest yield** of all the varieties tested at Agassiz, B.C., (22 bushels per acre); and the variety, *Creeper*, (23 bushels per acre) which was at **the very foot of the list** of all the varieties tested at Brandon, Man., was included in the **list of the twelve highest** at Indian Head, N.W.T., (43 bushels per acre.) These are only instances, and the evidence of the whole of the lists is in the same direction.

It is the most convincing evidence I find anywhere that the variety, in regard to productiveness, varies with the locality where it is grown, or varies in degree as it happens to hit the conditions of the locality, or as it adapts itself to them. Could anything be more convincing?

#### PRODUCTIVENESS NOT CONSTANT IN VARIETY.

There is much more evidence on the subject, all showing that the productiveness of a variety depends on whether it happens to fit into the conditions of the locality where it is grown, or adapt itself to them. Take for instance the relative place as to productiveness of some varieties grown on the Central Experimental Farm, Ottawa, and on the Experimental Farm at the Ontario Agricultural College, Guelph, Ont.

Of 52 varieties of pease compared on the Experimental Farm at Guelph, Ont, a variety named *White Wonder* stands at the **head of the list** for productiveness on the average of eight years' test; it **stands third** on the list there for productiveness in 1898. The variety named *White Wonder* stands **lowest on the list** of the varieties compared at the Central Experimental Farm, Ottawa, in 1898.

The variety *Early Britain* stands **third lowest** (55th) on the list of varieties of pease compared as to productiveness on the Central Experimental Farm, Ottawa, in 1898; whereas it is the variety which gave the **highest yield** per acre of the varieties of pease tested by experimenters of the Experimental Union throughout Ontario in 1898; and it stands **second highest** on the average for eight years of all the varieties grown on the Experimental Farm at Guelph, Ont.

What is true of pease appears to be true also regarding other farm crops. Of the varieties of wheat, oats and barley compared on the Dominion Experimental Farms in 1898, selected lists were made of the **12 varieties** of wheat and oats, which gave the largest yields of grain per acre on each of the five Experimental Farms; and similar selected lists were made of the **6 varieties** each of six-rowed and two-rowed barley. The

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following table shows the number of varieties compared, and the number of those varieties which appeared in the selected lists of the most productive at the several farms.

VARIETIES OF GRAIN COMPARED.

| Class of Grain.       | Number of varieties compared. | Number of varieties in selected lists. |
|-----------------------|-------------------------------|----------------------------------------|
| Pease.....            | 47                            | 32                                     |
| Wheat.....            | 42                            | 33                                     |
| Oats.....             | 65                            | 41                                     |
| Six-rowed barley..... | 18                            | 14                                     |
| Two-rowed barley..... | 23                            | 18                                     |
| Totals.....           | 195                           | 138                                    |

That table shows that of the whole number of varieties compared, no less than 70 per cent appear in the selected lists of those more productive—(12 or 6)—at some one of the five farms.

VARIETIES OF SPRING WHEAT.

Out of the forty-two varieties compared on the Experimental Farms at Ottawa, Ont., Nappan, N.S., Brandon, Man., Indian Head, N.W.T., and Agassiz, B.C., no less than thirty-three varieties appear in the lists of the twelve best at each farm, thirty-three selected out of forty-two.

When you take the reports of three years' experience with varieties of spring wheat on the Central Farm, and examine the names of the twelve varieties which on the average have given the heaviest crops of grain for 1895-96-97, and compare them with similar lists for 1895-96-97-98, you find the names of ten varieties appear in both lists of twelve. When there is selection of heavy seed and it is sown again in the locality where it was productive, the number of varieties, that repeat themselves as most productive there, is increased; and the total number recommended gets smaller. But where you have the varieties scattered promiscuously over the Dominion, you have the results shown by these reports,—sometimes the variety which is at the head of the list on one farm being at the bottom of the list on another farm in the same season.

*By Mr. McMillan :*

Q. When you say that the number of these lists gets smaller when the seed is kept for a larger number of years in one place, does not that show that if you had kept them all the time in one place they would all fail? In the county of Huron we got Black Sea wheat once. It was successful with us for some time and then failed. A farmer took it down to Hamilton and had it grown and took it back; and it would grow well with us again. With Siberian wheat it was the same. I am almost convinced that it is almost a necessity to change the seed on a farm.

The CHAIRMAN.—I do not think the two conflict.

Mr. ROBERTSON.—In the instances cited by Mr. McMillan there was, as far as I gathered from his remarks, a continuous growth of wheat in one locality without selection of the best seed from it from year to year; then it was taken to a new locality, grown there, and then brought back again, after a number of years, to the original locality. Without selection of the best from the best continuously, a variety will doubtless deteriorate; but selection will not only prevent deterioration of the variety but will improve it.

In the reports of three years' experience of wheat at the maritime provinces farm, I find eleven in both lists out of twelve selected; at Brandon, eleven in both lists of twelve; at Indian Head, N.W.T., eight in both lists of twelve, and at Agassiz, B.C.,

eleven in both lists of twelve. I think that indicates that selection from the variety of grain, which has been productive in the locality where it is to be grown, will increase its productiveness there year by year.

#### VARIETIES OF OATS AND BARLEY.

An examination of the records of the tests of varieties of oats gives similar results to those of pease and wheat. Out of the 65 varieties grown at the five Experimental Farms in 1898, no less than 41 varieties appear in the five lists of the twelve most productive varieties. The variety *Danish Island* (42 bushels per acre) which yielded **lowest** at Ottawa was the **very highest** at Agassiz, B. C. (85 bushels per acre). The tests of six rowed and two-rowed barley point in the same direction. There is nothing to indicate a variety which is sure to be the most productive, or even likely to be the most productive, in any locality without an actual trial of it there ; and if it happens to hit the conditions aright, its superior productiveness can be maintained only by selection of the best seeds of it for sowing from year to year. Selection and sowing of the heaviest and largest seeds of any variety, from the crop on the piece of land where it has given the largest yield, will increase its productiveness from year to year in that locality.

*An Hon. Member :*

Q. And increase its quality ?

A. I am speaking only of its productiveness ; but I think the quality would be improved also in the same way at the same time.

*By Mr. McMillan :*

Q. Do we understand that the best way is to keep on sowing the best seed from the same grain ?

A. Yes, I believe, and my belief is founded on good and abundant evidence, that the quickest and surest way to increase productiveness is to select seeds from the most productive crops and plants in the locality where they are to be grown again.

In any field of growing grain some plants are more vigorous than others in the same field. Some plants are larger than others beside them. Some plants are earlier ; and some single plants are more productive than others. Thus you have variation continually occurring. By selecting seed from those of them which have varied in desired directions (the best) and sowing it ; and by taking again seed from those that succeed best next year and sowing it, continuous improvement can be effected. Of course there are instances where individual plants may be larger and more vigorous than others from exceptional causes. The droppings of a cow will make an individual plant here and there larger than the others ; but apart from these causes there are other plants which are larger and more vigorous than those growing around them.

#### THE POWER TO OVERCOME OBSTACLES.

Apparently some plants are larger and stronger and earlier than others because they inherited the power to overcome obstacles. No other quality inherited is worth naming in comparison with the power to overcome obstacles ; and there is no evidence of the existence of that power excepting in having overcome them. This power of overcoming obstacles in a plant may be revealed in the taking possession of things through its roots and leaves, that it may organize those things into itself for its own highest development, and for better and larger usefulness through its life. The principle is applicable to all forms of life from the lowest to the highest, from the plant to the man.

The power to overcome obstacles, the power to get possession of things, and the power to organize them after they have been taken into possession, this power marks the superiority of the individual in every field, in every field on the farm, and in the nation. The power to overcome obstacles, to get possession of things and to organize them, is superiority, by an eternal law that man can neither repeal nor amend.

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There is the transmitted power to overcome obstacles, and in this lies the advantage of large plump seeds over small ones. The large seed gives the young plant sufficient nourishment at the critical period. That is all the quality of largeness in the seed does. From the same plant come big and little seeds grown on the same stalk. The larger seeds contain more nourishment for the young plant at the proper time ; and that gives the more vigorous growth.

### MELDRUM WHEAT.

Let me cite an instance to show the advantage to be derived from the continued selection of seed. Up in the Gatineau Valley there lived a man named Meldrum. His farm was in no way specially well adapted for growing fine wheat. He had several daughters and they went out into the fields and picked out the big early heads of wheat from large vigorous plants. The seed from these he cleaned thoroughly and sowed for wheat again. He got exceptionally good vigorous plants with large heads and fine wheat. The result of his selection was that his wheat took the gold medal at the great Paris Exposition ; and for years afterwards his wheat was sold as Meldrum wheat, and at fine prices for seed wheat.

The point I am now coming to is the result on the crops from the size of the seeds sown.

I have mentioned already the fact that selected large pease were sown side by side with selected small pease of the same variety, on the Central Experimental Farm, Ottawa, in 1896. The selection was repeated and large pease from the crop from large pease, and small pease from the crop from small pease were sown in 1897 and 1898.

The following tables show the average result in the weight of the pease, without selection, in the crop of 1898 :—

| PRODUCT FROM LARGE AND SMALL PEASE. | Weight per 100<br>pease (in grams). |
|-------------------------------------|-------------------------------------|
| From large seed . . . . .           | 538                                 |
| From small seed . . . . .           | 270                                 |

J. C. Arthur, of Purdue University, quotes an instance showing the quantities of first and second quality of pease respectively, which came from large and small seeds respectively. It is shown in the following table :—

|                           | Weight of Pease<br>in grams.<br>First quality. | Weight of Pease<br>in grams.<br>Second quality. |
|---------------------------|------------------------------------------------|-------------------------------------------------|
| From large seed . . . . . | 1,375                                          | 554                                             |
| From small seed . . . . . | 540                                            | 1,045                                           |

That is to say, of every 24 pease grown in the crop from large seed, about 17 were of first quality as against 7 of second quality ; and of every 24 pease grown from small seed, about 8 were of first quality as against 16 of second quality.

The same author quotes some results from tests by Lehmann, as shown in the following tables :—

(When an equal number (528) of each was sown).

|                           | Weight of pease<br>in grams. | Percentage of<br>increase. |
|---------------------------|------------------------------|----------------------------|
| From large seed . . . . . | 1,814                        | 81                         |
| From small seed . . . . . | 998                          |                            |

*By Mr. McMillan :*

Q. Sowing an equal number did you say ?

A. Yes. Now I will give the results from sowing an equal weight of each.

(When an equal weight of each was sown.)

|                      | Weight of pease<br>in grams. | Percentage of<br>increase. |
|----------------------|------------------------------|----------------------------|
| From large seed..... | 2,307                        | 52                         |
| From small seed..... | 1,590                        |                            |

## EXPERIMENTS AT O. A. C. FARM, GUELPH.

I want to offer some further evidence obtained from another reliable source, in regard to the benefits from selecting large and heavy seed for sowing; and also some evidence on the apparent improvement in the productiveness of varieties from selecting seed of them on the farm where they are to be grown year after year. I take it from the last report of the Experimental Farm at Guelph, Ont.,—the experimental farm of the Ontario Government. The experiments in seed-testing and the comparison of varieties there are under the charge of Mr. C. A. Zavitz, who is a most capable and careful worker. Experiments have been conducted by him to determine the results from sowing selected large seeds and small seeds taken from the same crop of the previous year. Fresh seed has been taken each year; so that the difference in yield is attributable to only the difference in the size of the seeds sown. The different selections were sown upon plots exactly one rod square. The following table gives the results of the average of the yields per acre, for the number of years in which the comparisons were made:

## PRODUCTS FROM LARGE AND SMALL SEEDS.

| Class of Grain.   | Selection.            | Number of<br>years<br>compared. | Average<br>of yield per<br>acre. | Percentage<br>of<br>increase over<br>small seed. |
|-------------------|-----------------------|---------------------------------|----------------------------------|--------------------------------------------------|
|                   |                       |                                 | bushels.                         |                                                  |
| Barley.....       | Large plump seed..... | 4                               | 46.73                            | 7                                                |
| ".....            | Small ".....          | 4                               | 43.30                            |                                                  |
| Spring wheat..... | Large ".....          | 6                               | 21.25                            | 23                                               |
| ".....            | Small ".....          | 6                               | 17.27                            |                                                  |
| Oats.....         | Large oats.....       | 5                               | 52.38                            | 37                                               |
| ".....            | Small ".....          | 5                               | 37.96                            |                                                  |
| Pease.....        | Large seed.....       | 3                               | 24.03                            | 34                                               |
| ".....            | Small ".....          | 3                               | 17.88                            |                                                  |

That table shows the very great benefit from selecting large heavy seeds to sow, even if the selection is not carried any further than that.

Moreover when the selection of large seeds is continued from year to year out of the crop grown from large seeds, there is an improvement in the quality of the crop as well as in the yield per acre. Mr. Zavitz reports an experiment in the selection of seed oats for six years in succession. The experiment was begun in 1893, by selecting seed from the general crop of *Joanette* oats of the previous year. The selection in each of the following years was made from the product of the selected seed of the previous year. The following table gives the results of the average of the yields per acre. In the weight of grain per measured bushel, the average is for six years; and in the yield of grain per acre the average is for five years.

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## PRODUCT FROM LARGE AND SMALL OATS.

|                                           | Average<br>weight per<br>measured bushel.<br>Lbs. | Average<br>yield<br>per acre.<br>Bushels. | Percentage<br>of<br>increase. |
|-------------------------------------------|---------------------------------------------------|-------------------------------------------|-------------------------------|
| From large plump oats . . . . .           | 33.03                                             | 58                                        | 20                            |
| From small light-weighting oats . . . . . | 30.3                                              | 48.1                                      |                               |

The difference between the average yield per acre from large plump seed, selected out of the product of selected seed for six years in succession, is practically 10 bushels per acre more than the average yield per acre from small light-weighting seed selected out of the product of similar seed. The increase is more than 20 per cent.

It has been proved over and over again that the largest and heaviest seeds produce the largest and most vigorous plants. In grass and clover seeds the small ones are usually inferior and of low vitality. They cannot be depended on to produce a "good catch" or a good stand of plants. In all cases of farm crops a greater proportion of the large seeds germinate. This is followed up by a more vigorous growth; and the growth is also towards a larger yield of large plump seeds of high quality, with which to continue the strain.

### DOES SEED RUN OUT?

That brings me to say a few words on the subject of whether a strain of seed, or a variety, will deteriorate in productiveness by being grown on the same farm from year to year. I submit some further evidence from the report of the Experimental Farm of Guelph, Ont. If the different varieties of grain grown on that farm continuously for eight or ten years have deteriorated in productiveness, then there should be some evidence of a gradual decrease in the yield, independently of the fluctuations due to the season. On the contrary, the records of yields show that there is a progressive increase in the yield per acre of the varieties which have been grown for the longest periods on the same farm. There are variations and slight exceptions to that, but that is the rule as shown by the records of yields.

*By Mr. Burnett :*

Q. Grown on different varieties of soil?

A. Grown on the same farm, and all the varieties grown under similar conditions for fair comparison every year.

In the report of the tests at that farm I find that with wheat, oats, barley and pease, the average yield of grain per acre for the last three years is higher from the varieties which have been grown on the farm continuously for eight or ten years, than from the varieties grown on it from one to three years only.

*By Mr. McMillan :*

Q. The same varieties? If the varieties change that is not a fair test?

A. The comparison is between the best varieties which have been grown on the same farm for a long time, and the best new varieties brought on to it. The comparison is for the same years and under the same conditions of cultivation. My point is this: assurance of productiveness does not come with any new variety; but comes with *selection of seed every year from any variety which has proven productive in that locality.*

There are great differences between the productiveness of varieties. But I do not know of any means whereby one can tell beforehand whether a variety new to the locality will be productive there. The fact that some varieties, which were most productive on some of the experimental farms in 1898, were among the least productive on other experimental farms in the same season and *vice versa*, is evidence that superior productiveness does not continue in the variety in different localities and conditions.

The safe practice for the farmers is to select large and heavy seed from any strain which is of good quality for the market, and which has been productive in their locality

A still greater improvement than that is practicable. The selection of seeds from the largest, earliest, most vigorous plants as they grow would give the very best seeds from that strain or variety. The power to overcome obstacles, which is in evidence in the largest and most vigorous plants, is worth seeking in the seeds from such plants.

One day's work of selection when the crop is ripe, would yield the farmer enough heads from the best plants for two bushels of cleaned seed. That should be cleaned thoroughly; and the small light seeds taken out by a stiff fanning and sieving. These two bushels (more or less) of selected seed should be sown on a plot of well prepared fertile land. The crop from that will furnish seed for the general crop of the farm of that class or grain. It is important that that plot should be in the best possible condition for crop growing. The productive qualities of those selected seeds are improved by being grown on land which bears large crops. Before the crop from the seed grain plot is harvested, a selection of the heads from the most productive and vigorous plants should again be made. These furnish the seed for the seed-grain plot the succeeding year. The seed-grain plot itself should be one on which a well-manured root or green crop or a clover crop was grown the previous year. In a few years a farmer could grade up the strain of seed on his farm to yield from ten to twenty per cent more per acre. Even if he does not follow that systematic selection, if he sows only heavy, plump seeds, from the largest yielding crop he can find in his locality, he will derive very great benefit.

When I mention these percentages, what does 10 or 20 per cent or 30 per cent of increased yield in the crops over this Dominion mean? The value of the crops being about \$280,000,000, ten per cent is \$28,000,000 a year. I believe we can get that increase in Canada by the means I have outlined to-day; that is my judgment in regard to the farmers of Canada in this work.

#### LARGE AND SMALL POTATOES.

Before I finish, let me say one word about potatoes. Mr. Zavitz carried on an experiment in using large marketable potatoes and small potatoes (not very small—1½ inches in diameter) for planting. He has done that for four years. The large potatoes for planting every year are selected from the produce of large potatoes planted the previous year. The small potatoes are from the produce of small potatoes. The average yield for the four years 1895-96-97-98 was 201 bushels per acre from the large potatoes and 131 bushels per acre from the small potatoes. That was a gain of over 69 bushels to the acre annually, on the same soil, in the same seasons, for four years, from planting large potatoes. This was due probably to some extent to the inherited vigour, and also to the larger amount of nourishment for the young plant in the larger potatoes planted.

*By Mr. Rogers :*

Q. Was that for one year or an average?

A. That was the average for the four years.

#### ROOT CROPS FROM LARGE AND SMALL SEEDS.

Mr. Zavitz conducted a comparison in growing mangels from large plump seed and small seed for four years; also in growing carrots for four years; and in growing sugar beets for two years, and Swede turnips for three years in similar ways. Taking the average of all these for those years, the average yield from large plump seeds was 24.88 tons to the acre; and the average yield of the same classes and varieties of roots grown from small seeds was 15.91 tons per acre. That is nearly the difference between 25 tons to the acre in one case, and 15 tons in the other for that number of years.

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## THE TWO FUNDAMENTAL PRINCIPLES.

I think the evidence is abundant and clear to establish a belief in ~~these~~ two fundamental principles which underlie the successful growing of crops in Canada. The first one is ~~that a proper rotation of crops will greatly increase the yield per acre ; and that a proper rotation can be planned when a farmer understands the difference between conditions favourable to the processes of growth which make for the increase of the roots, stalks and leaves of plants, and those favourable to the formation of seeds. Barn-yard manure is for the roots, stalks and leaves primarily ; and a fine condition of tilth is for the grain crops the following year.~~

The other fundamental principle in support of which also the evidence is clear, is that the only sure way of improving the grain of a locality and of increasing the productiveness of varieties suited to it, is by a selection of seed from the crops and plants that have succeeded best there or under similar conditions, and by doing that year after year successively.

*By Mr. Douglas :*

Q. Why in the North-west is it the case that although White Fife grows best on the land and seems to improve in quality and once was the most expensive, it does not now bring as high price as the Red Fife ?

A. I do not know.

Q. We have sown White Fife for a number of years and find it improves in quality ; but within the last two years the price has not been given for it. Formerly the same price was given.

## A CHANGE OF SEED.

Mr. ROBERTSON—Regarding a change of seed, I would like to mention this further. A change of seed brings out the tendency to variation in the time of ripening and in the productiveness. Therefore, when it is desired to get in any locality an earlier ripening variety of grain, a good plan would be to take a variety of good quality for the market, from a northern to a southern locality. Then select seeds from the vigorous, large plants that ripen earliest. By following up the selection, in a few years you would likely get crops that would grow better and ripen earlier. I would suggest that as a means of bringing about the earlier ripening.

If the farmers of Canada can be encouraged to select out of their crops of each class of grain this year, enough heads from the vigorous plants, enough big heads from the largest plants, to yield two bushels of clean grain of each, they will have taken a great step in advance. Let them follow that up ; and clean that grain thoroughly to get the additional value of large heavy seeds out of these selected heads. Such selected seed should be sown on a seed-grain plot from which a clover crop or green crop had been taken the year previous. From that crop seed for the general crop of the farm the following year would be obtained. A selection of heads should be made from the seed-grain plot every year before it is cut. Those are for seed for the seed-grain plot of the following year. Every bit of evidence indicates that such seed would be greatly more productive than any seed they can get from any other source. That will be one of the main values of the Illustration Stations. If you want the farmers as a whole to receive and apply a principle you have to give them object lessons of the application of that principle. Otherwise the principle may become to them a theory only and not lead to an improved practice. The object lesson, of the crops growing from selected seeds along side crops from seed that is not selected, would be a splendid illustration of the best practice to follow throughout the Dominion.

COMMITTEE ROOM No. 46.

HOUSE OF COMMONS, 9th May, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 o'clock, a.m., Mr. Bain, chairman, presiding.

Mr. JAMES W. ROBERTSON, Commissioner of Agriculture and Dairying, being present, continued his evidence as follows:—

Mr. Chairman and Gentlemen,—At the last session of the Committee I submitted some evidence showing that superior productiveness of varieties of grain depends upon the locality and conditions under which they are grown, rather than upon the variety as such. I said further that in my judgment there was no need for a change of grain; and that a change of grain made the farmer incur very much risk and often gave him no benefit. There was no time to submit fully the evidence on which I based the latter statement and all I desire to do this morning is to submit some of the evidence I have.

First of all allow me to supplement what I said in regard to the effect of change of locality and conditions of growth upon the productiveness of a variety to show that the variety as such, does not maintain superior productiveness, except as it happens to hit successfully the conditions of the locality. It maintains the form, the colour, the habit of growth and hardiness, characteristic of it; but it does not hold equally productiveness except as the circumstances suit it. I said that last year—1898—65 varieties of oats were compared in five localities in Canada where the experimental farms are situated. The lists of the twelve most productive at each place included no less than 41 of these varieties. That made me think that the conditions under which a variety of grain is grown change its relative productiveness so much that you have **no constant superiority** in any variety when the locality and conditions under which it is grown are changed. If the 24 varieties, which are not named in the five lists of 12 most productive, were among the poorest yielders on all the farms, they could be discarded. That is not the case. A variety which is at the head of the list at Agassiz, B.C., is at the very bottom of the list—the 65th—at Ottawa.

Let me submit a table showing the relative place in the order of productiveness at the four other experimental farms of the 12 varieties of oats which were **most productive** at the Central Experimental Farm, Ottawa, in 1898.

RELATIVE PRODUCTIVENESS OF 65 VARIETIES OF OATS.

| Name of Variety.           | Relative place in Order of Productiveness on Experimental Farms at |              |               |                     |               |
|----------------------------|--------------------------------------------------------------------|--------------|---------------|---------------------|---------------|
|                            | Ottawa, Ont.                                                       | Nappan, N.S. | Brandon, Man. | Indian Head, N.W.T. | Agassiz, B.C. |
| Hazlett's Seizure.....     | 1st                                                                | 30           | 29            | 51                  | 47            |
| Joanette.....              | 2nd                                                                | 52           | 42            | 48                  | 58            |
| Brandon.....               | 3rd                                                                | 53           | 59            | 36                  | 63            |
| Oderbruch.....             | 4th                                                                | 7            | 19            | 7                   | 50            |
| Golden Beauty.....         | 5th                                                                | 39           | 31            | 33                  | 10            |
| Black Mesdag.....          | 6th                                                                | 16           | 69            | 66                  | 13            |
| Early Golden Prolific..... | 7th                                                                | 36           | 18            | 14                  | 49            |
| Improved Ligowo.....       | 8th                                                                | 62           | 43            | 55                  | 28            |
| Holland.....               | 9th                                                                | 55           | 21            | 30                  | 52            |
| Russell.....               | 10th                                                               | 57           | 46            | 37                  | 41            |
| King.....                  | 11th                                                               | 49           | 55            | 25                  | 60            |
| Abundance.....             | 12th                                                               | 3            | 24            | 21                  | 39            |

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All the varieties tested were reported as being grown on plots side by side on each Experimental Farm in the same season.

If you run the eye along the line opposite each variety you will see there is no constant superiority in productiveness when a variety is grown in the different localities in the same season. Varieties which are among the most productive in one place are among the least productive in another place.

If there was not much difference between the yields per acre of different varieties on the same farm, then the change of place in the order of productiveness on the different farms would not be of much moment. But the difference between the yields per acre from different varieties on the same farm is very great; and there are varieties at almost regular intervals between the highest and lowest yield on each farm. The following table shows the yield in bushels per acre of the most productive and the least productive variety on each farm, and also the difference between the highest and the lowest on each farm.

DIFFERENCE IN YIELDS PER ACRE : OATS.

| Where Grown.             | Name of Variety.                                   | HIGHEST.                | LOWEST.                 | DIFFERENCE              |
|--------------------------|----------------------------------------------------|-------------------------|-------------------------|-------------------------|
|                          |                                                    | Bushels<br>per<br>Acre. | Bushels<br>per<br>Acre. | Bushels<br>per<br>Acre. |
| Ottawa, Ont. ....        | { Hazlett's Seizure .....<br>Danish Island ..... } | 89                      | 42                      | 47                      |
| Nappan, N.S. ....        | { Thousand Dollar .....<br>Fense ..... }           | 50                      | 22                      | 28                      |
| Brandon, Man. ....       | { White Giant .....<br>Scotch Hopetown ..... }     | 114                     | 54                      | 60                      |
| Indian Head, N.W.T. .... | { Buckbee's Illinois .....<br>Black Mesdag ..... } | 79                      | 29                      | 50                      |
| Agassiz, B.C. ....       | { Danish Island .....<br>Prize Cluster ..... }     | 85                      | 42                      | 43                      |

You will observe that some varieties are much more productive than others on the same farm; but as has been, the varieties which are most productive in one locality, do not maintain their superiority when grown in another locality. A striking instance of that is shown in the fact that the variety *Danish Island* which is at the head of the list at Agassiz, B.C., with 85 bushels to the acre, is at the very bottom of the list of 65 varieties at Ottawa, Ont., with 42 bushels to the acre.

Let me now submit a table showing the relative place in the order of productiveness at the four other Experimental Farms of the 12 varieties which were least productive at the Central Experimental Farm, Ottawa, Ont., in 1898.

## RELATIVE PRODUCTIVENESS OF SIXTY-FIVE VARIETIES OF OATS.

| Name of Variety.              | Relative place in Order of Productiveness on Experimental Farms at |               |               |                     |               |
|-------------------------------|--------------------------------------------------------------------|---------------|---------------|---------------------|---------------|
|                               | Ottawa, Ont.                                                       | Nappan, N. S. | Brandon, Man. | Indian Head, N.W.T. | Agassiz, B.C. |
| Poland.....                   | 53rd                                                               | 34            | 65            | 24                  | 59            |
| White Wonder.....             | 54th                                                               | 28            | 71            | 57                  | 21            |
| Siberian, O. A. C.....        | 55th                                                               | 19            | 40            | 16                  | 48            |
| Cromwell.....                 | 57th                                                               | 47            | 27            | 61                  | 5             |
| Rosedale.....                 | 58th                                                               | 44            | 53            | 2                   | 31            |
| Welcome.....                  | 59th                                                               | 37            | 33            | 54                  | 55            |
| Prize Cluster.....            | 60th                                                               | 6             | 56            | 50                  | 66            |
| Medal.....                    | 61st                                                               | 61            | 62            | 41                  | 38            |
| Rennie's Prize.....           | 62nd                                                               | 22            | 70            | 53                  | 33            |
| Abyssinia.....                | 63rd                                                               | 8             | 32            | 4                   | 34            |
| Prolific Black Tartarian..... | 64th                                                               | 33            | 22            | 34                  | 8             |
| Danish Island.....            | 65th                                                               | 27            | 14            | 43                  | 1             |

Again, if you run the eye along the line opposite each variety you will see there is **no constant inferiority** when a variety is grown in different localities in the same season. Varieties which are among **the least productive** in one locality are among **the most productive** in another locality. In fact, the very least productive variety at Ottawa is the most productive variety at Agassiz, B.C. The **3rd least productive** variety at Ottawa—*Abyssinia*, the 63rd from the top—is the **4th most productive** at Indian Head, N.W.T.; and is the 8th from the top of the list at Nappan, N.S. The variety—*Rosedale*—which is the **58th from the top** at Ottawa, is **2nd from the top** at Indian Head, N.W.T.

Varieties of other classes of grain, wheat, barley and pease, grown at the Experimental Farms in 1898, show similar changes in relative place in the order of productiveness.

# Agriculture and Colonization.

## FORTY-TWO VARIETIES OF SPRING WHEAT.

RELATIVE place in the order of productiveness at the four other Experimental Farms of the 12 Varieties Highest at the Central Farm, Ottawa, for the Season of 1898.

| Highest and lowest yield in bushels per acre..... | Highest. | Lowest.       | Highest.      | Lowest.             | Highest.       | Lowest. | Highest. | Lowest. | Highest. | Lowest. |
|---------------------------------------------------|----------|---------------|---------------|---------------------|----------------|---------|----------|---------|----------|---------|
|                                                   | 31       | 15            | 25            | 12                  | 45             | 18      | 45       | 21      | 31       | 23      |
| Name of Variety.                                  | Ottawa.  | Nappan, N. S. | Brandon, Man. | Indian Head, N.W.T. | Agassiz, B. C. |         |          |         |          |         |
| Plumper.....                                      | 1st.     | 22            | <b>41</b>     | <b>42</b>           | 10             |         |          |         |          |         |
| Rio Grande.....                                   | 2nd.     | 14            | <b>24</b>     | 20                  | 21             |         |          |         |          |         |
| Emporium.....                                     | 3rd.     | 10            | 30            | 15                  | <b>34</b>      |         |          |         |          |         |
| Wellman's Fife.....                               | 4th.     | 1             | 6             | 6                   | 12             |         |          |         |          |         |
| Blair.....                                        | 5th.     | <b>38</b>     | 35            | <b>36</b>           | 28             |         |          |         |          |         |
| Preston.....                                      | 6th.     | <b>26</b>     | 15            | 10                  | 8              |         |          |         |          |         |
| Colorado.....                                     | 7th.     | 13            | 29            | <b>39</b>           | 14             |         |          |         |          |         |
| Goose.....                                        | 8th.     | <b>27</b>     | 1             | 29                  | 26             |         |          |         |          |         |
| Rideau.....                                       | 9th.     | 20            | <b>34</b>     | <b>30</b>           | 16             |         |          |         |          |         |
| Beaudry.....                                      | 10th.    | 19            | <b>33</b>     | 23                  | 6              |         |          |         |          |         |
| Vernon.....                                       | 11th.    | 29            | 21            | <b>27</b>           | 7              |         |          |         |          |         |
| Red Fern.....                                     | 12th.    | <b>25</b>     | 19            | 21                  | <b>31</b>      |         |          |         |          |         |

FORTY-TWO VARIETIES OF SPRING WHEAT.

RELATIVE place in the order of productiveness at the four other Experimental Farms of the 12 Varieties Lowest at the Central Farm, Ottawa, for the Season of 1898.

|                                                   | Highest. | Lowest.      | Highest.      | Lowest.             | Highest.      | Lowest. | Highest. | Lowest. | Highest. | Lowest. |
|---------------------------------------------------|----------|--------------|---------------|---------------------|---------------|---------|----------|---------|----------|---------|
| Highest and lowest yield in bushels per acre..... | 31       | 15           | 25            | 12                  | 45            | 18      | 45       | 21      | 31       | 23      |
| Name of Variety.                                  | Ottawa.  | Nappan, N.S. | Brandon, Man. | Indian Head, N.W.T. | Agassiz, B.C. |         |          |         |          |         |
| Red Fife.....                                     | 31st.    | 18           | <b>7</b>      | <b>3</b>            | <b>11</b>     |         |          |         |          |         |
| Blenheim.....                                     | 32nd.    | 17           | 23            | 18                  | 20            |         |          |         |          |         |
| Mason.....                                        | 33rd.    | 42           | 40            | 38                  | 38            |         |          |         |          |         |
| Dawn.....                                         | 34th.    | 40           | 31            | 24                  | 32            |         |          |         |          |         |
| Advance.....                                      | 35th.    | 29           | 36            | 17                  | 37            |         |          |         |          |         |
| Dufferin.....                                     | 36th.    | 32           | <b>9</b>      | 25                  | 27            |         |          |         |          |         |
| Ladoga.....                                       | 37th.    | 36           | 39            | 41                  | 23            |         |          |         |          |         |
| Alpha.....                                        | 38th.    | 5            | 26            | 35                  | 19            |         |          |         |          |         |
| Old Red River.....                                | 39th.    | 22           | 14            | 22                  | 17            |         |          |         |          |         |
| Admiral.....                                      | 40th.    | <b>6</b>     | 20            | 28                  | 13            |         |          |         |          |         |
| Beauty.....                                       | 41st.    | <b>3</b>     | 22            | 16                  | 33            |         |          |         |          |         |
| White Russian.....                                | 42nd.    | 41           | <b>11</b>     | <b>9</b>            | <b>9</b>      |         |          |         |          |         |

# Agriculture and Colonization.

## FORTY-SEVEN VARIETIES OF PEASE.

RELATIVE place in the order of productiveness at three other Experimental Farms of the  
12 Varieties Highest at the Central Farm, Ottawa, for the Season of 1898.

|                                                   | Highest. | Lowest. | Highest.     | Lowest. | Highest.      | Lowest. | Highest.               | Lowest. | Highest.      | Lowest. |
|---------------------------------------------------|----------|---------|--------------|---------|---------------|---------|------------------------|---------|---------------|---------|
| Highest and lowest yield in bushels per acre..... | 46       | 20      | .....        | .....   | 59            | 23      | 57                     | 28      | 39            | 22      |
| Name of Variety.                                  | Ottawa.  |         | Nappan, N.S. |         | Brandon, Man. |         | Indian Head,<br>N.W.T. |         | Agassiz, B.C. |         |
| Arthur .....                                      | 1st.     |         | No record.   |         | 13            |         | 47                     |         | 27            |         |
| Elephant Blue. . . . .                            | 2nd.     |         |              |         | 27            |         | 11                     |         | 6             |         |
| Macoun .....                                      | 3rd.     |         |              |         | 31            |         | 48                     |         | 5             |         |
| Picton .....                                      | 4th.     |         |              |         | 19            |         | 27                     |         | 11            |         |
| Pride .....                                       | 5th.     |         |              |         | 4             |         | 7                      |         | 19            |         |
| Prussian Blue. . . . .                            | 6th.     |         |              |         | 21            |         | 32                     |         | 31            |         |
| Perth.....                                        | 7th.     |         |              |         | 2             |         | 3                      |         | 38            |         |
| Crown .....                                       | 8th.     |         |              |         | 47            |         | 6                      |         | 8             |         |
| Multiplier....                                    | 9th.     |         |              |         | 32            |         | 44                     |         | 12            |         |
| Lanark.....                                       | 10th.    |         |              |         | 16            |         | 40                     |         | 21            |         |
| B. E. Marrowfat.....                              | 11th.    |         |              |         | 9             |         | 35                     |         | 44            |         |
| Centennial .....                                  | 12th.    |         |              |         | 45            |         | 28                     |         | 24            |         |

## FORTY-SEVEN VARIETIES OF PEASE.

RELATIVE place in the order of productiveness at three other Experimental Farms of the  
6 Varieties Lowest at the Central Farm, Ottawa, for the Season of 1898.

|                                                             | Highest. | Lowest.         | Highest.         | Lowest.                | Highest.      | Lowest. | Highest. | Lowest. | Highest. | Lowest. |
|-------------------------------------------------------------|----------|-----------------|------------------|------------------------|---------------|---------|----------|---------|----------|---------|
| Highest and lowest yield in bushels per acre.....           | 46       | 20              | .....            | .....                  | 59            | 23      | 57       | 28      | 39       | 22      |
| Name of Variety.                                            | Ottawa.  | Nappan,<br>N.S. | Brandon,<br>Man. | Indian Head,<br>N.W.T. | Agassiz, B.C. |         |          |         |          |         |
| Victoria.....                                               | 33rd.    | No record.      | 29               | 13                     | 18            |         |          |         |          |         |
| Agnes.....                                                  | 34th.    |                 | 46               | 38                     | 3             |         |          |         |          |         |
| Gregory.....                                                | 35th.    |                 | 36               | 37                     | 13            |         |          |         |          |         |
| Early Britain.....                                          | 36th.    |                 | 3                | 9                      | 35            |         |          |         |          |         |
| French Canner.....                                          | 37th.    |                 | 5                | 29                     | 43            |         |          |         |          |         |
| White Wonder.....<br>No record at Ottawa,<br>39 to 47 incl. | 38th.    |                 | 6                | 14                     | 2             |         |          |         |          |         |

If you run the eye along the line opposite the several varieties of spring wheat and pease, in several instances the variety which is at the head or near the head of the list on one farm is at or near the bottom of the list on another farm. Such tests of varieties are like trial by hazard or chance; some hit, some miss—that and nothing more. I did not come to that conclusion hurriedly nor do I make the statement carelessly. That would be unpardonable. I looked at the evidence carefully. It convinced me that growing of varieties in different localities without systematic selection gave only a chance of success to the ones that happened to hit the conditions aright. Then I compared trial by hazard of an equal number of varieties (of pieces of paper) with the records of the tests on the farms; and I found them to agree almost exactly, both as to the total number in the selected lists and the number of times any one variety appeared in the lists. In the truest sense I suppose nothing happens by chance, but the word has a well-known meaning and is used to account for what we cannot otherwise explain.

I took 65 small pieces of paper and numbered them from 1 up to 65. Then they were put into a small box. Twelve of them were shaken out through a small hole in the lid. The numbers of them were recorded. They were put back into the box and twelve more were shaken out. The numbers on them were also recorded. That was done five times. The five lists of twelve each were to represent the five lists of twelve varieties each. Out of the 65 numbers, the lists of twelve each contained 43 numbers.

Then 47 pieces of paper to represent the number of varieties of pease were dealt with in a similar way. The numbers on the lists of twelve each were 33.

## Agriculture and Colonization.

The following table shows how closely the hazard drawing of the numbers agrees with the number of varieties of grain on the selected lists from unselected sowing :

UNSELECTED SOWING *versus* SELECTION BY CHANCE.

| Class of Grain.       | Number of varieties compared. | Number of varieties in selected lists. | Numbers selected by hazard or chance |                       |
|-----------------------|-------------------------------|----------------------------------------|--------------------------------------|-----------------------|
|                       |                               |                                        | Lowest.                              | Average of six trials |
| Oats.....             | 65                            | 41                                     | 41                                   | 43                    |
| Pease.....            | 47                            | 32                                     | 30                                   | 33                    |
| Spring wheat.....     | 42                            | 33                                     | 32                                   | 33                    |
| Six-rowed barley..... | 18                            | 14                                     | 15                                   | 16                    |
| Two-rowed barley..... | 23                            | 18                                     | 13                                   | 17                    |
| Totals.....           | 195                           | 138                                    | 131                                  | 142                   |

The selected lists, from the results of growing 195 varieties, without any selection of the variety and seed, known to be adapted to the locality, contain 70 per cent of the whole number ; and the lists from the average of six trials by chance or hazard contain 72 per cent of the whole of the numbers.

I do not submit that to prove anything ; but to illustrate that I do not find the quality of superior productiveness in any variety except as it happens to hit the conditions of the locality right. When one finds a variety or strain which does that, then the wise course is to stick to that and improve it further by continued selection of the best seeds from it from year to year.

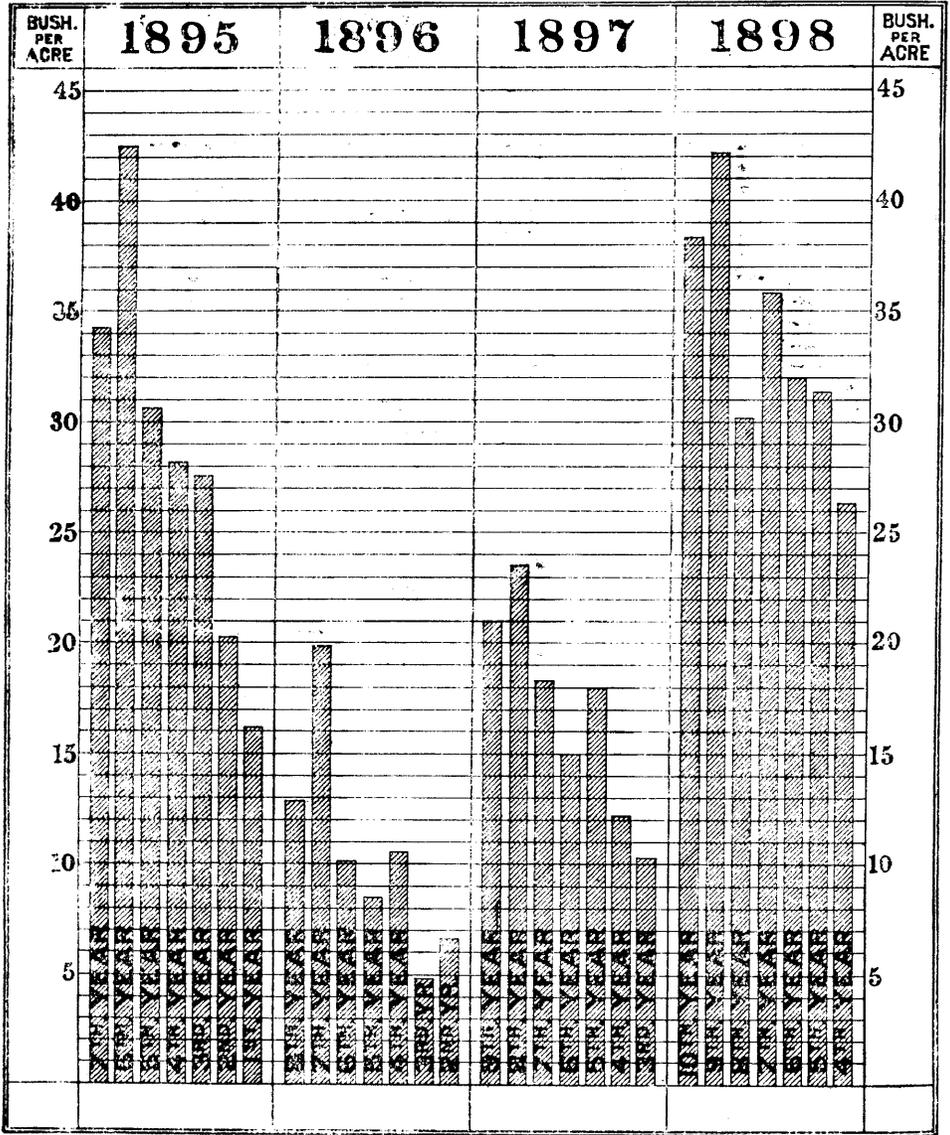
I submit some charts which I have prepared to show the yield per acre of some varieties of grain which have been grown for eight or ten years on the Experimental Farm at Guelph, Ont. ; and also the yields per acre of the best varieties new to that Farm.

Chart No. 1 shows the yield per acre of nineteen varieties of spring wheat at the Experimental farm, Guelph, Ont., in each of the four years, 1895, 1896, 1897 and 1898. Each column (except one) under 1895, represents the average yield of three varieties of wheat. The column seventh year, represents the average yield of the three most productive of all the varieties which at that time had been grown on the farm for seven years ; the column sixth year, represents the average yield of the three most productive of all the varieties, which at that time had been grown on the farm for six years ; and so on through all the columns, except the last (first year), which represents only one variety, there being only one new variety recorded in that year. Thus the comparison, under 1895, is between the averages of the three most productive varieties which had been grown on that farm continuously for seven, six, five, four, three, two and one years respectively.

The columns under 1896 represent the average yields of the same varieties in 1896 on the same farm. The varieties which are in the column seventh year, in 1895, are in the column eighth year in 1896, in the column ninth year in 1897, and in the column tenth year in 1898. The same is the case for the other varieties, the column sixth year in 1895 becomes column seventh year in 1896, and so on.

YIELDS PER ACRE OF VARIETIES OF WHEAT.

Chart No. I.



It will be seen that the varieties which have been grown on that farm for the longest periods—seven to ten years and six to nine years—have given the highest yields per acre in each of the four years. The season of 1896 was most unfavourable for wheat at Guelph. The varieties which had been on the farm for a considerable number of years (seven and eight years respectively) yielded proportionately better in the unfavourable season than those which were new to the farm.

# Agriculture and Colonization.

YIELDS PER ACRE OF VARIETIES OF OATS.

*Chart No. 2.*

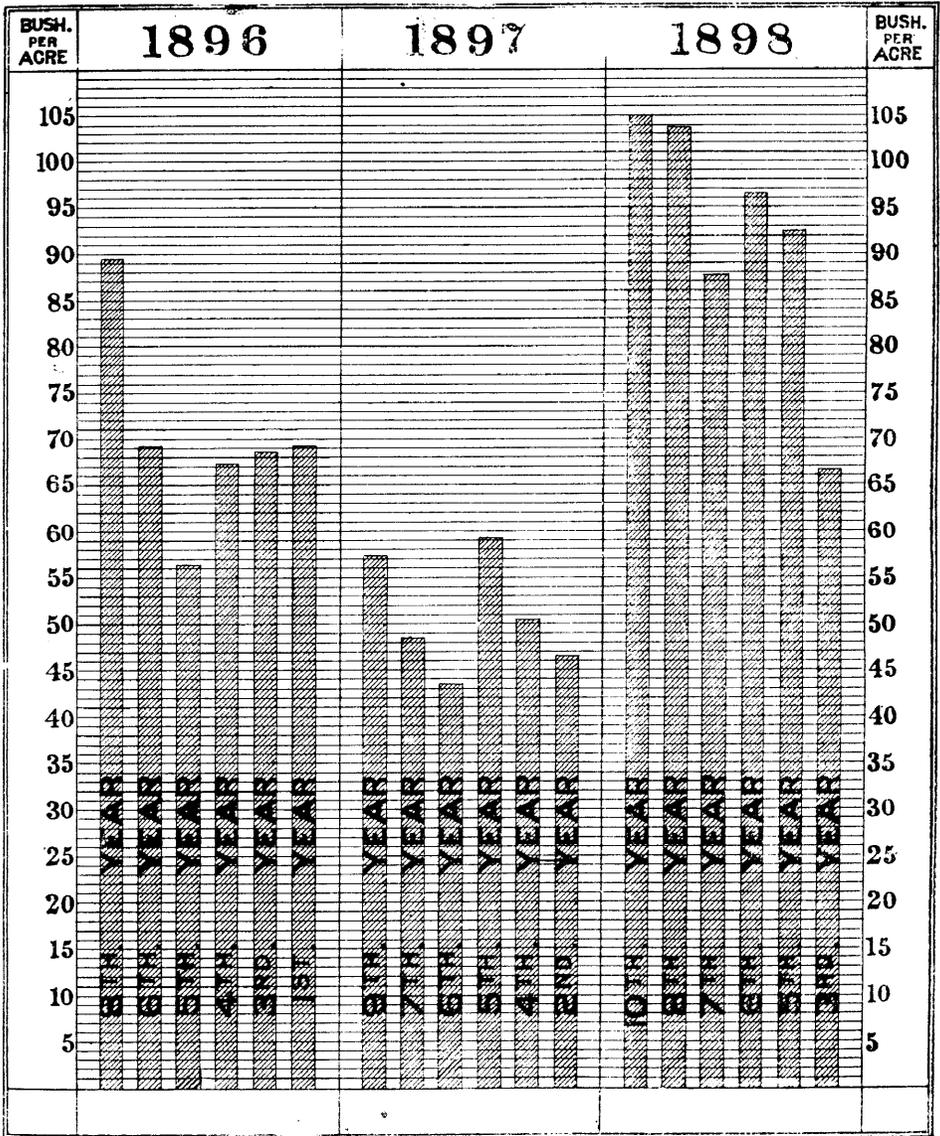


Chart No. 2 shows the yield per acre of eighteen varieties of oats at the Experimental Farm, Guelph, Ont., in each of the three years 1896, 1897 and 1898. Each column under 1896 represents the average yield of the three most productive of all the varieties which at that time had been grown on the farm for the number of years on the column. The columns under 1897 and 1898 represent the yields of the same varieties on the same farm in those years respectively. The general arrangement of the chart is the same as chart No. 1. It will be seen that the varieties which have been grown on that farm for the longest period—eight to ten years—have given the highest yields per acre.

YIELDS PER ACRE OF VARIETIES OF BARLEY.

Chart No. 3.

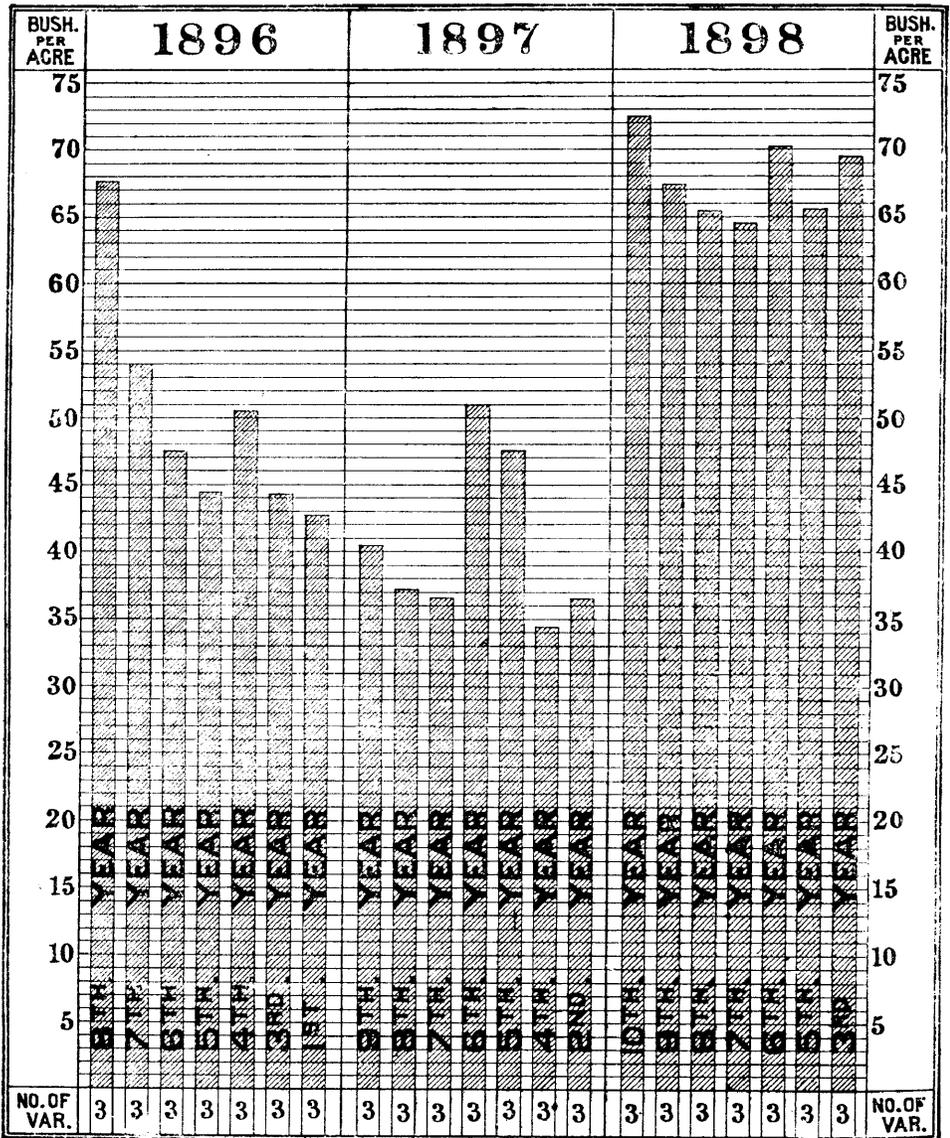


Chart No. 3 shows the yield per acre of twenty varieties of barley at the Experimental Farm, Guelph, Ont., in each of the three years 1896, 1897 and 1898. The column first year under 1896 represents only two varieties; the other columns represent the average of three varieties each. The general arrangement of the chart is similar to No. 1 and No. 2.

## Agriculture and Colonization.

Chart No. 4 shows the yield per acre of 14 varieties of pease at the Experimental Farm, Guelph, Ont., in each of the three years, 1896, 1897, 1898. The column first year under 1896 represents two varieties; the other columns represent the average of three varieties each. The general arrangement of the chart is similar to No. 1, No. 2 and No. 3.

YIELDS PER ACRE OF VARIETIES OF PEASE.

*Chart No. 4.*

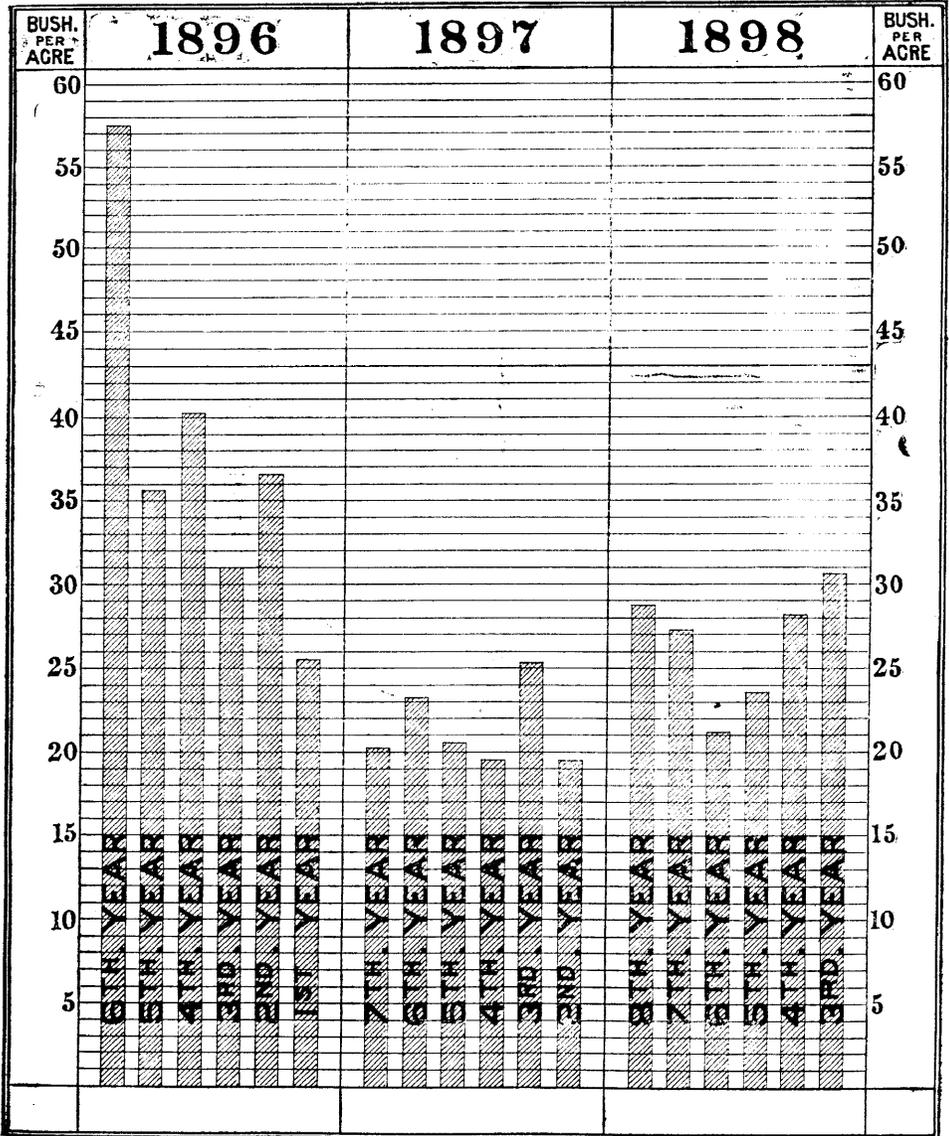


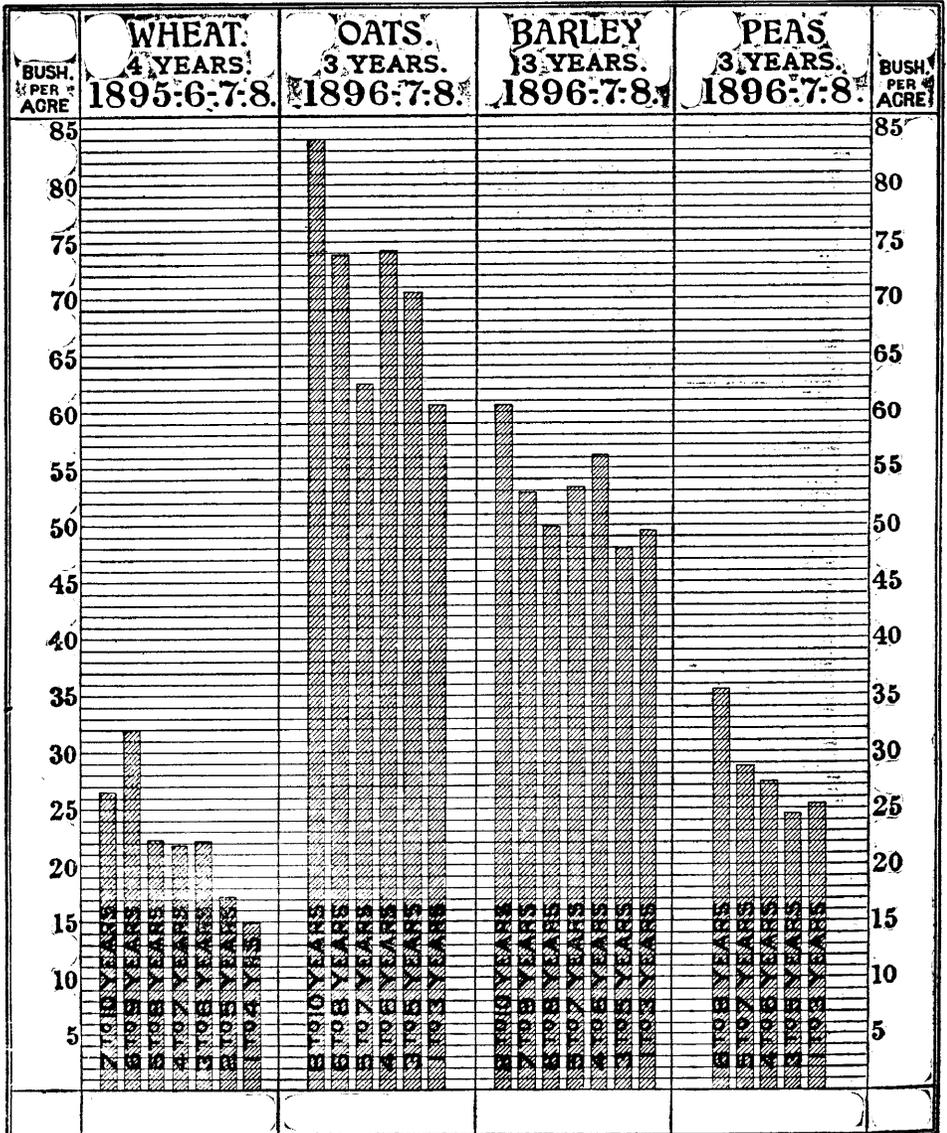
Chart No. 5 is a summary and average of Charts No. 1, 2, 3 and 4.

Under wheat, it shows the average yield per acre, for the four years 1895, 1896, 1897 and 1898, of the three best varieties which had been grown on that farm for the periods mentioned on the columns

Under oats, it shows the average yield per acre, for the three years 1896, 1897 and 1898, of the three best varieties which had been grown on that farm for the periods mentioned on the columns.

AVERAGE YIELDS PER ACRE DURING SEVERAL YEARS.

Chart No. 5.



Under barley, it shows the average yield per acre, for the three years 1896, 1897 and 1898, of the three best varieties which had been grown on that farm for the periods mentioned on the columns.

Under pease, it shows the average yield per acre for the three years 1896, 1897 and 1898, of the three best varieties which had been grown on that farm for the periods mentioned on the columns.

## Agriculture and Colonization.

The exceptions to each column representing the average of three varieties are :— Under wheat, the column one to four years, one variety ; under barley, the column one to three years, two varieties ; under pease, the column one to three years, two varieties.

The evidence is all in one direction ; and it shows that the varieties which have been grown on the farm for the longest periods have given heavier yields per acre than those varieties which were comparatively new to the locality.

The exception six to nine years under wheat appears to indicate that the three varieties represented in that column are better adapted to that locality than the three varieties represented in seven to ten years, and by far the heaviest yielder in the three varieties in column six to nine years is *Wild Goose*. The details of the average yields of the three varieties represented in each of these two columns are.

| 7 to 10 years.          | Average yield for<br>1895-96-97-98. |                   |
|-------------------------|-------------------------------------|-------------------|
| Bart Tremenia.....      | 31·1                                | bushels per acre. |
| Herison's Bearded.....  | 26·                                 | "                 |
| Pringle's Champion..... | 22·9                                | "                 |
| 6 to 9 years.           |                                     |                   |
| Wild Goose.....         | 36·8                                | "                 |
| Medeah.....             | 33·6                                | "                 |
| Red Fern.....           | 25·8                                | "                 |

*By Mr. McMillan :*

Q. If productiveness depends on conditions, then all varieties sown should change no more than the difference between green berries and red. If it is in the surroundings they would all continue to yield alike. Now, we all know as farmers that is not so. Any man in farming practice knows that one variety will always yield more than another, everything else being equal.

A. Every variety varies in productiveness as the locality suits it or as it fits into the conditions of the locality. What suits one, does not suit the others. Whenever a variety suits the locality, the longer it is kept there the better it will become, if it is sown on good land and selection of the best seed from it is made every year.

*By Mr. Clancy :*

Q. This is a very interesting subject. It would appear that at least false doctrines have been taught in the colleges in the past. If I understood you right, aside from the values of varieties for different localities there is absolutely nothing else in them in regard to productiveness ?

A. I do not find that there is any constant superiority in a variety when it is changed from one locality to another.

Q. Farmers have found that there is an indubitable deterioration in sowing the same seed from year to year ?

A. At the last meeting, Mr. Bell (if I may use his name) said that he had been growing the same strain or variety of wheat for twenty years and now his seed is better and more productive than it was before. There is from generation to generation a deterioration, unless there is selection of the best for seed from year to year ; but by selection there may be continuous improvement as well as variation.

*By Mr. Featherston :*

Q. I would think the same thing would apply to live stock ?

A. Yes.

*By Mr. Henderson :*

Q. How is that selection first made ?

A. I would select in two ways. I would select the largest heads from the most vigorous and early plants in a field until I had two bushels of grain. That would give

me seed from the plants that have proven that they had adapted themselves to the conditions of that locality, and then I would select the heaviest and largest seeds out of these. I would select only out of a heavy crop. I would choose the best piece in a field or locality.

*By Mr. McMullen :*

Q. Does that principle of selection of seed hold good in the case of root crops as well as grain? In the case of potatoes for instance?

A. In potatoes, I think, it does. I gave some evidence of that when last before the committee.

*By Mr. Clancy :*

Q. Do you select the varieties that generally stand high in the list?

A. For those charts I have taken uniformly the three that stand highest.

Q. I am afraid that would be a blow at your theory of variety having nothing to do with productiveness?

A. I do not hold that variety has nothing to do with productiveness. It has a great deal to do with it. One variety often is very much more productive than another. To begin with, I would select the most productive variety or strain I could find in the locality. The point is that a variety very productive in one locality will not maintain its productiveness in another locality. The variety by selection will retain superiority in the same locality, but taken to another locality it may not do so. If you have a variety or strain that is succeeding in yielding large crops, further selection will maintain the superiority and improve it.

*By Mr. McMillan :*

Q. Your teaching is contrary to the teaching of all scientific men, and and it is contrary to my own experience of fifty years' farming in Canada. We have changed our seed steadily and have never grown for more than five or six years. Some varieties will improve the first and second year perhaps, and then after you have had them a number of years they will go down. Prof. Robertson has been studying this, but remember this is something that can be settled only after a number of years by practical experience on the one place.

A. While studying and investigating, I have collected the evidence of every good farmer I could find, including that of Mr. McMillan himself.

Q. Yes, but my evidence is not worth anything.

A. On the contrary, I value it highly; and while Mr. McMillan does not agree with all I have said, I think he will agree with it when I have made my meaning quite clear. I learned with a good deal of satisfaction while travelling with Mr. McMillan years ago when we were attending Farmers Institutes together, that whenever he found an exceptionally large crop of grain at any place which he visited, he would try and secure some seed from that crop and take it to his own place. That was obtaining seed from a strain which had been productive. I did not learn, however, that he followed that up by selecting the best seed out of that year after year in the manner which I have described. He kept on using the same seed over and over again without selection. The law of constant deterioration is in operation unless there is selection of the best as seed for the next generation. He began well by selecting grain that had proved itself to be superior in point of productiveness on a large area, under somewhat similar conditions to those which prevailed at his own place; and if he had kept on selecting seed from that grain as I have suggested, it is my belief that he would have had better crops year after year instead of the seed running out. The statements which I have made in this respect do not contradict, so far as I know, the teachings or statements of the competent authorities in regard to the science of agriculture of whom I know and have read. I know my conclusions are different from and contrary to some current suppositions in regard to the subject; but these suppositions have been leading us down hill in crop growing in Canada, while the truth will lead us up.

## Agriculture and Colonization.

*By Mr. McMillan :*

Q. If I did not select the grain in one way I did in another. I did not send the men into the field to pick out the largest heads of grain ; but I always got the very best fanning mill, that having the most sieves, and put my grain through it. If I did not pick it by hand I would yet get all the largest grain grown in the field and that was the most rapid and best way of selecting the grain. I hold that that is selection of the very best sort.

The CHAIRMAN.—Before we leave this question is there any other gentleman that would like to ask any questions

*By Mr. Erb :*

Q. What size plots of ground were these tests made upon ?

A. As a rule upon plots  $\frac{1}{20}$  of an acre in size at Brandon,  $\frac{1}{10}$  of an acre at Indian Head ; and  $\frac{1}{40}$  of an acre at the other farms ; on the Guelph farm  $\frac{1}{100}$  of an acre.

Q. My reason for asking is this. I have been at the Experimental Farm and I noticed that there are different beds devoted to experiments on grass and other crops ; and on some beds I would find at certain times of the year there would be, say, one-quarter or one-half of very vigorous plants upon them and others would be very small and puny. The gardener said that the ground was originally very uneven and they had scraped down the soil from the knolls into the hollows and left nothing but the bare sand where the knolls were ; and some of those beds were partly where those knolls stood and the whole of the rich soil had been removed from those spots, consequently the results were very uneven and I can easily understand that the test would vary very largely if plants were located upon plots that were situated as these were. The variety that gave the best results might have been on the best ground and the poorer results would have been produced from the plots which were situated where the knolls had been. That is what makes me ask whether these results were from large or from small plots ?

A. The tests were made on small plots ; the ground was selected to be as even as possible ; and I learned from those in charge that where any part of a plot was damaged or very uneven, it was measured and allowance made for it. On the Guelph farm there is less variation of soil than there is on the farm at Ottawa.

Another thing I want to say is this, that to give the average of yield of crops, when conditions under which they were grown are different, is to place misleading information in the hands of the farmer. That is a conclusion which a leading English investigator has published in his last report. It is like saying, one man in Ottawa is worth a million dollars ; four other men are worth 50 cents a piece ; and the average of the wealth of these five men is \$200,000 each. It is not so. There is no use in giving averages of yields except where the conditions are alike.

Q. Do I understand that at the Experimental Farm at Ottawa, it is known that there are certain varieties that have stood very low in the list, and have done well elsewhere. Do you account for this by saying that the conditions are such that they don't thrive here ?

A. Quite so. Varieties that have stood very low on the Experimental Farm at Ottawa, have in some cases stood high in Nova Scotia and British Columbia and *vice versa*.

*By Mr. McMillan :*

Q. Does not that settle the point that the variety has something to do with it ?

A. I fear I have not made myself quite clear. There is an essential difference in varieties ; but whether any variety will differ from others in the right direction of productiveness in any locality, I cannot know until it is tried there.

*By Mr. Lang :*

Q. According to your theory, grain will not run out ; but can be selected from year to year so as to improve it ?

A. That is right.

*By Mr. McGregor :*

Q. But you want the best to begin with?

A. Yes, certainly ; and not only the best variety but that from a field in which the crop was heavy. It might take a long time to grade up poor seed ; it is always well to start with the best that is obtainable and then to improve that from year to year by selection.

*By Mr. Moore :*

Q. If you sow any seed without making a selection it will deteriorate.

A. I think if you do so, year after year, it will deteriorate. Everything that is improved by culture deteriorates unless prevented by a continuation of the means whereby it was made better—selection and good soil. Improvement by culture has been effected by constant and successful struggle against tendencies which pull the other way.

Mr. HURLEY.—Wheat with us treated that way by selection never deteriorated ; it was as good the last year as the first.

Mr. McMILLAN.—I stated the other day that Siberian and Black Sea wheat did well with us for 8, 10 or 12 years, and after that they deteriorated. One farmer took them both and removed them about a hundred miles to his father-in-law's place at Hamilton. We could hardly grow them in Huron at all. When he came back with the seed it yielded as well as ever it did.

Mr. HURLEY.—May be your land came up in the interval.

Mr. McMILLAN.—I have always found in selecting seed that you should never go south and take seed north ; go north and select seed and take it south. That is some thing I have watched closely, for I have to watch these things.

Mr. MCGREGOR.—Of course we must always remember that when we buy seed at a neighbour's or at the stores we want the best. If you don't keep sowing the best it must go back.

Mr. McMILLAN.—I believe with the Professor in going into the field if we have time and picking the good seed, and then by passing them through the fanning mill we will have the best. You can only grow large grain from large seeds. I am a firm believer in that.

Mr. McMULLEN.—What the Professor says in regard to grain running itself out unless you select the best seed is the experience of every one who has any knowledge at all of agriculture. On the other hand selecting the best seed and sowing that, is, to my mind, a practice not adopted by farmers as a rule. They do not go through their crops and select the best seed.

Mr. McMILLAN.—Take the fanning mill with the best riddles and though not done by hand the seed is as well selected as you can wish.

Mr. McMULLEN.—The fanning mill does it by the use of wind, but the man by the use of his brains. You get the best heads by going through the field and from them you get the best seed.

Mr. ROBERTSON.—This is a matter exceedingly important for the country,—the possibility of getting ten or twenty per cent more crop by the use of the best seed. The selection by the fanning mill is most excellent. This is what it does : it separates the heavy and large seeds from the others. They give the young plants that come from them a larger store of food at a critical stage of their growth. But some of the large and small seeds grew on the same stalks. By taking the heads of the largest and most vigorous plants in a heavy yielding crop ; and then selecting the large heavy seeds from them by the use of a fanning mill, the double benefit may be secured. The selection by the fanning mill gives the young plants a better chance ; and the selection from the heavy crop and from the heads of the best plants, gives you still better plants to have that better chance from the store of food in the large seeds.

Having examined the preceding transcript of my evidence of May 5th and 9th, I find it correct.

JAS. W. ROBERTSON,  
*Commissioner of Agriculture and Dairying.*

## Agriculture and Colonization.

NOTE.—Since the foregoing evidence was laid before the committee, I have received (June 9th) a copy of the “Year-Book of the United States Department of Agriculture, 1898.” It contains an article on “Improvement of Plants by Selection,” by Herbert J. Webber, Special Agent of the Division of Vegetable Physiology and Pathology. I find in it much information on methods of selection which have been used to improve the crops of various plants, particularly cotton and Indian corn. I have taken the liberty (with the consent of the chairman) to submit some quotations. I had not seen it at the time I gave my evidence or I would have pointed out how fully it supports the deductions and recommendations which I submitted.

A diagram illustrating the method of selecting Sea Island cotton which has been successfully applied by Mr. W. A. Clark, of Columbia, S.C., sets forth the plan so clearly that I have copied and modified it, to illustrate what I have recommended for the selection of seed-grain, of wheat, oats, barley and pease.

The following are the quotations. The italics are mine, and the subheadings in italics are also mine.

### I.—*Showing effect of Selection.*

“Selection is one of the most important factors in plant breeding, the natural capacity of all plants to vary furnishing the basis on which the breeder has to work.”

“The largest ears may grow on comparatively unproductive or weak stalks, and therefore to obtain the best results seed corn *should be selected in the field*, and attention given to the habit, productiveness, general vigour, &c., of the plant, as well as to the character of the ear, kernel and cob, and uniformity in ripening. The same remarks apply to the selection of seed wheat.”

“Allen cites an interesting case of increased yield in corn as a result of selection, as follows:—‘Four years ago my foreman, at my earnest request, began the selection of field corn for seed purposes. He grew the white dent red-cob variety. Before harvesting the main crop he went over the field and selected the lowest growing, stocky stalks, with two perfect ears each. He has followed the same plan ever since, with an *increase of fully 25 per cent in productiveness.*’”

“The custom of carefully selecting the seed (cotton) has grown with the industry and may be said to be inseparable from it, and it is *only by such careful selection* that the staple can be kept up to its present superior excellence.”

“These high-bred strains (cotton) are maintained only by continuous selection, and if for any reason the selection is interrupted, there is a general and rapid decline in the quality of the staple. The cotton produced by these rigidly selected plants commands a much higher price than the general crop and is sold direct to manufactures for special purposes.”

“This method and similar ones employed by numerous other growers are applicable with slight variations, to most of our common crops, such as corn, wheat, &c.”

“Increased size and productiveness are among the most common and important features resulting from selection. The increased length and quantity of fibre of the Sea Island cotton, previously described (Pl. XXVI), are good illustrations of this, and *doubtless all common agricultural crops could be similarly improved.*”

“Louis de Vilmorin’s classical experiments in selection, which resulted in increasing the richness of sugar in the sugar beet, shows what exceedingly important results can be obtained by careful attention in selecting the seed producing plants. These experiments in fact saved the beet-sugar industry of France and established it on a paying basis. His method consisted simply in testing the individual roots to determine their richness in sugar, and selecting for seed production, or ‘mothers,’ as they are termed, only those showing the largest percentage.”

“The percentage of proteid matter in wheat, pease, &c., and of starch in potatoes and barley, &c., could doubtless be increased by similar modes of selection.”

II.—*Showing effect of change of conditions, such as locality, &c.*

“The variations which form the basis for selection and the formation of new and improved races of plants are the direct or indirect *results of changed environment* or of hybridization and cross fertilization.”

“Probably the most common way of obtaining initial *variations* is to select them from seedlings as they appear, but *their advent* can be greatly hastened by artificially *changing the conditions* under which the plants grow, or by crossing different races or species.”

“As explained above, hybridization and *changing the environment artificially* are the *principal means* of securing desired *variations*, and selection is the means by which a variation when once secured is augmented and fixed.”

“In the words of Henri de Vilmorin, ‘Cross breeding greatly increases the chance of wide variation, but it makes the task of fixation more difficult.’”

III.—*Continuous growing under the same conditions and in one locality.*

“Thus, in selecting wheat or any other plant to increase the productiveness, it is of the greatest importance that very many individuals grown under the same conditions should be examined and the seed taken only from those producing the largest yield.”

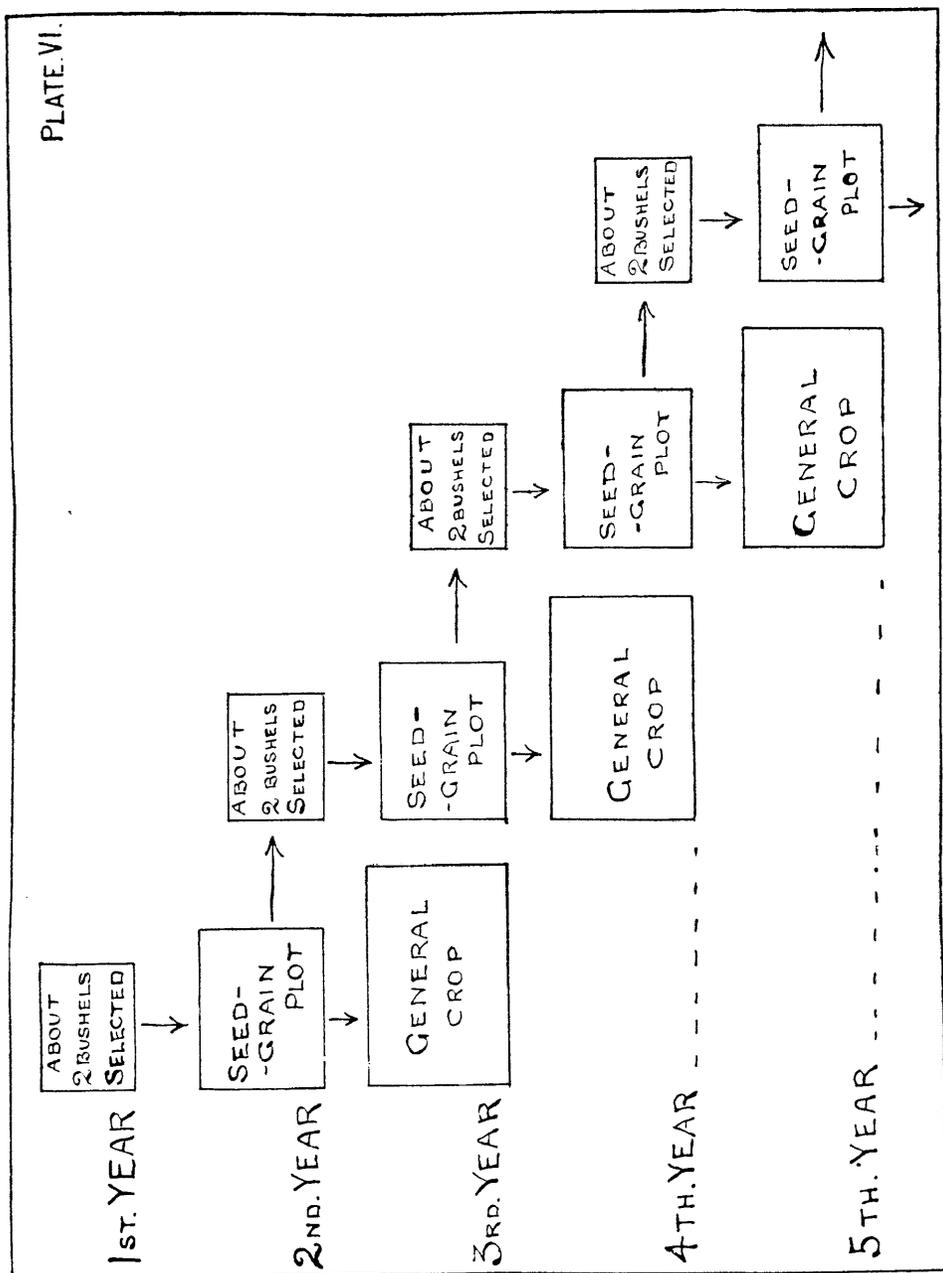
“In selecting with a view to obtaining a sort suited to local conditions of soil or climate somewhat adverse to the best growth of all existing sorts, the plants for selection *must be grown in that location* in order that they may be subjected to the adverse conditions, and *those individuals selected which survive and prosper best.*”

“The uniformity of heading or ripening of lettuce obtained in the forcing business is also, as the writer is informed by Mr. P. H. Dorsett, of the Division of Vegetable Physiology and Pathology, an interesting and valuable illustration of *improvements* of this nature *obtained by selection.* Careful growers of this crop, particularly in the vicinity of Boston, where the industry has reached its greatest perfection, *always raise their own seed*, claiming that it is impossible to purchase seed suitable for their requirements.”

IV.—*Selection as a general agricultural practice.*

“In the preceding pages attention has been directed to some exceedingly valuable results obtained by careful selection methods, for instance, the increased productiveness of cotton, corn, sugar-beets, etc. The common methods of selection are simple and inexpensive and should become general practices in agriculture. Every farmer and horticulturist should devise for each crop a systematic method of selection similar to that described in the case of Sea Island cotton, so that the general crop may be grown continually from selected pedigree stock. All common agricultural crops respond to skilful selection, and in every case valuable results will doubtless reward the agriculturist's attention to this principle.”

PLATE VI.



JAS. W. ROBERTSON.

## CHEESE, BUTTER, BACON, FRUIT, FLOUR—PRODUCTION AND EXPORT,

COMMITTEE ROOM No. 46,

HOUSE OF COMMONS,

9th May, 1899.

The Select Standing Committee on Agriculture and Colonization met this day, at 10.45 a.m., Mr. Bain, Chairman, presiding.

Mr. JAMES W. ROBERTSON, Commissioner of Agriculture and Dairying, was present at the request of the Committee, and made the following statements :—

Mr. CHAIRMAN AND GENTLEMEN,—The outside markets for Canadian farm products is a very large subject for one morning ; and as the special agent of the department in Great Britain is here, I shall deal only with the general aspect of the main products in the British markets ; and leave Mr. Grindley to speak of the details of packages and condition of products which he was able to examine while there.

## CANADIAN CHEESE.

Our cheese trade in Great Britain is not in a very healthy state. The increasing wealth of the people there makes them much more fastidious in choosing their food. They have been for some twelve years continuously demanding a softer bodied cheese. Such a cheese cured in a warm climate develops a heated and strong flavour to which the English consumer has a constant objection. While improving our cheese in richness of body we have not been able to retain, in a large quantity of summer-made cheese, the clean nutty flavour. Meanwhile the English and Scotch makers have been making their quality superior, by adopting systematic methods instead of the old rule of thumb practice. During last July we found English and Scotch cheddars quoted in active demand at about 60 shillings per 112 pounds in England, while Canadian cheese was difficult of sale at 42 shillings in the same market at the same time. Let me say that the manufacture of English and Scotch cheese is not a small thing. It is estimated that they make over there about one pound of cheese for every two pounds they import from all countries.

Flavour is due to the curing temperature mainly, cleanliness being observed. When cheese has been cured in this country continuously at a temperature under 65° Fahr., we have had a flavour like English cheddar ; while similar cheese cured in a room where the temperature fluctuated over 75° Fahr. has been of inferior flavour. This has resulted in a difference in value of one and a half cents a pound when the two cheeses were compared in December. The remedy is to have the temperature of the curing rooms in Canada so regulated that the cheese can be cured at a temperature under 65 degrees. The average temperature in England in summer is from 61 to 62 degrees ; and if they have a stone wall curing room they can maintain that temperature inside. We have issued special instructions to cheese factory owners and cheese makers on the methods by which curing rooms can be improved. At a slight expense they can be made so as to have a temperature of 65 degrees. It will then be possible to get a quality as good as they do in England. The department has made arrangements to handle the cheese from two factories one-half cured as usual and the other half in a room kept at 65° by insulation, and the use of a sub-earth air duct, supplemented by ice. I think the cold storage rooms in creameries for butter have accomplished a great deal for that industry ; and I believe a great deal can be done by having cool curing rooms at cheese factories.

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*By the Chairman :*

Q. Do you vary the making by that ?

A. You can vary it towards making the cheese softer when they can be cured at a low temperature. By curing cheese at a cool temperature there is quite one pound per cheese less loss in weight ; and the saving in shrinking alone in one year is equal to one half the cost of the improvements required in a curing room.

*By Mr. Featherston :*

Q. Is the cheese made softer by less pressing ?

A. No, it is made softer by heating the curd to a rather lower temperature and stirring it somewhat less. That is a condition that is quite safe when cheese is cured at a lower temperature. In that way you get an increased weight and better quality for the English market.

A. The department has also been in correspondence and consultation with the owners of steamships and they promised this year to provide ventilated chambers on the ships for the carriage of cheese, not cold storage but simply ventilated chambers with fans to carry the warm air out and take fresh cool air in during the voyage. That will cause them to be landed in much better condition, cool and firm with bright dry surfaces.

*By Mr. Stenson :*

Q. What is the temperature in these chambers ?

A. The captain in charge said he thought they could have it down to 60° or 65° by having the exhaust fans run during the nights only in warm weather. Nearly all the cheese shipped from Montreal warehouses are cooled down to 50°. A large part of the cheese handled there go through cool rooms ; and perhaps five-sixths of them are cooled down to 50 degrees.

Q. Does that not hurt the cheese ?

A. It retards curing. The cheese which suffer most from heat on the voyage are the through shipments which pass directly from the railway cars into the steamships.

*By Mr. McMillan :*

Q. Does not the same hold for apples and eggs ?

A. For eggs and for all except the early varieties of apples, cool ventilated storage is better than cold storage on the steamships. The early varieties have not been well carried except in cold storage. All winter apples, when they come out of cold storage into a warm moist atmosphere, deteriorate.

Q. They sweat ?

A. Yes ; there is condensation on their surface. From ventilated chambers the fruit can be landed and marketed in better condition.

*By Mr. Moore :*

Q. What kind of arrangements do you make for keeping the temperature below 65 degrees ?

A. In a cheese factory the curing-room is insulated by being lined inside. I am speaking now of improving a building that is already up. It is lined inside all around walls, floor and ceiling with two thicknesses of paper to keep the warm air from the outside from getting inside. It is then sheeted inside with one thickness of lumber. That makes an excellent curing room that may be kept at a proper temperature with little difficulty.

Q. Do you put lumber close up to the air space ?

A. We use two thicknesses of paper and one of lumber which is quite sufficient to keep the air from the outside from coming through. Of course if you are erecting a new building, I would prefer putting two thicknesses of lumber and two ply of paper

between them, both on the inside and the outside of the studs. That gives a good air space in the wall ; and it is a construction that does not cost very much. The curing-room of the cheese factory should have double windows in the summer time.

*An hon. Member :*

Q. Do you use shutters also?

A. Certainly, shutters are also required ; and double doors as well. These small things make a great deal of difference, when the temperature is 90° outside.

*An hon. Member :*

Q. How would you cool the atmosphere inside the room after it has become warm?

A. By constructing a subearth duct to be four feet in the ground and not less than 100 feet long, making it of tiles and giving about 100 inches square of opening for every 5,000 cubic feet contained in the curing-room. That is for a small curing-room occupying a space of say 20 ft. x 30 ft. The warmth inside the room will create a suction along this duct ; and the air passing at a depth of four feet underground along the duct for a distance of 100 feet will become quite cool. I have cooled rooms very often down as much as 10 and 12 and sometimes even 15 degrees in this manner. The warm air is carried out by a ventilator from the ceiling. In ordinary cooling rooms the draught is so great that sometimes it is necessary to partly close the opening from the subearth duct into the room in order to keep the air from coming in too freely and consequently not cool enough. An ice rack is put along one side of the curing-room and ice blocks are placed upon it. The air circulates down over the ice and by this circulation you can keep the temperature down to 60 or 65 degrees even in exceedingly warm weather. In a cheese factory making fifty tons of cheese per year, 50 tons of ice would be an ample supply for the purpose of keeping the room at the temperature I have mentioned. It does not cost very much, as the ice can be put up almost anywhere in Ontario for 80 cents a ton or less.

*By Mr. Stenson :*

Q. Is it not necessary to have the ceiling as well as the walls covered with paper so as to prevent the hot air coming in from above?

A. Quite so, and the floor also should be lined. The latter is quite as important as the walls. The whole of the inside should be covered so as to prevent the passage of air from the outside into the inside except through the duct. Insulation is not needed to such an extent as in the butter store rooms, because in the cheese factories the difference is as between 60 degrees and the outside temperature ; and in the butter rooms the difference is as between 34 degrees and the outside temperature.

*By Mr. Featherston :*

Q. Is not there a danger of getting cheese mouldy by the damp air which comes through the duct?

A. There may be ; but by using a small amount of formalin in a glass vessel, and allowing a cloth to hang over it as a wick, the formalin will evaporate into the atmosphere and keep everything free from mould. It has been also applied by spraying the surface of cheese in a cheese factory and has prevented the growth of mould on the surface of the cheese for a time. It has been applied very successfully to the killing of mould.

#### CANADIAN BUTTER.

Canadian butter is making headway in England, with one difficulty and drawback still to overcome. When the butter made in Canada is taken from the cold storage chambers on the ships or the warehouses in Great Britain and taken to the retail shops

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it loses its flavour rather quickly. Moisture from the atmosphere condenses on its surface ; and the butter becomes what they call in England "winded" which is a serious fault. The butter makers, as far as I can learn, in all other countries from which butter is sent to Britain, use some other preserving substance in the butter besides common salt. The English importers last year have been urging the use of a small quantity of some preserving material to keep the butter in good condition for four or five days in the retail shops, in order that it may please as well there as the Danish.

I made an experiment several years ago and found that butter did not lose its flavour so quickly when a small quantity of preservative was used. The preserving material used was 90 per cent borax (powdered) and 10 per cent of salt. One-half of one per cent of that mixture in addition to the usual salt was sufficient to keep the butter.

Q. I was told it was excluded by law ?

A. There have been a few cases before the courts in England, but there has not been a conviction sustained where anything less than one per cent was used.

It seems to be a recognized thing that one per cent is allowed without being regarded as adulteration ; and the best authorities hold that it is entirely non-injurious.

The relative position that our butter has already taken with the Australian, is this : In 1895 the Australian butter, compared with Canadian creamery, ranged about from 9 shillings to 13 shillings per cwt. higher than ours. Of course butter fluctuates greatly according to the supply, but on the average the quotations that I can find for a year gave from 9 to 13 shillings per hundred weight difference in favour of the Australian butter.

*By Mr. Featherston :*

Q. That is the Australian butter ?

A. Yes. In 1896 it was not so much ; in 1897 from 2 shillings and 6 pence to about 7 shillings. In 1898, for part of the year, the Australian butter was from 3s. to 5s. lower than Canadian ; and for a part of the year from 2s. to 4s. higher. On the whole last year Canadian creamery butter was a little higher than Australian, whereas in 1895, taking the average, Australian was from 9 to 13 shillings per 112 pounds higher than ours.

Q. What is the cause of the difference ; are they shipping more favourably than we are ?

A. They did then, because they had cold storage provided by the Government before we had. We have only been shipping in cold storage for four years.

*By Mr. McMillan :*

Q. Are the compartments in their vessels separated from each other or are they all kept at one heat ?

A. Everything from Australia is frozen ; nothing of ours is. The Australian practice is to keep the temperature at 20° or under, for beef, mutton and everything in cold storage. Ours are carried at from about 34 to 38 degrees.

*By Mr. McLaren :*

Q. Our goods are chilled ?

A. Chilled, not frozen. When butter is held for a long time it is brought down as low as 20 degrees.

Then comparing our butter with Danish, we have not come up to where they are ; but on the whole we have gained on Danish from 1895 to 1898, about 6 or 8 shillings per cwt. We have not gained to the point where they are ; but we have gained that much on them.

*By Mr. Featherston :*

Q. Owing to improved conditions ?

A. Yes, owing to improved manufacture ; and also owing to improved cold storage at the creameries. The butter is cooled the day it is made and therefore stays good. That is quite as important as cold storage on railways and steamships.

*By Mr. McGregor :*

Q. Is the Danish butter handled in cold storage ?

A. No, only cool storage ; but it is only from 3 to 4 days on its way to the market.

*By Mr. McNeill :*

Q. What is the difference in price between Danish and ours ?

A. All the way from 4 to 9 shillings per hundredweight ; and in one exceptional case higher than that. In 1895 the difference was in extremes from 14 shillings up to 22 shillings ; but on the whole I do not think our average gain has been more than from 6 to 8 shillings per cwt. on creamery butter.

*By Mr. MacLaren :*

Q. Is it not largely because of the name Danish has got ?

A. A good deal. It is fashionable to eat it ; and it does not go off in flavour quickly.

Q. On one occasion I was given some Danish butter and some Canadian butter to taste. I did not ask which was which, and as it happened I chose the Canadian butter. But for all that the Danish butter was selling at 4 shillings per cwt. more because it had the name.

A. Yes, and Canadian last year improved in the market also because it has so much better a name than it used to have ; people are asking for it in the shops.

*By Mr. McGregor :*

Q. On the whole the market looks better than it has been ?

A. Yes.

*By Mr. MacLaren :*

Q. And also because it is called Canadian instead of American ?

A. There is something in that.

MR. MCNEILL.—I have found the same thing in regard to cheese as Prof. Robertson did with butter. When I was last in the old country I saw English cheddar cheese marked at one shilling a pound and Canadian at nine pence a pound. I took some of both home and had several people try them without letting them know which was which ; and all declared that the Canadian cheese was the better, and still one was selling at nine pence and the other at a shilling.

*By Mr. McMullen :*

Q. Have you anything to say about the putting up of butter ? A great deal depends on that ? What have you to say about the best method ?

A. I think the package most suitable for the export trade is the Canadian box, rectangular, almost square, holding 56 pounds net, covered inside with paraffin and lined with parchment or butter paper. That is the package most preferred.

*By Mr. Featherston :*

Q. And the square loads best ?

A. Yes, they load better in the steamships ; and turn out better on the counters of the shops.

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*By Mr. McMullen :*

Q. Better than the round package?

A. Yes. There is a trade still in South Wales which requires tubs. We leave it to the merchants who are exporters to advise the creamery men what sort of packages they want.

*By Mr. Featherston :*

Q. I suppose you recommend the centrifugal process with reference to creaming?

A. Yes. The cream is recovered more fully; and the skimmed milk is left in better condition for calves.

*By Mr. Calvert :*

Q. Have we shipped any butter in pound prints?

A. The export of pound packages has not been a success. So much surface of butter is exposed that the butter loses flavour quickly. The English dealer likes to get it in bulk; and then makes it up in pounds or smaller prints himself.

*By Mr. McNeill :*

Q. Is the use of boracic acid becoming general?

A. Not in Canada; but the English makers are using it in their own manufacture

*By Mr. McMullen :*

Q. Are the square boxes put up with screws?

A. They have dove-tailed corners which are also glued; and cost about 18 or 20 cents.

Q. Made of spruce?

A. Yes, they are made of spruce, and are about  $\frac{5}{8}$  or  $\frac{1}{2}$  inch thick, so they are quite light. We have a growing trade, to a limited extent, in butter and tins for the Yukon region; and we now have several customers in Japan to whom we send regularly monthly shipments from the Government creameries in the North-west. They say it is better than the butter they get from France. We also have a small trade with the West Indies.

*By Mr. Featherston :*

Q. What sized packages do they take?

A. Two pound, five pound and ten pound tin packages, chiefly two and five pounds.

Q. Shipped in crates?

A. In close boxes holding about 60 pounds to the box.

In order to have the difficulty of mould removed from the production of the current butter season, I had the following formula recently issued from the Department in the form of a circular for distribution to butter makers:—

“DOMINION OF CANADA,  
“DEPARTMENT OF AGRICULTURE,  
“Commissioner's Branch,  
“OTTAWA, 22nd May, 1899.

“TO PREVENT MOULD ON BUTTER.

“The presence of mould on butter and on the paper and package is a source of injury to the butter. The appearance also is such as to lessen the value very greatly.

"Experiments have shown that formalin is a most excellent preventive of mould. All paper to be used for the lining of butter packages should be soaked in a strong solution of salt. Formalin may be added to that salt brine at the rate of 1 oz. of formalin to 3 gallons of brine. The paper should be left to soak for 24 hours. The same brine may be used continuously. It may be renewed by the addition of a little fresh brine and formalin every week.

"Formalin does not at all preserve the butter and should not be used for that purpose. It should be used in the brine on the paper only to prevent mould.

"The Butter and Cheese Association of Montreal has passed a resolution strongly disapproving of the use of green boxes, that is boxes made of unseasoned wood.

"The paper with which butter packages are lined should not be lighter than 45 lbs. per ream.

"(Signed) JAS. W. ROBERTSON,  
"Commissioner."

#### CANADIAN BACON.

We find Canadian bacon taking very well in the British market, with the difficulty that at certain seasons of the year a percentage of our bacon is rated as being soft, and therefore fetches a relatively low price. There is also a quantity of the bacon rated as seconds; that means that the bacon is too fat, though of good quality otherwise. When in London last year I found from one of the largest handlers of bacon from Canada that in July the range was from 33 per cent to as high as 50 per cent of seconds in some shipments; and the seconds were fetching anywhere from 6 shillings to 8 shillings a hundredweight less than the firsts, that is from 1½ cents to 1¾ cents per pound less than the firsts. We are going to lose our nearly first position there unless we are able to send a larger percentage of firsts—that is bacon from hogs weighing from 180 to 220 pounds, rather thin in the back, fleshy and not soft. The soft bacon cannot be smoked to look nice on the other side, and is sold for a comparatively low price. It is flabby and does not look well. Experiments have been in progress since last autumn to get some definite light on the causes of soft bacon as far as the causes might be in the feeding and management of the hogs. I am not prepared to make a full statement in regard to that as yet. We have obtained some light through our work last winter, and I think are on the right lines of investigation; but until the experiments have been carried on further it would not be wise to draw definite conclusions. However, I may say this in passing, that where one-half of the food in fattening the hogs has been Indian corn, the hogs have been classed as first quality.

*By Mr. Clancy :*

Q. In what stage of the feeding is that?

A. In the last ten weeks.

*By Mr. McMillan :*

Q. I have heard a man complaining that they have more soft bacon than ever before?

A. Yes.

I looked into the question in Essex last autumn. My way was to get the evidence of the men who are in the business. The practice in the western part of Ontario where a large proportion of soft bacon came from was to grow the young hogs in inclosures, feeding them mainly on Indian corn and finishing them off on pasture where they get plenty of clover. The inevitable outcome of that practice was soft bacon. On the other hand, where the growing hogs are reared in pastures and finished off on a ration of half corn, there has not been soft bacon.

## Agriculture and Colonization.

*By Mr. Clancy :*

Q. Does that arise from the corn or might not some other grains produce the same finish ?

A. They might.

*By Mr. McMillan :*

Q. Suppose you finish off on all corn ?

A. That makes the bacon very fat.

*By Mr. Calvert :*

Q. What other grain do they feed ?

A. A mixture of barley, pease and oats.

Samples of soft bacon and firm bacon were obtained from a well-known packing house and transferred to Mr. Shutt, chemist at the Experimental farm for examination and analysis. This was established by his investigations : That there is much less connective tissue in the fat parts of the hogs that are soft than in the hogs that are firm. Connective tissue is doubtless formed while the animals are growing ; and if that structure is not formed while the hogs are getting their growth, the probability is that the bacon will be soft.

*By Mr. McMillan :*

Q. Have you any experience of hogs fed on roots ? Where we are living the increase of hogs is enormous and most farmers are feeding largely on mangels ?

A. That would give the conditions for making firm bacon. For all these things fed to young growing hogs make for the robustness of life.

Q. There are three farms where they have been sending over every month one or two loads of hogs fed largely on mangels and the result has been very good.

*By Mr. Clancy :*

Q. It does not seem quite clear yet, whether soft bacon may be traced to corn or any other grain when the finishing in both cases would be clover ?

A. No, that is not demonstrated. A point that is demonstrated is that insufficient nutrition while the animals are growing is apt to produce soft bacon.

Q. Why do they object to feeding corn in connection with whey all the time ?

A. I do not know, except that corn and whey do not make a well balanced feed.

Q. The corn and whey make the bacon firm ?

A. Yes ; but too fat.

Mr. McMILLAN.—I have paid much attention to the growing of young hogs, and I let them run around ; for my experience is that when allowed to run around they grow better. I have always fed the different varieties of grain, and I believe that it will be borne out that the corn makes the best bacon.

*By Mr. Cargill :*

Q. In order to get the information, whom do you consult, the hog producer or the hog curer ?

A. I consulted both ; and the opinion of the packers is that corn makes soft bacon. When I consulted farmers I found that when some corn was fed it made the bacon first class. They have an opinion in England which I think is founded on experience, that the want of connective tissue was caused by insufficient nutrition while the hogs are young.

*By Mr. Stenson :*

Q. Do you not feed them with clover first ?

Mr. McMILLAN.—We feed them on clover and they did first class on it when they were young, when we took them in to make them up before selling them, we took them off the clover.

*By an hon. Member :*

Q. Do pease make more tissue than corn ?

A. Pease make an exceptionally firm bacon. A mixture of pease, oats and barley is very good.

Mr. GILMOUR.—Through Essex and those western countries last year was it a common practice that pigs reared around the farm yards on corn were then turned out and sold from the pastures ?

*By Mr. Featherston :*

Q. That was the time of the year that soft hogs came in ?

A. All the way up west they shipped fresh from the clover fields. That is the time we had most trouble with soft bacon in England.

*By Mr. McNeill :*

Q. If the farmers had not a large supply of skimmed milk to feed them, if they were obliged to feed whey, for example, whether would corn or pease be most likely to give the best results ?

A. Pease and whey make a better balanced food than corn and whey.

*By Mr. McMillan :*

Q. Do you mean that for fattening them for the market for a short time before you are selling ?

A. Pease, oats and barley are much better than corn to be fed with whey.

*By Mr. Kaulbach :*

Q. Is corn liable to cause hog cholera ?

A. No ; but speaking generally, I found that wherever there are such conditions that the young pigs are not vigorous and thrifty, those conditions cause any disease in the locality to be more rampant.

Hon. Mr. FISHER.—I believe that one of the chief things to be watched is that during the growth of the hog you must give flesh-forming food and not fattening food ; and it is very important that during the period of the hog's development you should give food that gives them connective tissue. If you once lay the foundation of good bodies, I am satisfied that your bacon is not likely to be soft. If, during the growing period of your hogs, you lay a foundation that is soft, you can never overcome that ; and from that you will not be able to market good firm bacon. But if you have the growth of the hog properly made, you can afterwards feed him whatever is necessary to fatten him up to the point when he is fit for the market, and you will have good firm meat.

*By an hon. Member :*

Q. Supposing you feed on clover ?

Hon. Mr. FISHER.—During the growing period clover is very good food. I don't think clover alone would do. You would have to give them some grain as well, when you are fattening them. I have known a good many hogs that were grown on clover and were afterwards fattened properly that gave good firm bacon. If you tried to finish them up on clover the experience is that the bacon would be soft.

## Agriculture and Colonization.

*By Mr. McNeill :*

Q. It does not do merely to lay down the connective tissues you must take care that you do not feed afterwards something that would have a contrary effect ?

A. Yes. I think you may spoil the hog afterwards even if the foundation is properly laid ; but if you do not lay the foundation well I do not think you can ever remedy it.

*By Mr. Semple :*

Q. How does the price of Canadian bacon in England compare with that of bacon produced in other countries ?

A. Last summer, and in this also you have fluctuations in the markets, there were small quantities of Canadian bacon selling about as high as the best Danish. A good deal of Canadian was selling at from 2 to 4 shillings per cwt. under the Danish ; but all the way from 6 to 15 shillings above the United States bacon, which was of a different character. Canadian bacon was not so high as the best Irish, which is better than the Danish.

*By Mr. Moore :*

Q. Do you say that it would be possible to fatten hogs up to say 400 pounds and have the hams as fine as with the young hog of, say, 150 pounds. Will it make as saleable an article as the small ham ?

A. I do not think it would be so tender or as good ; and it would cost much more per pound to produce the heavy hog.

### CANADIAN FLOUR.

The other matter I thought of bringing up this morning is Canadian flour and its place in the British market. We have a large export trade in flour. In 1898, up to 30th June, Canada exported flour to the value of \$5,425,760. It is no inconsiderable trade. Looking into the question in England so far as I was able in the limited time at my disposal, mainly in London, I found the bakers did not know Canadian flour as such in hardly any case, but where they did know it they spoke exceedingly highly of it as a good strong flour, good for mixing with other flours and giving good bread. The English bakers make up their sponge from seven or eight kinds of flour, so as to have a continuity of quality in case one brand should fail them in the market. Just before leaving Canada for England I got a sample of the best Hungarian flour, brought from Hungary by a gentleman in the milling business who was passing through there. This was examined by the best experts and they established that Canadian flour contained 10 per cent more of albuminoids (flesh-forming qualities) than the best Hungarian. I went to a prominent baker in London to see if there was any possibility of having a test made by using Canadian flour in one of the modern bakeries. The test was made, but not under government authority or auspices. It was done by the bakers themselves for their own information. This reliable firm of bakers furnished me with a report afterwards. One of their tests in using Canadian flour gave the rate of 146 pounds of bread from 100 pounds of flour, and that of excellent quality. They got at the rate of 152 pounds of bread from the next test and 151 from a third. All of these were from our strong Canadian flour. The point is this, that there is no other flour going to England from any country, so far as I can learn, that makes as much bread per 100 pounds, or as good bread as Canadian flour.

*By Mr. Featherston :*

Q. That was from Manitoba wheat, of course ?

A. Yes, and if the excellence of its quality were known in England generally among bakers, it should increase our exports.

By Mr. Semple :

Q. Don't they import wheat into England more than flour?

A. Yes, the millers prefer that, but there is a large export trade from Canada in flour.

By Mr. Kaulbach :

Q. How did the quality of bread from Canadian flour compare with that made from American flour? Was that tested?

A. We did not test American flour against Canadian; but as far as there is any evidence, American flour from the North-western States is about the same as our Manitoba flour; the American flour from other quarters is like Hungarian, and has more starch and less gluten.

Q. That would naturally give a good deal less bread?

A. Yes, and of a less nutritious quality.

The following table shows the value of some of the produce of Canada, exported during the year ending 30th June, 1898:—

THE PRODUCE OF CANADA.

|                       |       | Quantity.   | Value.     |
|-----------------------|-------|-------------|------------|
|                       |       |             | \$         |
| Cattle.....           | No.   | 213,010     | 8,723,292  |
| Sheep.....            | "     | 351,789     | 1,272,077  |
| Hams.....             | Lbs.  | 86,911,090  | 8,092,930  |
| Butter.....           | "     | 11,253,787  | 2,046,686  |
| Cheese.....           | "     | 196,703,323 | 17,572,763 |
| Poultry and game..... |       |             | 100,736    |
| Eggs.....             | Doz.  | 10,369,996  | 1,255,304  |
| Wheat.....            | Bush. | 18,963,107  | 17,313,916 |
| Flour.....            | Brls. | 1,249,438   | 5,425,760  |
| Oats.....             | Bush. | 9,876,463   | 3,041,578  |
| Oatmeal.....          | Brls. | 176,821     | 554,757    |
| Pease.....            | Bush. | 3,236,151   | 1,813,792  |
| Apples.....           | Brls. | 439,418     | 1,306,681  |

The following summary of the exports of all agricultural produce and of animals and their products from Canada, shows the value of those which were exported to the United Kingdom and the United States respectively in the three years 1896, 1897 and 1898:—

ANIMALS AND AGRICULTURAL PRODUCE (THE PRODUCE OF CANADA).

| Value: Year ending 30th June. | Exported to         |                    |
|-------------------------------|---------------------|--------------------|
|                               | The United Kingdom. | The United States. |
|                               | \$                  | \$                 |
| 1896.....                     | 40,694,222          | 6,173,875          |
| 1897.....                     | 45,825,601          | 7,090,647          |
| 1898.....                     | 66,227,923          | 5,054,853          |

The evidence I have gathered the last few years in looking at our foreign markets goes to prove that the United Kingdom is the market for the surplus of farm products of Canada.

# Agriculture and Colonization.

## THE APPLE TRADE.

COMMITTEE ROOM No. 46,

HOUSE OF COMMONS,

16th May, 1899.

The Select Standing Committee on Agriculture and Colonization met this day, at 10.45 a.m., Mr. Bain, Chairman, presiding.

Mr. JAMES W. ROBERTSON, Commissioner of Agriculture and Dairying, was present at the request of the Committee, and made the following statements :—

Mr. CHAIRMAN AND GENTLEMEN,—The Canadian apple trade is not in a good way in Great Britain. The unfortunate position over there is due to one of two causes, and in some cases to both. One of these causes is the lack of care, the lack of skill, and the lack of honesty in packing the fruit, and the other is in the damage sustained by the fruit in its carriage from the place where it is packed to the place where it is sold. Looking first at the last difficulty, that of the want of safe carriage for apples, I observe only this that during the last two years the department has represented to the steamship companies the desirability and need of providing ventilated chambers for the carriage of apples on the steamships. It does not seem possible to carry apples safely across the Atlantic unless the holds in which the apples are placed are provided with efficient ventilating apparatus. Apples generate heat, and when placed in a warm atmosphere generation goes on more rapidly. And so we have asked all steamship lines to provide against this by carrying in cool air by ducts in the bottom of the holds and sucking out the warm air by electric fans from the top of the holds. All of the steamship lines said they were quite favourably disposed to do this, but a great many of them did not do it. The few lines so equipped seem to have carried apples much more safely than the others in the few ships so equipped. I need not read the letters sent to the steamship people, first in the autumn of 1897 and again last year, but our whole endeavour in that regard has been to induce the steamship companies to provide accommodation that will be safe for the carriage of apples. The contrast between the conditions in which all kinds of fruit was landed last year from Ontario and from Nova Scotia is most striking. This was called to my notice very emphatically by Mr. E. D. Smith, one of the largest fruit growers in Ontario, and also reported on by Mr. Grindley, who was our agent in Great Britain and saw how things were on the spot.

Mr. Smith writes as follows :—“ As I know you have somewhat interested yourself in the matter of shipment of our apples to Great Britain, I wish to draw your attention to a most important matter that I discovered this fall. I may say first of all that I am on a committee appointed at the fruit growers' meeting. I presume it will present itself to advance this argument to the ship-owners in Montreal—in the meantime I thought I would write you and show you what could be accomplished by a system of ventilation, even only imperfect, as it seems to me this is, of the Halifax boats. I am mailing you a bundle of sale accounts of apples in Britain during this fall—one of them you will notice on the outside of the bundle by W. Dennis & Son, Covent Garden London, shipment of about 1,000 barrels shipped by Halifax city; you will notice these apples are from a great number of different shippers, consequently it is fair to presume that the packing of the apples has nothing whatever to do with the carrying of the apples in good shape for the old country. It is not at all reasonable to suppose that fifteen or twenty different shippers selected at random from the farmers of Nova Scotia

would put up apples in better shape than 15 or 20 experienced apple packers in Ontario would, and yet you will see that although these apples are from so many different shippers, in the whole 1,000 barrels there are only 14 barrels reported slack and wet whereas in any of the other catalogues you take up you will see the percentage of slacks and wets runs from 20 to 75 per cent on every line of boat leaving Montreal. \* \* \*

“Did you ever realize that the carrying of the apple crop of Ontario to Britain sound and uninjured, as it could be carried without any serious extra expense, would have meant to the farmers of Ontario during the past ten years very many millions of dollars. It seems to me that it is the greatest economical waste in any branch of industry with which I am acquainted.

“Here are given two of the conditions of a permanent and lucrative trade. We grow the best apples that are supplied to the British market—the British people, or I may say, the people of the Continent of Europe, want our apples and appear to want them in ever increasing quantities—here are two essential conditions necessary to trade, the other condition, that of safe carriage of commodities we have always been lacking in, and for lack of it our apple growers have become discouraged. For when there was the best and finest crop of apples in Ontario that we ever had, and in a year, too, when farmers had poor crops and were getting low prices for their grain, the apple crop was virtually a non-paying one on account of the low prices the farmers were obliged to take, and these low prices which were unprofitable were produced on account of the miserable condition in which apples arrived in Great Britain, not only that year but in previous years.”

With that letter came a bundle of account sales of last fall which accorded so thoroughly with this that Mr. Smith inclosed them to me. I made a careful summary of them which I will give to show the condition in which our apples arrived in England, not a few barrels but in large lots. Dealing first with that lot of Nova Scotia apples, all that is on the one set of account sales, sent by 43 shippers and sold in London. There were 950 barrels sold as tights, 5 barrels of slacks, and 9 barrels of wets. Last year the conditions in Nova Scotia were much more favourable to having a uniformly good crop of apples than in Ontario, because the conditions in Ontario were unusually bad. Nova Scotia apples are sold in Great Britain as Nova Scotia apples and not Canadian apples—that is Canadian apples are apples from other parts of Canada, and Nova Scotia apples are always sold as Nova Scotia. Mr. Grindley will also make plain the difference in the size of barrels.

*By Mr. Featherston :*

Q. That is a good report.

A. Yes, excellent, and Nova Scotia apples have not been always given that. Letters attached to Mr. Smith's communication show that the steamship by which these apples were carried had thorough ventilation.

*By Mr. McGregor :*

Q. Had the vessel cold storage or ventilated chambers?

A. Ventilated chambers ; cold storage is not used for carrying apples except the early tender sorts. A low temperature is rather a detriment as they get damp and wet.

*By the Chairman :*

Q. This was among the late shipments of apples ?

A. Yes, about October.

*By Mr. McMillan :*

Q. Would there not be something in piling apples up to sweat ? Many people pull them and allow them to sweat well before packing ?

A. All three things go to affect our apple trade, want of care, and want of skill and want of honesty in packing, as well as want of proper means of carriage.

## Agriculture and Colonization.

Taking the shipments on Canadin apples, last fall, which are Ontario mainly, a few perhaps from Quebec, sold in Liverpool by two different sets of salesmen; taking a quantity of 14,416 barrels going by 17 different steamships and sent forward, as near as I can make out from the brands, in about 185 different lots, the brand is sometimes so much like another brand that it may have been the same—but that is a very wide range you see of data from which to make a calculation. There were nearly 15,000 barrels on 17 steamships sent forward in 185 different lots. The account sales show this that out of the total quantity there were only 5,928 barrels sold as tights. There were 2,793 slacks, 2,446 slightly wet, 1,997 wet, and 1,252 wet and slack. That is to say rather more than one half of the apples shipped in these lots were sold as slack, slightly wet, and wet. The difference in price realized by these apples is very great. The only way to get any fair information on this is to take a lot of apples sent by one ship and pick out the apples of the same class sold as tight, and the others of that variety sold as slacks or wet. Going over the list and taking out the apples of the same variety under these conditions the slacks on the average sold for two shillings and seven pence less than the tights. The slightly wets, for three shillings and eight pence less than the tights, the wets for seven shillings and three pence less than the tights, and the wet and slacks for nine shillings and eleven pence less or nearly ten shillings and of these wet and slacks there were 1,252 barrels.

Q. That would hardly pay the cost of handling.

A. That would not pay the price of freight.

*By Mr. Featherston :*

Q. How much was paid for the good apples?

A. They averaged 16s. 5d. a barrel.

*By Mr. McMillan :*

Q. On whom does the blame for this rest?

A. The salesmen in England as a rule blame the slackness on the conditions of the apple when packed and the method of packing, and the packers in Canada blame it on the methods of the salesmen, but we have not yet been able to find out the truth.

Q. I believe a good deal of it is due to the packing, and that the difficulty is that the different dealers have different methods of packing. Some men packing apples have a larger proportion of slacks in some barrels than in others with the same quality of apples.

A. That is all I have to say on the subject of apples.

*By Mr. Featherston :*

Q. You started out by saying that the two salesmen in England report to you. Was there any difference in the sales?

A. There was no appreciable difference in the proportion of slackness. The figures stand nearly uniform for both salesmen and this agrees with the information that has been got in a more general way by watching the market from week to week.

*By Mr. McMillan :*

Q. Is it stated, what condition the apples are in when they become wet? Have some become wet while others did not in the same vessel and the same compartment?

A. These in each case came out of the same compartment and were out of the same lots. Take this case for illustration. There is a shipment by one steamship, of the brand "choice XXX." There was in this one lot of Kings, 13 tight and 12 slightly wet. Then in Colverts with 23 tight and 20 slack. And then there comes a lot of

Colverts with 23 tight and 17 slightly wet, so that all through the same variety there seems to be different qualities.

*By Mr. Carscallen :*

Q. And some apples were not in good condition in all of these shipments ?

A. Every time there were some slack. Out of 123 shipments there was not one shipment whose apples were free from slackness.

*By Mr. Clancy :*

Q. Is there any difference in the percentage of slackness in different varieties ?

A. A little bit, but the evidence is not very clear on that. Kings seem to carry more safely than others. A very firm apple seems to have a less percentage of damage than all other varieties.

*By Mr. Featherston :*

Q. Don't you think that the less waste in the Kings is due to the superiority of the apple in the market ?

A. Sometimes we notice, even in the Kings, that when you have a lot—take that case of tights and slightly wets—the slightly wets were sold at the same price as the slacks. The classification of conditions seems to have been made before the sale, and the buyers will pay almost the same price for a slightly damaged apple of a good keeping sort, while some other varieties will go down to five shillings.

*By Mr. Moore :*

Q. Have you the figures of the quantity exported and the value last year ?

A. I have not these figures here now.

Q. Who are our competitors there now ?

A. Competition comes mainly from the United States and a little from Australia.

*By the Chairman :*

Q. Have you any information as to how American apples reach the market. Are they more careful ?

A. On this same account of sales there are sales also of apples from the United States, and I do not find any appreciable difference between the percentage of slacks and wets in the shipments of their apples and ours. The Nova Scotia apples have a far better name in England than the Canadian apples as such, and sell for a far better price, although the barrels contain 25 pounds less apples.

*By Mr. Clancy :*

Q. There were some trial shipments made by the Department I believe ?

A. There were a few boxes of tender fruits but not any of apples. As to apples imported into Great Britain, in 1896, I have not the figures for 1897 at hand, but I can get them, the value was \$7,700,000.

*By Mr. Moore :*

Q. That is the total value imported into England, can you give us the value imported from Canada ?

A. Yes, of that total value of \$7,700,000, Canada sent \$3,145,141, that was our large year, in 1896. The United States sent \$3,271,582, and France, Australia and Belgium were not very far from each other, of about \$380,000 each.

## Agriculture and Colonization.

*The Chairman :*

Q. Then the chief trade is from Canada and the United States ?

A. Yes.

*By Mr. Featherston :*

Q. Do you not find that our apples sold higher than those from the United States and other countries ?

A. Not in these shipments. Other apples sold fully as high as ours.

There are two points I would like to mention. I would like to give you this instance of evidence that came in an unexpected way as to the necessity of care in packing, because I am sure we have a great opening in Manitoba and the North west for Canadian apples, if they can be delivered there at reasonable prices and in good condition. The superintendent of our cold storage building at Calgary, last year bought a barrel of Canadian apples for himself. The apples had been shipped from Ontario, and he said that he had just the same experience as others there with Canadian apples. There were two rows of good apples at the ends of the barrel, and the rest was filled with windfalls and other poor apples. He writes that, unofficially to the department from Calgary, and states that others there have had the same experience with our apples. That brings me to make the next statement which is, to my mind, a more difficult and deplorable condition of things than even the apples being landed in a damaged state for want of safe transportation facilities. This is a letter that came to my department in March of this year. It is from the ex-mayor of the town of Yarmouth, Nova Scotia, and is addressed to the Hon. Minister of Agriculture. The letter is as follows :—

“DEAR SIR,—I beg to call your attention to a matter which, to my mind, deeply affects the honour and trade of Canada ; your department being specially concerned. As doubtless you will know the steamer ‘Castilian,’ from Portland for England, with cargo of cattle, cheese, pork, apples, &c., was wrecked upon Gaunet Ledge and became a total loss. Many goods were saved, dry and in perfect order, others wet and badly damaged. The apples dry and wet were sold in Yarmouth. These apples were from Ontario, marked ‘choice selected,’ various kinds, also had in many cases the names of the packer. I have in my possession the names of several packers and their place of residence. But, sir, the ‘choice selected’ apples, to our disgust, at the gross deception were, for the most part, mere wind-falls, and but fit for feeding. Three or four top courses in the barrels would be fair ; the centre but wind-falls and nubbins. I could but think of the sad effect upon the apple trade, you and all of us are so anxious to see flourish, would have been the result had this cargo of apples reached England and been placed upon the market. Signed, Joseph R. Wyman.”

From that cargo samples were sent showing the end rows in the barrels and the fillings in the barrels. (Mr. Robertson produced a large apple about four inches in diameter as a sample of the apples which were upon the first two courses of each barrel and the second apple about an inch and a half in diameter as a sample of the filling for remainder of the barrel.)

If this were an exceptional case last year, I would not have felt myself justified or altogether warranted in bringing it before the attention of the committee, but it agrees with so much that Mr. Grindly reports as the results of his personal observations in the English market last year, that I think it is right, in the interests of the trade and of the reputation of Canada, that this thing was known just as it is. Last year, I think was an exceptionally poor year in Ontario for getting good apples. On account of the weather a large number of them were damaged and poor but we sustain the most serious loss and injury in our whole apple trade for want of having our packages marked so that the contents are true to name and description. If we are to get the name we would like to have, and ought to have, we must pack our fruit so that the marks on the barrel will be accepted by buyers with confidence, and we will get good prices. An Englishman getting a barrel of that kind of apples referred to by Mr.

Wyman will give our apples the cold shoulder for years afterwards. That is how we suffer because of this manner of packing.

*By Mr. McMillan :*

Q. You would advise that all the best apples be packed in one barrel and the next best in another, the marks on the barrel indicating the quality of the apples all through the barrel. That in my experience is the best way, and I find that where apples were packed that way, they did better than when they were mixed up?

A. I would recommend two things especially to all packers of apples; to exclude entirely all damaged apples and then to carry out the suggestion of Mr. McMillan as to sizing their apples thoroughly, even if it has to be done by a sizing machine, with paste-board screens. These screens bring the apples out in three different sizes and the work is done without injury to the apples in any way. The fruit looks nicer and those that are sized in this manner bring the shipper an enormously greater value than if he put all sizes of apples promiscuously in one barrel.

From Cobourg I had a letter from a firm of apple shippers, E. Leonard & Sons, saying: "I am a fruit grower as well as a shipper, and I have the best cold storage building from Toronto to Montreal, yet we have had very heavy losses this winter on account of frost. If your department would take this up and get us heated cars with a building of some kind to protect the fruit at Portland and other shipping points from frost, that is what we want. The cars could be run to this building and kept there in safety until the vessel is ready to receive them. I have known instances where apples lay three weeks at Portland before shipping, and have a report from Wood, Allan & Co., of Liverpool, where they say that apples were frozen in the bottom of the ships; having never thawed out from the time they went on board. Talk about selecting and careful packing and all this, but there is no use in trying to put up a fine article and then have it frozen before it is put on board the vessel. I put up my apples in two grades, nothing but the very best in the first grade and in some cases rather poor in the second grade. Yet I have an account sales for one car of spys from B. Crossly & Sons, of Liverpool, where our second quality of apples brought three shillings more than the first, all on account of the small apples carrying better than the large fine ones. This early fruit spoken of is only a trifling matter in comparison with the late shipments. I would recommend heated cars the same as they use on the Canadian Pacific Railway, and some protection at shipping points for the loaded cars till the vessel is ready to take them."

Now from the cold storage inspector who was stationed at St. John last winter to facilitate the rapid and safe shipment of butter from St. John; in one of his reports I find this regarding the steamship "Labrador;" "She had a large lot of apples and some of them were or had been frozen before getting here. I saw one barrel opened in the shed and the top ones had been frozen. They were nice large apples, Northern spys. The Canadian Pacific Railway agent told me that there had been two barrels opened and that they were both the same."

That is from our own agent, saying that he also had seen frozen apples. Then there is the representation forwarded from the London Chamber of Commerce conveying the views of the green fruit and vegetable trade section of that body on the question of the condition of apples delivered ex-Canadian steamers. It was addressed to the Right Hon. Lord Strathcona, and is dated from Botolph House, Eastcheap, London, 14th March, 1899. The communication is as follows:—

"MY LORD,—At a recent meeting of the above section the question of the condition of apples delivered ex-Canadian steamers was discussed.

"It was stated that many consignments arrived in a plundered and damaged condition, a considerable number of packages being only half full. This is a great hardship, both to the shippers and the consignees, neither of whom have any means of redress, inasmuch as the steamship companies are protected by the clauses they insert for the purpose in the bills of lading, thus evading responsibility.

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"As the Canadian lines are heavily subsidized by the Canadian government, I was directed to call the attention of your Lordship to the matter and to express the hope that it may be possible through your influence to ensure that the steamship companies will cause greater care in future to be taken in regard to consignments of apples, with a view to the plunder and damage complained of being stopped.

"I was further directed to call the attention of your government to the excellent system of inspection which I am informed is adopted by the government of Victoria and other Australian Colonial governments who take steps to see that all consignments are passed in good condition when shipped, and to inquire whether a similar system could not be adopted in Canada. It is believed that the adoption of such a system would materially contribute to the development of the Canadian fruit trade of this country by giving it a good name and reputation for reliability.

"I am further informed that it is easy after some slight experience to judge of the quantity and contents of a package by the amount of rattling which takes place when it is moved about. A full package gives no sound but partially empty packages disclose their condition on being moved. I shall be obliged, therefore, if you will kindly lay the views of the section before the Canadian government."

That latter, which is signed by Mr. Kenrie B. Murray, the Secretary, refers not merely to the damage sustained from wrongful or poor packing and from the lack of good facilities for carrying the apples safely, but to the damage to the packages containing them in handling and the abstraction of part of the contents. Then we have representations from a large number of fruit growers' associations in different parts of Canada recommending that an inspector be stationed at the different ports to see that the apples are well placed and that the holds are properly ventilated.

*By Mr. McLaren :*

Q. Would they also inspect these apples before they are put on board? Suppose a man is shipping 500 barrels of apples, if two or three were opened and inspected in that way this man would be afraid to ship poor fruit if you had some law to prevent them going on board?

A. There is a very large and difficult question there.

Q. If you could stop these going across and injuring the Canadian apple trade or compel the man to sell them for improperly packed fruit or according to brand—instead of going to work to try to send them forward as first class—I should think they could be stopped by the inspector?

A. Well if some standard was established and a man wrongfully branded his apples we might get at him. But otherwise a man in the common usage of the country should be allowed to ship his own property. Then I wish to mention that such a system of inspection as would prevent badly packed fruit going forward would involve a great expense, because it is not sufficient to open the end of a barrel, because in England a barrel is opened and emptied out on the floor and the apples are sold by that sample.

Q. Why not have that done here?

A. It would mean a necessary delay of a couple of days in shipment and a good warehouse in which to carry on the inspection.

*By Mr. McMillan :*

Q. You cannot do that because those on the top will be more or less damaged and would have to be renewed with others?

A. Yes, and when a barrel is emptied out like that it is impossible to pack it again.

*By the Chairman :*

Q. Shippers tell me that the greatest difficulty in that way is the delay in shipping caused by an inspection?

A. There is just evidence to this extent that the apple growers themselves are doing their interest great damage, either by packing apples carelessly or dishonestly or

allowing some one else to do it, when they have grown the apples, and then there is the injury to the trade from damage done to apples on the steamships, and occasionally on the cars.

*By Mr. McMillan :*

Q. You will find apples occasionally on steamers loaded too near the boilers, and that spoils them ?

A. That is so.

*By Mr. Rogers :*

Q. Is it compulsory that shippers must stamp the barrel ?

A. No, only this, that the English law requires that all fruit products shall bear the name of the country from whence they come.

Q. Would it not be a safeguard if a packer's name was obliged to be stamped on his barrels ?

A. Most of them do.

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Having examined the preceding transcript of my own evidence I find it correct.

JAS. W. ROBERTSON,  
*Commissioner of Agriculture and Dairying.*

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MR. A. W. GRINDLEY,

Special agent of the Department of Agriculture in Great Britain during 1898, was called, and in response gave the following evidence before the Committee:—

MR. CHAIRMAN AND GENTLEMEN.—Prof. Robertson touched on the point of our apples in England being classed as almost from two different countries, that is the apples from Nova Scotia and Canada. Even a paper like the *London Times*, in speaking of the Christmas apple trade, says, “Because of the short quantity of choice English apples the imported samples, especially from California, Canada and Nova Scotia, have made good prices.” That has been brought about by the barrels largely. In Nova Scotia they use a sawed stave barrel and split hoops, with very large bilge, almost straight staves, which holds from 100 to 120 pounds of fruit net. The so called Canadian barrel used in Ontario and Quebec has a smooth stave, flat hoop and considerable bilge and holds about 140 to 150 pounds net. The Ontario barrel is superior to the Nova Scotia one, which is very rough and unsightly, so it is not on account of the barrel that Nova Scotia apples sell better and rank better than the so called Canadian fruit.

About the way the fruit is graded (I am speaking more particularly of Covent Garden, because the London market is more particular than the Liverpool, Bristol and Manchester markets, it is the most particular market in Great Britain) on the London market, California comes first, Nova Scotia second and the so called Canadian fruit takes third place. Now Californian fruit has only attained the high position it holds because California sends forward a uniformly good article.

*By Mr. Bain :*

Q. You are speaking only of apples now ?

A. I am now confining myself to apples wholly.

The Californian Newton Pippin was retailed on the London market for a dollar a dozen. As far as the apple goes, we have far better apples in Canada than the California Newton Pippin.

*By Hon. Mr. Fisher :*

Q. About what dates would that be ?

A. It would run in for the Christmas fruit trade. It would be in the month of December last, the forepart of December.

Nova Scotia ranks ahead of Ontario and Quebec for the same reason, although they do not rank as high as regards packing fruit, and are not as uniform as regards size as the Californian ; they are away ahead of Ontario and Quebec, that is taking it as a whole. There are exceptional cases in Ontario and Quebec where they ship fine apples. Just to show what is being done, there is the case of Mr. Shepherd of Como, who is shipping over our Canadian snow apples “*La Fameuse*” packed in a box something like our egg cases. These apples never go on the general market at all. He sends direct to the Prince of Wales and the Army and Navy stores, London. If we send apples like that we can compete successfully with the California Newton Pippin, because although a pretty apple that looks well on the table, as regards flavour and eating quality it is not in it with many Canadian apples.

### TOO MANY VARIETIES AN INJURY.

Nova Scotia has got up a reputation for apples from the Annapolis Valley, the Ribston Pippin, and the Gravenstein. There cannot be a greater mistake than shipping too many varieties of apples. California has got a reputation worked

up on one variety. I am told they confine their shipments to about four varieties. Nova Scotia sends a considerably larger number than that, but when you come to Ontario and Quebec the number is much larger. Going down Covent Garden market one morning on one side of the market I jotted down the different varieties of Canadian apples. There were 40 different varieties from Ontario and Quebec alone. I have here a statement in reference to a shipment of apples that was sent from Bowmanville, Ontario. In a consignment of 69 barrels there are 16 different varieties. The English like a uniform article, and when they send in repeat orders, they want to have these orders filled with the same varieties and about the same grades that they got in previous orders that gave satisfaction. It is a well known fact that as soon as other countries, Denmark and the United States, adopted creamery methods and we went on with dairy methods, our butter trade went from bad to worse, until we adopted the creamery system, and sent large quantities of a uniform article. California has got the market by sending large quantities of the same varieties, the Newton Pippins; Nova Scotia sends chiefly Gravensteins and Ribston Pippins, confining the trade to a few varieties. As for the so-called dishonest packing, I do not know that the farmer is altogether to blame because having so many different varieties—and we have in Ontario some 80 standard varieties of apples; you go into the ordinary farmer's orchard, and if he has forty trees, 10 to 1 he has ten varieties in it. He has so many kinds that when he goes to pack his apples he has not enough of one variety to grade his apples properly, but has to put in large and small apples in order to make up the shipment.

Another great objection to the Ontario and Quebec trade is that they have too many early varieties at a time when the market is glutted. In the fall of the year large numbers of early varieties are rushed on to the markets, the market is flooded. These apples have not good keeping qualities, so that later on in the season there is really a scarcity of apples. You take our Canadian markets to-day and you will find they are selling apples out of cold storage down in the townships at 30 cents a dozen. Two important changes can be brought about. By top grafting, in good keeping varieties we can do away to a large extent with a large number of varieties, both in old orchards and new orchards, the difficulty has been brought about by apple tree agents to a great extent. The agent comes around with a book showing a lot of pretty cuts of apple trees and he says to the farmer, "here is a good apple," and the farmer takes a sample of each variety. Graft in varieties well adapted to the British markets, good keeping varieties, and then the farmer having a large majority of good keeping varieties, is better able to grade his fruit. I might say that this case that I have mentioned is not an exceptional one. I have gone down Covent Garden market noticing the Ontario and Quebec apples, and you will often see just such instances as that, (Referring to the exhibit put in by Prof. Robertson) not in such a state of rot, because these have been exposed and handled for some time, but I have seen apples sent over there graded "A No. 1," in packages that had wormy and spotted apples in them.

#### PECULIARITIES OF MARKET TOWNS.

In Covent Garden market, the buyer, before making a bid on any Canadian fruit is bound to see a sample of the fruit, but I have seen samples of fruit from France and California where the brands and names on the packages are so well known and reliable that they are a guarantee of the quality of the fruit. You see such names as Block and Meek of California, and the buyers never think of opening their packages. The grades and marks outside are sufficient to let the buyers know what the contents of that box are, but you do not find them buying Canadian fruit that way. They will not take the marks of XX. or 4 X. as the case may be, on the outside of those parcels of Canadian fruit, but insist upon having a sample of it. Here is a sample and it is not an exceptional case. A man in Montreal made a very true remark when he said that the men who ship seem to want to spoil the reputation of the whole country, or something of that kind. You will see very inferior fruit at auction stall after auction stall on the Covent Garden market, and even worse in the markets of Manchester, Bristol and Liver-

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pool, for the reason that the London market is more particular about the quality of the goods than the other markets are. You see very little Nova Scotia fruits on the markets of Manchester, Bristol and Liverpool. London does not care about the size of the package, it is the quality that they are after. The other markets want large barrels, and Ontario and Quebec apples come to Liverpool, Manchester and Bristol markets because of the fact that they are packed in large barrels. I have seen barrel after barrel of Canadian apples on the Manchester market in which there were large quantities of small apples that were not better than this (indicating a small apple)—apples that farmers would look at twice before they would pick them up to feed in their pig pen. But they are learning their lesson. I know of a firm that bought a large quantity of apples in Montreal during the glut in the market, and they shipped them over to Bristol and sold them there and they lost a thousand pounds sterling on the shipment, and I was not surprised at it either, on account of the quality of the apples they shipped.

*By Mr. McMillan :*

Q. Supposing you top-grafted would you get enough fruit of good quality from the same stocks?

A. My own experience from top-grafting is that you will get good fruit and true to kind, and I prefer top-grafting to root-grafting for the reason that I think we get much better results. I have tried top-grafting into old seedling orchards where the trees bore apples which were perfectly worthless, common seedlings.

But the nature of the trees was very hardy, and by top-grafting the trees pruning and cultivating the orchards, we have succeeded in getting good apples. We have any quantity of such old orchards in Canada which by cultivating and top-grafting may be made into good orchards which will produce profitable crops of apples in a shorter time than by planting new orchards.

*By Mr. Featherston :*

Q. Is it not a very great drawback for the Canadian apples that the sellers have to show samples of each variety before the buyers will purchase them. Will there not be loss as a result?

A. Yes. When the barrels are opened and the fruit turned out there is more or less damage done to them, and they bring inferior prices in consequence. They are sold as samples then. Time and again in Bristol, I have seen just one or two barrels of a variety and of course the buyer wants to see a sample of each variety and that is the drawback, but when you get on the London market with the Nova Scotia fruit you see thousands of barrels of Gravensteins and Ribston Pippins and California Newton Pippins in cases, but when you strike into a lot of barrels of Canadian apples you may begin to look for all sorts and sizes. There is no uniformity about them, and that is what the English market calls for, uniformity in the size and quality. There is a sort of feeling amongst the English people that they are willing to give a fair chance as far as possible to the colonies and to colonial fruit. There is a feeling that all things being equal they prefer Canadian or Colonial over the foreign article, and colonial fruit of all kinds would get the preference.

### NOVA SCOTIA APPLES.

Unless we have a radical change in the methods of packing and shipping apples the Canadian fruit is going to take a back seat. The Nova Scotian apple has the preference, because there are men down there whose names and brand are so well known on the Covent Garden market to-day that they are accepted by the buyers and I know of men that have the reputation of being first-class men in Canada, who have had packed bad fruit, spotted and wormy, and put them into boxes as first-class fruit. It may have been the best quality that he had, but we must have some sort

of standard to grade our fruit by, either by size or by quality, because if you come to put what is called an A No. 1 Canadian, beside any No. 1 California, they are found to be different articles altogether. We have a grade for Canadian wheat, and we must have a standard for our apples and grade them up to it, and ship only apples up to the standard. I will say just a word in regard to packages. Unless you have some very choice desert apples it pays better to ship in barrels, the expense and freight is too great to send it forward in small boxes. We have, but we have not been using it very much, a box the inside measurements of which are 22 by 11½ by 10 inches deep. They hold about 50 pounds of fruit, but there is a box that Mr. Sheppard is using which is very fine for export, it is being made in Canada now, that is a box with cardboard partitions, it is supposed to hold about a bushel and a quarter. The spaces are made in different sizes so that you can grade your fruit, and choice apples are being sent over in very fine shape that way. It is rather expensive because the packages cost about 40 cents each.

PACKING AND TRANSPORT OF PERISHABLE PRODUCTS.

Now, within the last few years it has been advocated to use the ventilated barrel. I have spoken to a number of men on Covent Garden and they do not approve of it. There are several faults which are found with it. Suppose you pile them up six or seven deep. These ventilated barrels are liable to get bent down, and as apples won't give like oranges they get crushed down and bruised. Another thing is this: take apples which arrive in a hot dry time and they are liable to become shrivelled, and if they are landed during cold weather they are liable to be injured by frost or even by sudden changes of temperature. That brings me to another point where we are wrong in all fruit shipments, and that is the packing of the fruit while it is warm. If you go to California you find that the fruit is all cooled down before packing. The idea of the ventilated barrel was that when the apples were packed up within a few days and put in cold storage, the apples would cool down, which was perfectly correct, but the point seems to have been lost sight of that when they were taken out of cold storage the heat would get through into the apples as readily. Take the moving from the cold storage warehouses or cars to the ships in Montreal. The apples are exposed to great heat for a short time. Then they are cooled to a temperature of 36 degrees, and all these sudden fluctuations act in an injurious manner on the tissues of the fruit. It is just the same as if you take meat and freeze it and then rapidly thaw it; you are going to injure it. Take it in our soft-skinned fruits, such as plums and tomatoes, which are taken out of cold storage with nothing more covering them than tissue papers, and expose them to a temperature of 60 or 70 degrees, and in a day or two they will melt away. The tissues are ruptured, and it works just the same using ventilated barrels. So the idea would be to cool the fruit before it is packed.

*By Mr. Featherston :*

Q. And pack in tight barrels?

A. Yes, pack in tight barrels.

*By Mr. McMillan :*

Q. And then it should go across in ventilated compartments?

A. Yes; I will touch on that point in a little while. Up to within the last few years we shipped in ordinary holds, and as the apples were with other perishable things without any ventilation, heat was generated from the mass of perishable food products and it spoiled the apples. Then we went to the other extreme and adopted cold storage and put the fruit in there. That acted better than the other plan, but still the sudden changes from a temperature of 35 or 38 degrees to a hot moist atmosphere, as in England, caused the moisture to condense on the outside of the fruit when the barrels were opened, and you had everything suitable to start up rapid rotting. Last year some apples taken from cold storage when opened up appeared to be in magnificent con-

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dition. In 48 hours they had settled down 6 inches in the barrel and in a week I think it would have been impossible to find a sound apple. These were a soft variety of apple and they went like wild fire. We see the same thing here. If you take apples out of cold storage and put them in a warm atmosphere they will very soon show signs of decay. I was talking to a man in the city of Sherbrooke last week, and I saw that he was asking 30 cents a dozen for apples. I asked him how they came to be so dear and he said "when you don't get more than a bushel of good ones in a barrel you must sell them at a high price." I saw grapes which were taken out of cold storage for the Easter trade and which came out nice, but in a couple of days if you were to take them up by the stem they would all fall off. The Grimsby people pinned great faith on cold storage, but the way of it was that they sent the fruit down to Toronto, there it was taken out of cold storage when wanted and eaten immediately and was all right. But let them try it out here with the same conditions they have in England—taking the fruit out of a temperature of 35 or 38 degrees and putting it into the store show window where the sun is blazing on it all day—and see how long it will last.

Now, as Prof. Robertson says, the steamers are going to have ventilated holds. I think that will be the most satisfactory system we have adopted yet, that is, to have a system of fans to work during the day, but if the weather is very warm to work only during the night, to pump the warm air out of the holds and replace it by cool air. By adopting that method, and by picking, grading and packing the fruit properly, and sending only a few varieties, it will have a tendency to bring about a better state of affairs.

Q. Might it not be well to stop the fans two or three days before arrival on the other side and so bring the fruit to something like the temperature of England?

A. Approaching England the fans would be pumping in the air in which the fruit would land. There is no cold storage about it.

Q. I had a letter from a gentleman who ships fruit and eggs and he found that they had to stop the fans a couple days before they got to the other side, so that when the fruit and eggs got there they were at the same temperature as the atmosphere?

A. But it is not cold air that is in the holds; it is a system of ventilation. I understand what you mean by your question. They have found that taking eggs out of the cold storage the moisture condenses on the outside, and now they are printing on cases of eggs that they are not to be opened until two days after they are removed from cold storage.

*By the Chairman:*

Q. Do they not do that with all cold storage products: bring them out gradually?

A. No. It is done with meat to a large extent by some of the best cold storage buildings in London, which have what they call defrosting compartments, which are used where meat is frozen solid—it is found that it takes four days to freeze a quarter of beef—it is defrosted by the use of dry air and gradual raising of the temperature. There is a system of steam pipes along the floor and pipes from the ammonia plant overhead. The temperature is gradually raised from 24 or 28 degrees to a temperature of 58 degrees. As the frost comes out it is carried up and is frozen on to the cold air pipes overhead, so that at the end of four days the frost has gathered all around these pipes and the meat is as fresh and bright as if it was killed the night before. That is a patent process, patented, I believe, by Sir Hugh Montague Nelson.

Q. That is not used for eggs?

A. No, the only thing that has come to my notice is that some shippers are pasting notices on boxes of eggs that they are not to be opened for two days after they have left the cold storage warehouses.

*By Mr. McMillan:*

Q. In the case of some eggs which were shipped last summer in cold ventilated compartments they stopped working the fans for one or two days before landing and

the eggs landed in the best condition. Mr. D. D. Wilson, went to Montreal and got a compartment to suit himself in one of the Allan line steamers. I had a letter from him stating that it was a success, and he has been shipping eggs ever since the beginning of the trade in Canada.

A. Well, speaking about eggs there is one point I might speak of although it is not a question that is before us to-day. The cause of a great many of the eggs getting a peculiar nasty flavour, a musty flavour, has been brought about by the cardboard fillings. These are sent out from the mills in a green condition. They are made from pulp and a moldy growth starts on them, so they tell me in Montreal, these papers should be dried for a year at least or kiln dried, but that one little point of using green fillings has, in a great many instances been to blame when the blame has been put on the cold storage in the vessels.

Prof. Robertson I believe touched on the fruit market in the West. Year before last when I was out in British Columbia, fully four-fifths of the fruit in British Columbia and as far east as Winnipeg was American fruit. Now there are two reasons perhaps for that. First the excessive freight rates, for fruit shipped from the East, but another reason is, that Ontario and Quebec people do not ship an honest article compared with the California fruit. You see the California fruit on your markets here in Ontario, and in Ottawa and it is graded strictly.

From what Prof. Robertson said of those apples sent out to Calgary it is very little use our trying to work up a market against the United States, in that section of country, until we send them a well graded article of fruit. There we have a market when we can ship satisfactory fruit from Ontario. Ontario can ship fruit as far as Calgary. There is a small section around Vernon where Lord Aberdeen has his fruit farm where fruit can be grown successfully, but there is not any reason why Ontario should not hold the market as far as Calgary at least. But they have got to change their methods of shipping fruit for that market just the same as for the English market. With regard to inspection I quite agree that there ought to be some system of inspection but it is a very difficult thing to arrange. In California and in the Mediterranean fruit districts they have large quantities of fruit which are handled by the same company or the same individual. They get such large quantities, that, having a reputation to build up they do their own grading. In Nova Scotia there are people who handle large quantities of fruit and send packers out, and the same thing is done to a small extent I believe in Ontario and Quebec, men buy orchards of fruit, paying so much for the fruit on the tree, so the farmer may pick the apples and leave them in piles and the packer comes in and grades and packs the fruit. Take a section like Grimsby or the Niagara fruit section, they might have fruit houses there the same as they have in some of the Mediterranean sections where fruit is sent in in large quantities, and then have it packed there under the supervision of an inspector. But I think it would be almost unnecessary to have an inspector if we had the same system of packing that they have in California or the Mediterranean, because there men have a reputation to establish and they are going to do the thing honestly just for the sake of their reputation. But so far as inspecting fruit, say at Montreal is concerned, it would never be a success. If a man say, consigns 500 barrels and he didn't have more than two varieties you might have some system by an inspector taking out a barrel here and there and examining it. But when you have 60 barrels of apples and 60 varieties you cannot expect that, because it means taking out the apples right there and seeing if the barrels are honestly filled. The only way I can see is to adopt something of the same method they have in California and the Mediterranean. That is, let our large fruit men in each section organize together and establish a packing warehouse where they can put their fruit in, have it cooled down, do their grading there and even have the government officer inspect it and put a stamp upon it, as they do in Australia. In the London market you see rabbits coming in with lead seals on the crates put there by the government inspector. The Australians won't allow any rabbits to be sent unless they are fat and of good size. Wines come over there from Australia with the government certificate and so with lots and lots of things. Canned goods all come under a system of inspection.

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*By the Chairman :*

Q. Do they ship many apples ?

A. No, they do not. In fact, I am told there is no reason why Canada should not look towards Australia for a market. They have a good market there.

*By the Honourable Mr. Fisher :*

Q. Do they not get some apples from Tasmania ?

A. Lots of apples come from Tasmania.

*By Mr. Hughes :*

Q. Is there not a market in Tasmania for Canadian apples in the off season ?

A. Yes, in the off season there would be, for their season is not our season and we might extend what we are already doing to a small extent. That is a system of branding "Canada" or "Canadian" on our products. We are doing that on our cheese and bacon. I will give you an idea how that works.

I went into a store in Bath where I saw a notice in the window, "Mild cured Canadian bacon." I went in and asked the clerk if that bacon came from Ontario. He said : It did. I then asked him what town in Ontario it came from. He said : "I do not know. I will ask the master." He went into the back shop and came back and said it came from Chicago. I said "Chicago ! Why, that's not in Ontario," and he said : "Oh, yes, it is." That was all I wanted to know. We have established a name for mild cured Canadian bacon on the British markets. Chicago as a general thing has very salt meat. The Englishman has a prejudice against salt in a great many things. This firm had got hold of Chicago bacon and there was not a demand for it, but there was a demand for mild cured Canadian bacon and he was selling it as Canadian. If we had "Canada" on our food products things like this could not occur. The Canadian if he is any kind of a Canadian at all he is not going to brand Canadian on a thing he would be ashamed of.

But there are just a few other points I would like to refer to, where the Government, I think, can do some good practical work for the farmers. That is in giving them practical instructions as to the pruning, grafting, spraying, picking and packing. The Government has talked about establishing illustration stations for the growing of grains and different kinds of farm crops. But I think if they would send expert men into every fruit section and have notice given, public notice posted up that the man is to be there on a certain day for the purpose of giving the farmers instruction by practical illustration, the farmers would come in from that vicinity and he could give them lessons upon these subjects, at the proper season of the year for the various work to be done. Take grafting for instance, which is a very simple thing and can be learned by any one, and a great many farmers would soon be able to pick it up so that they could do their own grafting, and they would do it better probably than it is done by some of the professional men who go around. Then take the subject of spraying. Just before the proper time for doing this work they could go around and show them how it can best be done, teach them the preparation of the mixture. I believe that has been done already.

Then there is picking and packing. I believe that experts could give the farmers a few practical lessons in that department. There was another point brought before my notice in the state of Vermont, and I think it would be a good way for the Government to reach the farmers.

The practice at the experimental station of Burlington, Vermont, to which I have alluded, was a very simple and a very effective one and dealt with the question of spraying of potatoes for the rot. They issue a card with a cut upon it of a potato patch on the top, one-half of the potato patch had been sprayed with the Bordeaux mixture and the other half had been left unsprayed, and the cut showed very clearly in the appearance of the two halves of the crop, the benefits and the advantages to be derived from spraying. Not only was there this picture but there was also underneath a

receipt of how to prepare the mixture, and under that a description of how and when it should be applied. These cards were sent around to every post office a few weeks before the necessity would arise for spraying the potatoes. Now, the post office is a place where every farmer will go three or four times a week, and he sees it hung up there about the time that his potatoes get touched, and he has been looking at it and has learned the advantage of spraying before the necessity arises for using the mixture and when he needs it he knows just what to do.

They had a law for preventing the catching of trout under a certain size, and they issued a card giving a cut of the exact size of fish which was the smallest size allowed to catch, also giving information as to the fine which any person is liable to for taking a fish smaller than the size shown. There was the object lesson before every one, the same as in the case of the potato patch and the benefit of spraying. Now, in Canada if we make any change in our mail regulations each postmaster is furnished with a card setting forth the changes, and it is hung up in the post office and everybody knows of it immediately. Let the Department of Agriculture have a card printed giving information regarding the bulletins that are issued and the nature of the subjects treated in them and where they are to be obtained, so that any farmer who wants to get any information on any particular subject can see where to write to in order to get the bulletin or report upon the subject in which he is interested. These cards can be posted in the post offices throughout the country, and then nobody will be to blame if every farmer does not get the information which he requires and which will be of assistance to him. There might also be some cards such as I have described upon the spraying of fruit trees and other similar subjects. In some cases it would be a good thing to have cuts of apple trees showing one-half the tree that has been sprayed and the other half that has not, and there might also be cuts showing the apples graded the same as I have described, as an object lesson to the farmers, as they should be when they are sent to the English market. Put these cuts upon cards and send them around to different post offices in the country sections, and by that means you can convey a great deal of valuable information to the farmers and keep the question of grading and packing properly before their eyes continually, especially at the season when it is necessary for them to bear it in mind in packing their fruit for the market and shipment.

The season is here now when the apple trees ought to be sprayed. The farmer sees the caterpillars and he knows that there ought to be some spraying done, but he says to himself I don't know where to get the information or what department to write to at Ottawa to get the bulletin giving me the information what to do and how to do it. But if these cards were posted up in all the post offices, containing the information "spray your trees on such and such a date and mix up your preparation for spraying in this way," he is going to put into practice the knowledge that is contained in the information.

Mr. McMILLAN.—There is just this in Ontario, there are few farmers who go to the post office once a week. It is generally the children who go to the post office and bring the letters home. I would just say that the bulletins of the Ontario Government go to every one that is a member of the farmers institutes and has his name recorded on the list.

Mr. HUGHES.—I would like to ask for an explanation as to how to pack the apples. When in the old country I found the greatest complaint was the way they packed apples in Canada. I was not in at the earlier portion of the meeting so I do not know whether that question has been discussed.

The CHAIRMAN.—We have been looking very closely into that matter. Here is an example of graded selected apples from Ontario that were taken out of the "Castilian."

Mr. GRINDLEY.—Mr. Chairman and gentlemen, I will just run over some general conclusions which I have arrived at on points for the Canadian apple shippers to watch.

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### HOW TO SECURE PROFITABLE SALES.

The first point is quality which includes (a) soundness, we do not want soft dry mealy apples but crisp juicy fruit, the English people do not like soft dry mealy apples. Quality also includes (b) keeping qualities (c) appearance, that includes size, shape and colour, and (d) flavour.

Ship only good reliable fruit of well known varieties.

Quality is of more importance than quantity.

Quality commands the market.

Quantity drags the market.

The next point is as regards packing.

Pack honestly.

Grade fruit according to size and colour.

Pack tightly.

Pack very choice table varieties in boxes holding about half a barrel.

A nearly straight staved barrel is best, as barrels with a large bilge are flattened when piled five or six deep, while straight staved barrels rest evenly on the hooks.

Don't brand the growers' name on barrels, as barrels are used the second time, but print the name and address on the felt paper circle which is placed at the top and bottom of the barrel. I may say with regard to that circle that it was a matter which was brought up by one of the largest Covent Garden merchants, in writing to a Nova Scotia shipper, that is, taking ordinary felt building paper and making a circle to go in at the top and the bottom of the barrel, with finger holes in it at each side so as to get the fingers in to take it out and thus prevent tearing. The object of that is to stop the bruising of the fruit at either end and stop the moisture; and when you open the barrel and that felt paper is seen to be dry it is a guarantee that the contents are dry, while if that felt paper is wet you look for trouble right away. Another advantage of that felt paper circle is, that by stamping your name and address on it you get a reputation for your fruit. If you stamp the name on the barrel perhaps your reputation is going to be hurt by some one else using the same barrel and packing poor fruit in it. But if you stamp on the felt paper circles your name or brand, they will become the means of advertising your fruit.

Brand on the barrel or box the variety, grade, net weight of fruit, or number of fruit, and the private mark of the exporter.

The British markets call for a crisp juicy apple, so do not ship soft and mealy varieties.

If the fruit shipped in large packages and of choice quality is partially damaged, it often repays to pack the best in smaller cases, especially for the London market, which is more particular regarding quality than other markets.

Do not force apples out of season on the British market; for example, do not force winter varieties on the markets when the demand is for early varieties. The British merchants do not buy in large quantities to hold in storage.

The British markets prefer the coloured fruit. Use only new boxes or barrels for export trade. Do not leave apples on the tree too long, but pick them when the apple begins to get its colour. Do not pile fruit in orchards but cool it and pack as soon as possible. I might say that is a matter that has done great injury, this practice of picking the fruit and leaving it in piles in the orchard till the men come along to pack it. It takes all the nice crispness out and it never comes back again. A lot of these dozey, mealy apples come from their being put in a pile and leaving them there a day or two before packing them.

*By Mr. McGregor :*

Q. The horticulturist says that growers may pile them for a week or two to sweat, which is the contrary to what you say, so it is just a controversy.

A. That is a point which has been brought before me by Montreal shippers and people over there, who claim that the softness of many of the apples is brought about by leaving them on the ground; that the right method is to pick the fruit and place on trays or shelves in cellars or fruit houses and leave it there to cool. It is also improper to pick the fruit from the trees and pack it in barrels and leave them there. You have to go between the two extremes.

Mr. McMILLAN.—I believe the right way is to bring in the apples and let them stand in the barn some time before packing them.

Mr. GRINDLEY. Do not ship apples with too long stems; the stems should be cut off to prevent them injuring the other fruit; but do not pull them off for that will cause the apple to rot. You will see the stem causing a nasty mark when the apples get crushed together in the barrel, so you should cut them off with shears or something of that kind.

Fruit growers with old orchards should observe the following points: Prune, if required, graft with standard varieties for which there is a good demand, fertilize, spray, and give plenty of room to your fruit so that the sun can get in. Gentlemen, this is all I have to say this morning regarding apples.

*By Mr. McLaren :*

Q. What grades of apples do you recommend?

A. For apples to grow? I have here a list of the varieties that have been given both by Nova Scotia and Montreal dealers, and apples that have an established reputation. The apples for Southern Ontario for general markets are Kings, Gravensteins, Cranberry Pippin, Roxbury and American Golden Russett, Northern Spy, Baldwin, Greening. Now there is quite an assortment, ten in all, but if a farmer finds that any particular variety is well adapted to his district, then keep to one or two, and you get good fruit. Orchards near cities can grow Red Astrachan and Duchess of Oldenburg. The apples of Quebec and Ontario general markets are the Wealthy, Fameuse, McIntosh Red, Winter St. Lawrence, Canada Baldwin, Canada Red, Golden Russett, Ben Davis, Greenings, Seek no Further, Kings and Cranberry Pippins. These first four, if they are very choice, can be shipped in boxes for table use.

*By Mr. McGregor :*

Q. Is the Ben Davis good?

A. The Ben Davis I have sometimes seen good.

Q. It is a good apple?

A. A good apple.

*By Mr. Featherston :*

Q. A good shipper?

A. Yes.

Apples for New Brunswick, Nova Scotia and Prince Edward Island are Ribston Pippins, Gravensteins, Kings, King Tomkins, Northern Spy, Greenings, Russets, Blenheims, Nonpareils. Of course there are other varieties, but what I want to impress upon the farmers is to confine themselves to very few varieties.

*By Mr. McMillan :*

Q. In keeping apples do you prefer a dry or damp place?

A. I should not have it either way to a large extent. I should not want it too dry to shrivel the apples or too damp to spoil them. What you call an ordinary cellar or root cellar is a good place. You want a certain amount of moisture but not too wet.

Q. We have two cellars, one dry and the other moist. The apples we put in the moist cellar did much better than those in the other one. Let me cite one experience of a former member of this House in Hamilton, Dr. Springer, who had 70 barrels of

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apples in a damp cellar ; it came on a large flood and his barrels were half way up and some of them over their heads in the water. He thought they were destroyed, but when the water went away he found that those were the best apples he had. The barrels were not tight and all the water left them.

A. That was a curious experience.

*By Mr. Cargill :*

Q. What is the best mode of cultivating an orchard to get it in a proper state to make the trees most productive.

A. In some sections they set out the trees 33 to 35 feet apart : then you have the chance to cultivate the ground around them, and when they are full grown there is not much distance between their tops. In some orchards you find trees set 18 feet apart and when they reach their full growth the limbs become interlocked, and so the fruit does not ripen properly. With plenty of room as we have in Canada we should set them far apart and then they get a chance to spread out.

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The Hon. SYDNEY FISHER, M.P., Minister of Agriculture, addressed the Committee as follows :—

I think the matter we ought to consider most in connection with this information is the relation with the foreign markets. It is not so much a question of how to grow apples which is a separate subject of itself, the question is how to deal with the apples in business,—the commerce of them—and there are certainly several points which are most important. I may say for the last year I have had so many complaints sent to me, as Minister, from all parts of this country and from the English market itself, that I felt it was a matter of the very utmost importance to investigate and get at the facts and lay these facts before the country. Last year there was some exception taken by members of the Committee as to statements of the way in which the apples were packed. It was stated that it would injure our trade and it was said that if these statements went abroad and were circulated through the press, it would create a bad impression. I am satisfied that view was entirely wrong, and it was better to recognize the facts and where there is a difficulty to try to remedy it and not shut our eyes to it. The condition of affairs in the traffic in our apples in the last season has been so disastrous to the apple trade in Canada that it is best for us to recognize it and try to remedy it. The stories of Mr. Grindley and Prof. Robertson are in no way exaggerated. During the last season especially, partly because our apples were grown badly through the season being a bad season, we have had sent forward to England apples that have disgraced this country. Hundreds and thousands of barrels have been sent there dishonestly packed, and this system of work has got to stop or our Canadian apple trade will be ruined, and it is no use blinking the facts or shutting our eyes. The English buyer and public know it and they won't buy our apples unless we send an honest article.

*By Mr. McMillan :*

Q. If we had an inspector would that improve it ?

A. That subject has been brought to my attention, and demands have been made that we should have an inspector at Montreal and the other points of export. I confess that I see so insurmountable difficulties that I shrink from attempting it. There is only one way to inspect barrels of apples, and that is to turn them out. If you turn them out you cannot get them back into the barrel again, and loss occurs. It would be an interminable job when you think that in the fall of the year 300,000 barrels are shipped from Montreal, and sometimes half a million barrels have gone out. You can realize what it means when you think that all these would have to be inspected within eight weeks, and what a job it would be. I have, during this last fall, when in England with Prof. Robertson, interviewed the ship owners in regard to ventilated chambers for

apples. We found we could do nothing with the agents of the companies in Canada, so we interviewed owners of the Elder-Dempster, Thompson, Dominion and one or two other lines in England, and urged them to take the necessary precaution to ventilate the holds properly, not only for apples but for cheese, by putting in ventilating fans which would exhaust the warm air. They promised this, and in some instances in some ships this was done last fall, and I am satisfied that the change was in the interests of the trade. This will remedy that evil to a very considerable extent. I may say this, judging from several shipments sent from Nova Scotia of which we know in ships so ventilated and which reached England in far better condition than any shipments had ever done before, and I am satisfied a great deal of difficulty can be prevented in that way. If Parliament grants me the funds asked for this coming season, I propose to see that we have an officer of the department in Montreal, St. John and Halifax especially charged with the shipping and loading of our apples, and seeing that they go forward in good shape. I think the magnitude of the trade will justify this expenditure, and I think it will be done and will accomplish a great deal of good.

The next difficulty is a much greater one, and that is the difficulty regarding the quality of the fruit itself. Our people have got this in their own hands. If our people choose to grow good fruit and put only the best quality in one barrel and the second best in another, and reject the third best they can establish a reputation in a very short time. A gentleman in Nova Scotia has shipped in the last three years 500 barrels of apples and out of all these he has received complaints of only one slack barrel, and the average net profits over all expenses for his apples have been \$3.50 a barrel over all expenses, commission, freight, etc., and only one barrel was reported as slack. That is a case where a man had taken pains to sort and pick carefully with result of having fine profit. The other apples which he rejected he sold locally either for cider or for the local market. Some people will say that he did not get as much as if he had sold all his apples, about 700 barrels, for the export trade and got a less price. I do not believe that, and I know as a matter of fact men who are doing that do not net as large a profit as he did. The question of Government inspection and grading of the apples at the port of shipment has been discussed. I confess I do not see the possibility of doing it on any satisfactory basis. I would be glad if it could be pointed out how to do it in a satisfactory way, but so far I do not see my way to manage it. There are differences of quality in different seasons, in some seasons there is a large number of good quality, and other seasons we do not have so much. Different varieties would have to be inspected. If in every shipment there were only barrels of one variety a certain number would have to be opened. But with a variety of apples every barrel would have to be opened. The question of Government inspectors is a very difficult one to deal with. Have I any right to say to a man who wants to ship something "you shall not do it." I do not think that the Government or the Parliament has any right to do that. During the time two years ago that there was a discussion on the Act introduced to amend the General Inspection Act, I received shoals of letters from all parts of the country, from everybody engaged in the trade, pointing out difficulties in the way of such legislation as this, and I confess I was frightened from undertaking it.

*By Mr. Featherston :*

Q. In 1892 or 1893 you established a standard apple barrel and according to the experience which we have had here to-day that barrel is not what is required for the trade.

A. It is a barrel which the trade does not like to use and the Nova Scotia part of the trade have refused and do not use it. I went down there this winter and met the fruit growers there and several of their associations in the Annapolis valley, and they simply said they would not have anything to do with the standard barrel, but they asked that we should change the law and make their barrels the standard.

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*By Mr. McGregor :*

Q. Is their barrel a larger barrel than ours ?

A. No, it is smaller, and it is a straight barrel with very little bilge, but our reports indicate that this year the Nova Scotia apples have been infinitely better carried and graded than the western apples. You take a barrel with a bilge to it and lay it on its side and put two or three other barrels on top of it, and the pressure of the weight of the other barrels elongates it so that there is a space at each end and perhaps that is the reason for the fruit becoming damaged. But the difficulties in the way of Government inspection seem to me to be insurmountable and I would rather try and bring the effects of the present system before the people, and get them to realize how great profits can be realized by the men who really do succeed in properly packing their fruit to meet the requirements of the English markets. It has been suggested that we will have to have the business done in this country in a different way ; that the apples should be shipped by large packers, who would buy them in the orchards and take them in and pack them, and I have no doubt whatever that if a system of that kind were established it would have been in the end better for all concerned, but in this country we have amongst the farmers a very strong prejudice against the middleman and these buyers and packers would be laid open to the charge of making too much profit out of it, and a large number of the farmers would not consent to sell their apples in that way. I think myself that the business in other trades is trending in that direction. Take for example we have the bacon and pork trade established in this country on that basis. It has been done by large packing houses who by doing their business in a careful systematic manner have succeeded in establishing the reputation of our bacon and hams in European markets, and it is doubtful whether that reputation could have been established in any other way. So with our butter and cheese trade. It was only when butter and cheese were made in the factories in a large way that the reputation of these products was established abroad. I am inclined to think that anything almost that we export will have to be handled in a large way so that the reputation for the excellence and uniformity of our exports may be maintained and established and probably the apple trade would be benefited by such an agreement. But in the meantime there is no such arrangement perfected.

In the Annapolis Valley probably two or three men handle two-thirds of the whole crop. They buy the apples in the orchard, sort, grade and pack them, and they have been doing the best of this trade, and it is largely due to their care in handling and packing them that the Nova Scotia apples have done so well, and have brought them so much profit in the European market. I have a letter here from Messrs. Watson & Phillip, which Mr. Murray, our immigration agent in Glasgow, has forwarded to me, and I will read it for the information of the committee, as it is strongly in confirmation of what has been said by Prof. Robertson and Mr. Grindley upon the question of packing. The letter which Mr. Murray incloses is from one of the largest firms of importers in Dundee, and it is as follows :—

“We regret to say we have found grave cause for complaint in regard to the quality of the shipment of Canadian apples. The fault consists of dishonest packing, the apples at the top and at the bottom of the barrel being far better than the bulk of the fruit within the cask. This has been very noticeable this year, more so than ever before in our experience and so grave as to cause almost a deliberate swindle.”

He goes on then to suggest Government inspection and stamping, but he points out the difficulties to which I have alluded.

“Of course this will entail the examination of each parcel of fruit, and one barrel probably out of 50 would require to be opened and turned out, and on such examined barrels there would be a reduction in value no doubt, but in the interests of honest packers in America who are prevented from getting the proper value of the goods owing to the general depreciation caused by this dishonest method as well as in the interests of receivers here, there is evident need for such supervision and official stamping. Second quality of fruit of course would bear secondary brand, third quality the brand indicating that the barrels consisted of this grade.

“ We recommend this to your earnest attention and we are bound to say if you inquire of the trade generally in Glasgow you will find that this is the opinion in general throughout British importers. Signed, Watson & Phillip.”

These complaints are rather intensifying than decreasing, and in this last season when there was no tremendous crop and consequently no great rush on the part of the packers when they might perfectly well have dealt with their fruit honestly and properly, it seems to have been worse than ever before, and I felt it is important that these facts should be shown and ventilated here and published at large, and the people who are particularly concerned in the trade at large should be informed of it.

Mr. McMILLAN.—I don't know of a single farmer that has shipped apples for a number of years in our district, but the apples are all picked by the farmers themselves, put in heaps in the orchard, and the buyers buy them and send their men around to pack them.

Hon. Mr. FISHER.—That is the system adopted in the Annapolis Valley.

Mr. McMILLAN.—I am against leaving the apples in the field. We pull all the apples, put them into the barrels and take them into the shed, put straw around them and leave them and they lay there for a week or ten days before being packed. But those apples that are left out in the sun are injured. They are not only damaged because of the sun but there is a little worm that gets into them if they are left out in the air very long.

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## RESULTS FROM TEST GROWING OF CROPS.

COMMITTEE ROOM 46,  
HOUSE OF COMMONS,  
Tuesday, 30th May, 1899.

The Select Standing Committee on Agriculture and Colonization met this morning at 10.45 a.m., the Chairman, Mr. Bain, presiding.

Dr. SAUNDERS, Director of the Experimental Farms, being present at the request of the Committee, gave the following evidence:—

Mr. CHAIRMAN AND GENTLEMAN,—It affords me much pleasure to appear again before the Committee and to have the opportunity of submitting some of the results obtained from the principal lines of work which have been carried on at the Experimental Farms during the year, hoping to have the benefit of your criticism, and of any suggestions you may think it desirable to make.

In all branches of the work conducted at the Experimental Farms honest effort has been made to gain reliable information and to give to the farmers of this country not a one-sided statement, but to present in a plain and simple manner the whole truth, regardless as to how that may conform to any preconceived theory.

During the eleven years that I have had the honour of holding the position of Director of the Dominion Experimental Farms, constant effort has been made to assist the farmers of this country in their endeavours to overcome the difficulties which arise in connection with their work, and to help them to make farming in Canada more profitable. Reliable information has been continually given, and to some extent the material has been supplied by the proper care of which larger crops may be expected. The principles on which, in my opinion, good farming rests have been many times discussed and plainly set forth during the past eleven years, including:

1. The importance of maintaining the fertility of the soil, without which a succession of good crops cannot be secured. In connection with this subject the proper care of barn-yard manure and the best methods to adopt in using this great and almost universal source to the farmer of plant food, has claimed much attention. The ploughing under of green crops has been treated of, and especially of clover, and its value demonstrated by many experiments, in enriching the land and adding humus to the soil, whereby its power of holding moisture is materially increased. The farmer has also been frequently advised to economize the elements of fertility in his land by a judicious rotation of crops.

2. The best methods of preparing the soil for crop, including the important subject of underdraining, thorough ploughing, and subsequent harrowing, to bring the soil into a thorough condition of tilth. The importance in the eastern provinces of the Dominion of autumn ploughing and on the western plains of summer fallowing in order in the latter case to conserve the necessary moisture, also the advantages in some parts of the rolling of land, after sowing, to produce suitable conditions of moisture for the prompt germination of the seed.

3. The importance of early sowing has been demonstrated by a series of experiments which have been carried on for nine years in six successive sowings of the more important cereals, whereby it has been shown that the best results are obtained by sowing the grain as soon as possible after the land is in fit condition to receive the seed.

With the oat crop it has been shown that a delay of a week in sowing beyond this period involves a loss of 10 to 12 per cent, two weeks 20 per cent, three weeks nearly 30 per cent, and by a delay of four weeks over 40 per cent of the crop is lost.

With the barley crop, a delay of one week beyond the time when the soil is fit to receive the seed involves a loss of more than 15 per cent, two weeks more than 25 per

cent, three weeks a loss of 33 per cent of the crop and four weeks a loss of over 45 per cent.

With the spring wheat crop a week of delay beyond the proper time results in a loss of at least 25 per cent, two weeks 35 per cent, three weeks over 45 per cent, and four weeks delay causes a loss of more than half the crop. These are the results from an average of nine years' experience.

4. The choosing of the best varieties of grain, fodder plants and roots to sow in the several climates of the Dominion, taking into consideration productiveness, quality and earliness of ripening.

5. The selection of well-ripened and plump seed for sowing. Along all these lines the Dominion Experimental Farms have done excellent service, the value of which is much appreciated by the farming community, and has been attested to by many unbiassed and competent witnesses, both in this country and abroad.

#### MAINTAINING THE FERTILITY OF THE SOIL.

The first of these great foundation principles, that of maintaining the fertility of the soil, has been referred to at some length in the evidence I have given before this Committee during the past three or four years. Permit me in a few words to review the chief points which have been established by the experience gained at the Experimental Farms.

That in the case of barn-yard manure it is of the greatest importance that the liquids should not be permitted to waste, but should be mixed with the solids in suitable water-tight troughs, placed behind the animals in the barn. That the application of manure to the land fresh from the barn-yard is the most economical method to adopt. That where manure is composted and rotted for three months it loses more than half its weight, and when this is allowed to lie another three months the loss in weight is over 60 per cent, and at the same time under the usual treatment given to this material in the barn-yard, it loses also a considerable portion of its valuable fertilizing constituents. In the series of experiments with fertilizers at the Central Experimental Farm, of which I gave you, last year, the results of 9 and 10 years experience, it has been shown that fresh manure ton for ton is equal in effect in its beneficial action on crops to manure which has been rotted in the ordinary way. The experience of another year has confirmed the conclusions drawn from the experiments previously reported on.

The average of the crop of spring wheat grown for eleven years on the same plot, and which has received manure in the proportion of 12 tons per acre the first year, and 15 tons per acre each year since, has given from the rotted manure an average for the whole period of 20 bushels 56 lbs., and from the same weight of fresh manure 20 bushels 52 lbs. The average weight of straw given during the same period has been 3,700 lbs. per acre where the rotted manure was used, and 3,699 lbs. where the fresh manure was used.

From plots of barley on which barn-yard manure has been used in the proportion of 15 tons per acre for ten years, the land treated with rotted manure has given an average crop of grain for the ten years of 34 bushels 34 lbs., while the land treated with fresh manure has given 35 bushels 21 lbs. The average weight of straw has been 3,054 lbs. from the rotted manure, and 3,280 lbs. from the fresh manure.

From the plots of oats treated with the same quantities of manure for ten years the average crop of grain for ten years has been 48 bushels 14 lbs., from the land treated with rotted manure and 54 bushels 17 lbs., from the land treated with fresh manure. The straw during the same time has averaged 3,235 lbs., from the rotted and 3,467 lbs. from the fresh manure. In the case of the wheat we have a difference of 4 lbs. per acre in favour of the rotted manure, in the barley there is a difference of 35 lbs. in favour of the fresh manure, while in the case of the oats the plots treated with fresh manure have given an average yield of grain for the ten years of 6 bushels 3 lbs. per acre more than has been had from the use of the same weight of rotted manure.

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The crop of straw on the wheat plots has averaged practically the same, the difference in weight being only one pound per acre in favour of the rotted manure. On the barley plots the fresh manure has given an average of 226 pounds more straw and in the case of the oats the increase in the straw from the use of the fresh manure has been 232 lbs. as the average of the ten years test.

In the growing of Indian corn for ensilage for a period of eleven years, using manure at the rate of 12 tons per acre each year, the average of two plots has given a greater weight of fodder from the use of fresh manure by 286 lbs. per annum.

In the growing of mangels for ten years with barn-yard manure applied at the rate of 20 tons per acre the advantage has been with the rotted manure, which has given an average of 1,943 lbs. more of these roots than the plot treated with fresh manure. With turnips the larger crops have been had from the fresh manure, the difference amounting to 658 lbs. per acre. In the growing of carrots for 8 years on plots manured at the rate of 15 tons per acre the advantage has been with the fresh manure to the extent of an average of 1 ton 222 lbs. per acre.

In the growing of potatoes, which have now been tested for five years, during which time manure has been used in the proportion of 15 tons per acre, each year, from the average of the plots for that period we have had from the land on which the rotted manure was used an average crop of 266 bushels 17 lbs., per acre, while the plot treated with fresh manure has produced an average crop of 272 bushels 32 lbs., a difference in favour of the fresh manure of 5 bushels 15 lbs., per acre.

If the farmers of Canada would generally adopt those methods of handling and applying barn-yard manure which have given such good results at the Experimental Farm, the saving effected would be enormous. The number of cattle in the Dominion is estimated at about  $4\frac{1}{2}$  millions and the horses at  $1\frac{1}{2}$  millions, and the total quantity of manure produced annually by these 6 million animals, including liquids and solids, is probably not far short of 100,000,000 tons. If all this manure were handled in the best manner its value in bringing increased crops would probably be at least twice what it now is.

### OTHER EXPERIMENTS WITH FERTILIZERS.

Having now continued the important experiments referred to as to the relative value of fresh manure as compared with rotted manure in the growing of spring wheat for eleven years and barley and oats for ten years, and finding the results obtained so very conclusive, it has not been thought necessary to continue this special line of work longer, and some important changes in the experimental work with fertilizers have been made in the tests being carried on with fertilizers. In the first place, with the view of gaining information as to the length of time which the ten or eleven annual applications of manure which have been made will continue to influence the crops, the manuring has been discontinued on these plots and the same crops are being grown without manure. Before any changes were made in the course of this work fair representative samples of the soil were taken by the chemist of the farms, Mr. F. T. Shutt, from each of the 95 plots used for the experiments with fertilizers, also from the 10 check plots on which the crops have been grown without fertilizers. When the complete results of these analyses are available, they will no doubt aid us in reaching satisfactory conclusions as to future lines of experiments in this connection. I may say that Mr. Shutt informed me this morning of the particulars he has obtained up to date. He has determined the amount of nitrogen on most of the plots on which barn-yard manure has been used and they show at the present time a slightly larger proportion in the soil where the rotted manure has been used than from that to which the fresh manure has been applied; and both of course show a very much larger amount of nitrogen in the soil than there is in the sample taken from the check plots where no manure has been employed.

There is little doubt that the crops obtained for some years past on the plots which have been treated with artificial fertilizers at the Central Farm have been smaller than might have been fairly expected. One reason for this lies probably in the fact that

these fertilizers contain no humus, and that this ingredient in the soil has been largely exhausted by constant cropping. The capacity of the soil for holding moisture has no doubt been thus considerably reduced to the detriment of its crop producing power. To gain information on this point there has been sown this year with the grain on all the plots after the fertilizers were applied common red clover in the proportion of 10 lbs. per acre. The growth obtained from this sowing will be ploughed under late in the autumn, and in this way much humus will be added to the land, and at the same time the effects of the addition of the fertilizing material accumulated by the clover plant will be noted. Clover has also been sown on the plots hitherto treated with barn-yard manure. It is expected that information of much interest and value will be gained by these modifications in the course of experiments referred to. There is no doubt that artificial fertilizers have their place in the economy of farm management, nevertheless barn-yard manure on which so large a proportion of our farmers depend will, with the ploughing under of green clover, be relied on as the chief means of enriching the soil in most parts of Canada.

In the evidence given you last year I referred at some length to the crops obtained from some of the plots treated with artificial fertilizers. I do not deem it necessary to go over this ground again further than to remark that the experience of another year has not materially modified any of the figures then submitted to you or affected the conclusions then reached. Since it was shown at that time that finely ground mineral phosphate untreated, applied in liberal quantity annually for nine or ten years had produced no beneficial effect whatever, the use of this material was discontinued last season, and the Thomas's Phosphate substituted in the same quantity on all the plots to which the untreated mineral phosphate had formerly been applied. No very marked results have been had from this change; there has, however, been a perceptible increase in the weight of Indian corn grown on some of the plots so treated and a slight addition to the weight of the crop on some of the plots of roots.

#### THE PLOUGHING UNDER OF CLOVER.

The experiments which have been conducted in the growing of clover to plough under to enrich the soil and add humus to the land have shown that clover can be sown with wheat, barley and oats without lessening the grain crop for the current year. They have also shown that when ten pounds of red clover seed is used per acre, sown with the grain, and a fair catch is the result, the clover after the grain is cut makes a vigorous growth, serves the purpose of a catch crop during the summer, gathers a large quantity of nitrogen from the air and stores this up in its leaves, stems and roots; that the roots range far and deep to gather food, going deeper than most other plants can go, and converting considerable quantities of unavailable plant food into available forms. The stores of nutritive material so gathered are, when the crop is ploughed under, of great advantage to the land and add materially to its fertility. The experience of another year has added fresh testimony along this line and confirmed these conclusions.

#### VALUE OF CLOVER AS AN ENRICHER OF THE SOIL.

The following experiments have afforded convincing testimony as to the value of clover when ploughed under as an enricher of the soil. In 1897, eight plots of  $\frac{1}{20}$ th of an acre each were sown with grain, two each with spring wheat, six-rowed barley, two-rowed barley and oats. On one plot in each case clover was sown with the grain in the proportion of 10 lbs. of seed to the acre, while on the other plot the grain was sown without clover. The plots sown with clover had produced a good mat of growth by October when they were all ploughed about 8 inches deep. In the spring this land was disc-harrowed and harrowed with the smoothing harrow, after which the whole area was sown with one variety of oats, the Banner. These were sown on the 27th of April, and they came up on the 6th of May. The difference in the growth of the grain on these plots was soon very noticeable, and as the season advanced, especially just

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before the heads appeared, the difference in height and vigour of growth in favour of the plots where the clover had been grown was very remarkable. So clearly was this manifest that the difference could be distinctly seen at a considerable distance and the outline of those plots on which no clover had been grown could be readily traced by the shorter and less vigorous growth. After the grain was fully headed the difference in growth, although not so readily seen at a distance, could be easily distinguished by close inspection. When ready to harvest the boundaries of the several crops were carefully marked, when the grain was cut and threshed separately. The results showed an average increase in the yield of grain on the plots on which the clover had been grown of eleven bushels one pound per acre, and the average increase in weight of straw was 1,114 lbs. per acre. On another set of plots grain was grown in 1897, clover being sown with it in different quantities per acre, 3 plots being left out of 15 as check plots on which no clover seed was sown. As it was intended to plant corn on this land the following year the clover was allowed to remain in the ground until the 23rd of May following by which time it had made a strong and heavy growth. This was ploughed under about six or seven inches deep and harrowed with the smoothing harrow, when the whole area was planted with one variety of corn, the Longfellow. On the plots where the clover had been grown the difference in the vigour of the corn plants was quite manifest all through the season and when cut on the 15th of September for ensilage those plots which had been sown with 8 lbs. of clover and upwards gave an average yield of 17 tons 1,356 pounds, while the 3 check plots on which no clover had been sown gave an average of 13 tons 1,133 pounds per acre, a difference in favour of the plots sown with clover of an average of 4 tons 223 lbs. per acre.

Some further experiments have also been made during the past year in determining the weight of clover leaves, stems and roots per acre turned under when the crop is ploughed late in the autumn. These confirm the results obtained in previous years, and show that the use of 10 lbs. of clover seed per acre is attended with the best results. In the set of plots provided for corn where the clover was left in the ground all winter and allowed to grow until May following some surprising results relative to the weight of the leaves, stems and roots were obtained. Blocks of earth were cut out of these plots 4 feet by 4 in width and 9 inches deep and the leaves, stems and roots of the clover carefully collected and weighed. The weight was found to average about double that obtained by a similar method in the autumn, and points to the economy of pasturing the clover in the autumn whenever practicable, and turning it under in May following, in time for a crop of corn or potatoes.

An experiment was also made in inoculating clover seed with nitrogen, which is a culture of the bacillus found in the nodules growing on the roots of clover. The inoculated seed was sown on the 14th of June, and a plot alongside of it sown at the same time with seed untreated. On looking these plots over late in the autumn, they appeared on casual examination to be very much alike, but on more careful scrutiny the plants from the treated seed seemed the most vigorous. On collecting the leaves, stems and roots in the manner already described, it was found that the inoculated seed had produced eight tons 674 lbs., while the untreated seed gave 5 tons 205 lbs., a difference of 3 tons 469 lbs., in favour of the seed treated with nitrogen. In regard to the last point mentioned in connection with maintaining the fertility of the land, namely, by a judicious rotation of crops, this had been repeatedly urged as most important. As the proportion of the several fertilizing constituents taken from the soil by different crops during their growth varies considerably, the economy of a judicious rotation is evident. This course has been advocated from time to time when addressing farmers' meetings in different parts of the Dominion, also in replies to many letters of inquiry which have been received on this subject.

### PREPARATION OF THE LAND FOR CROP.

In reference to the next important item in good farming, the proper preparation of the land for the crop, some of the recommendations must to some extent be varied to

meet the requirements of different climates. No success, however, need be expected anywhere in the growing of crops on wet land; in such cases underdraining is essential. The removal thus of superfluous moisture raises the temperature of the soil, permits of the access of air, so essential to the formation of available plant food and to healthy growth, and admits of early seeding, all of which are matters of very great importance. The benefits of underdraining have been demonstrated at the Central Farm in the reclaiming of a considerable area of land which was formerly a swamp. Its benefits have also been clearly shown at Nappan, N.S., and to a more limited extent at Brandon, Man. The advantages of fall ploughing in the eastern provinces of the Dominion have been repeatedly shown. The exposure of the soil to the action of frost, sunlight and air is beneficial, and spring work is materially advanced and crops can be got in earlier by the general adoption of this plan.

The reduction of the surface to a thorough state of tilth is also important, so that a fine seed-bed be provided, giving conditions favourable for prompt germination and rapid growth of the young plant. The rolling of land after sowing is often useful, especially if the rain-fall is scanty, as this provides suitable conditions of moisture for rapid germination of the seed. It has been stated that rolling the land after seeding "warms the seed-bed," and that "examination made of eight farms in the spring on lands sown to grain showed that in clear weather the temperature was 3 degrees higher to a depth of 3 inches when the land was rolled than when the land was left unrolled." These particulars were taken from a book written by Prof. F. H. King, of Madison, Wis., on "The Soil." On page 232 he refers to the taking of the temperature of the soil on eight Wisconsin farms, between 1 and 4 p.m., at a depth of 3 inches below the surface, when he found the temperature in rolled land to be  $2\frac{9}{10}$  degrees higher than on land not rolled. But he also says: "The effect of rolling the land on the temperature of the soil is often very marked, its general tendency being to make it warmer during bright clear weather, but in cloudy and cold weather it has the opposite effect, rolled land tending to cool more rapidly."

#### IMPORTANCE OF EARLY SOWING,

With regard to the third element in successful farming, the importance of early sowing, I have already given you the results of a series of experiments which have been carried on for nine years, by which it has been shown that delay in seeding at Ottawa has caused an annual average loss of from 10 to over 50 per cent in crop, the proportion of loss increasing as the delay is greater. This, however, does not apply with equal force to all the climates of the Dominion. Similar experiments have been conducted for several years at all the branch farms, and the results obtained have in some instances varied considerably. At the Experimental Farm at Nappan, N.S., the results of delay in seeding have been much the same as at Ottawa, but the proportion of loss has been less. At the three western experimental farms, Brandon, Indian Head and Agassiz, although we occasionally find that late sown grain, especially oats, gives larger crops than when sown early, these instances are exceptional, and the average results show an advantage from early sowing, but the advantage is not so decided as in the eastern provinces.

#### THE BEST VARIETIES TO SOW.

We now come to the consideration of the 4th important principle in connection with profitable farming, that of the selecting of the best varieties of grain, fodder plants, and roots, for seed to sow in the several climates of the Dominion taking into consideration productiveness, quality and earliness of maturing. Long experience has taught me that attention to this point is a very essential element in successful farming. That there are varieties more productive and earlier in maturing than other sorts cannot be successfully disputed as the facts ascertained in connection with the experimental farms as well as the experience of farmers generally afford the strongest evidence of the truth of this statement.

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The question of the selection of seed is a most important one, and cannot in my opinion be too strongly recommended. It has been the practice at the Experimental Farms ever since their work was begun to select the seed grain used for sowing from year to year by separating the light and imperfect grain with the fanning mill, and by the use of suitable sieves to separate the small kernels from the plump and well matured grain and use the latter only for seed.

The Red Fife wheat is said to have originated with David Fife of Otonabee, Ontario, about the year 1842. The three heads which were produced the first year were preserved and the grain was soon rapidly increased from year to year. It was its unusual productiveness and vigour from the start which attracted attention. For many years Red Fife was grown extensively in Ontario, and found to be very productive and useful. It was subsequently sent to the North-west country, where it carried its productive habits with it, and where under favourable conditions as to soil and season it continues to produce large crops from year to year. Similar remarks might be made of the Banner oat which was first brought into notice by the late Jas. Vick, seedsman of Rochester, N.Y., also of the Mensury barley which was introduced from China. From the start these varieties were productive to an unusual degree and it was this fact which led to their rapid introduction, and they have carried this impress of productiveness and vigour with them wherever they have been sent, and have averaged bountiful crops on every favourable season.

In the four years' experience in the growing of oats we find that the highest yielders have averaged, at all the Experimental Farms, as follows :—

|                            | Bush. | Lbs. |
|----------------------------|-------|------|
| Banner.....                | 71    | 17   |
| American Beauty.....       | 71    | 16   |
| Columbus.....              | 70    | 5    |
| Golden Beauty.....         | 67    | 17   |
| Bavarian.....              | 66    | 33   |
| Holstein Prolific.....     | 66    | 18   |
| White Schonen.....         | 65    | 29   |
| Early Golden Prolific..... | 65    | 27   |
| Wallis.....                | 65    | 16   |
| Abundance.....             | 65    | 9    |
| Golden Giant.....          | 64    | 19   |
| White Russian.....         | 64    | 11   |
| Improved Ligowo.....       | 64    | 6    |

An average for the first twelve varieties of 67 bushels 4 lbs. per acre, as the result of four years' test at all the Experimental Farms. In Bulletin No. 32, published in December, 1898, a summary is given on page 47, showing some of the results of the year's work in this connection. I take the liberty of reading this extract :—

“The particulars presented in this bulletin show the importance of choosing the most prolific and vigorous growing varieties for seed. They also afford further proof that the tendency to great productiveness in certain sorts is to a large extent fixed and permanent. As an example, 12 varieties of oats, which are listed in this bulletin as having given the largest average crops at all the Experimental Farms for the past four years, includes 10 of those given last year as the best for three years. Further, in comparing these two lists of the best 12 sorts of oats for each Experimental Farm, we find this year at Ottawa 10 out of the former 12, at Nappan 10 of the 12, at Brandon 11 of the 12, at Indian Head 10 of the 12, and at Agassiz 9 of the 12. A careful scrutiny of the lists of the other sorts of grain will afford further evidence along this line.

“The variations between the largest and smallest crops in the uniform test plots on the Central Experimental Farm, while not quite so marked in 1898 as they were in 1897, are still very large. In the oats the crops range from 89 bushels 14 lbs. to 42 bushels 21 lbs.; in the two-rowed barley from 55 bushels 20 lbs. to 31 bushels 10 lbs.; in the six-

rowed barley from 58 bushels 16 lbs. to 33 bushels 16 lbs. ; in the spring wheat from 31 bushels 15 lbs. to 15 bushels, and in the pease from 46 bushels 50 lbs. to 20 bushels.

“ These facts should induce farmers every where to pay more attention to the selection of the most promising sorts for seed. Any of these varieties which are among the twelve which have given the best average crops for the past four years may be sown with the confident expectation of a good crop, provided the season is fairly favourable, and the general use of these more productive sorts for seed would soon raise the average yield of the Dominion several bushels which would add some millions of dollars yearly to the receipts of the farming community in Canada.”

#### SELECTION OF PLUMP AND WELL RIPENED SEED.

The last point bearing on successful farming, that of the careful selection of plump and well-ripened seed for sowing, is of much importance. Good farmers have for a long time followed the practice of selecting their best seed for sowing by separating with the fanning mill the light and imperfect kernels from their grain and sowing the best and plumpest, and this has been the practice at the Experimental Farms. To show the teaching of the Experimental Farms in this matter, I would refer to my annual report for 1891, where I said: “ One of the most important means within the farmers’ reach is the selection of good seed. Every seed has an individuality of its own impressed on it by nature which, under favouring conditions, will manifest itself. Each seed is provided with a germ wherein lies this impress of individuality, and this germ is embedded in a store of such food as is best suited to stimulate the growth of the young plant. When the seed is plump, that food supply is bountiful, and the infant plant so nourished makes rapid headway, but when the seed is imperfectly developed, the store of nourishment is much lessened. Crops are thus often enfeebled at the start and delayed in ripening by the use of poor seed, or they ripen unevenly and lack that vigour so necessary to a liberal return. It is well known that some farmers by the selection of good plump seed and thorough preparation of the soil grow oats from four to eight pounds heavier per bushel than many of their neighbours.”

In the annual report for 1897, the following appears:—

“ The advantages arising from the selection of plump, well-matured seeds of the best sorts have been frequently urged and the good results from such a course demonstrated.”

#### SELECTION OF SEED FROM LARGER HEADS

Among the earliest experiments conducted at the Experimental Farm was a series of tests specially bearing on this subject. In the spring of 1888, a considerable number of varieties of different sorts of grain were chosen, and good average sized kernels sown one foot apart each way, the object being to grow very strong plants which would produce large heads from the best of which seed might be selected for sowing the following year. The weight per hundred of the kernels sown in each case was noted and on selecting the largest kernels for the second year’s sowing from the finest heads it was found that the grain had increased in weight as compared with the original average unselected seeds from 25 to nearly 50 per cent. The results of this work were submitted to the Royal Society of Canada in 1889 ; they also formed the subject of a paper presented at the meeting of the “ Society for the Promotion of Agricultural Science ” held in Toronto in 1889. In the spring of 1889 the largest and plumpest kernels chosen from the fine crop of 1888 were sown, but the season was unfavourable and rust prevailed on all the grain crops to an unusual degree. The result was that the crop from the very plump kernels was so small and the grain so shrivelled that the material was quite unfit for any further experiments in this direction.

Three years ago this line of work was started afresh. The largest kernels obtainable were selected and sown, but that season was not favourable and the results were unsatisfactory. Last year this branch of work was not taken up, but during the past

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winter the largest kernels obtainable were selected from 188 varieties, 65 of wheat, 55 of barley and 68 of oats. These have all been sown. Thirty kernels in each case in two rows, each one foot apart, with two feet of space between each plot. These plants are now well up, and if the season proves favourable will, I trust, give us some interesting results.

Mr. McMILLAN.—It is important to select seed, but it is just as important sometimes to get new seeds. It might be as well for me to read what Prof. Lloyd, lecturer in King's College, London, says in his book "The Science of Agriculture," and the Committee can judge for themselves.

"Change of Seed. Assuming that the farmer has employed good germinating seed and clean seed, his crops for some time will be all that can be desired, and each year will supply him with seed for the next. In the course of three or four years, however, it will be found that the crop—and this applies specially to wheat and other cereal crops—is deteriorating. It will now be necessary to seek some new seed. This is termed the change of seed. In seeking for new seed not so much the variety will be considered as the conditions under which the new seed has been grown, and it will be desirable to select seed which has previously been grown under conditions less advantageous than those it will now be subject to. Thus, seed should be selected from a colder district—"

—you will remember I said that we always brought our seed from the north when we purchased seed—

—"from a poorer soil, and from a soil of a different character. If, therefore, it is required to bring seed from a superior to an inferior climate, such as from Australia to the south of England, it can only be done in two stages: first, by taking the seed to a colder and less favourable climate and soil even than the south of England—say to Scotland—and then subsequently transferring it to the south of England. It would here regain to a great extent the vigour and properties it had originally in Australia."

That is the opinion of one of the most scientific men in England in regard to the change of seed. My experience after 50 years in Canada—perhaps I have not observed as keenly as some people, but I have observed this closely—that much of our success as farmers we owe to change of seed. We find seed will improve for a while, but it will go back and it is always necessary to change. One variety will give a greater yield than another, showing that there is a good deal in variety.

Mr. CALVERT.—In changing seed, would you recommend the change from sandy to clay soil?

Mr. McMILLAN.—I would, most certainly, change to a sandy soil, if I could, from heavy soil, or from poor to rich. I find that holds good with stock and with seed; I would always take stock or seed from a poorer farm than they were to go on.

Mr. SEMPLE.—The facts that Dr. Saunders has brought to the notice of the committee, to-day, about drainage, and that as far as manure is concerned, the only manures to be depended upon are ploughing down the clover and barn-yard manure, are very interesting. It will not do for the farmer to purchase artificial fertilizers; that may do for market gardeners. Then, in regard to seed, the best of our farmers are very careful in selecting their seed. Now, in my county, I have handled a good deal of oats, and in that county they sow the Banner oat, and after all, whether it is a good or a poor year, it depends on climatic conditions. Farmers are sensible enough to provide the best varieties, but beyond that they cannot control the climate. The evidence brought forward to-day and the facts stated will commend themselves to the best farmers.

Mr. ERB.—What I have heard to-day I agree with, and my experience bears it out. We should circulate among the farmers the evidence given to-day.

*By Mr. McMillan:*

Q. You spoke, Dr. Saunders, of fertilizers having given a certain increase; would the increase be sufficient to pay for the cost of purchasing and handling the fertilizer?

A. I suppose you refer to my statement that we substituted Thomas's phosphate last year on some of the fertilized plots for mineral phosphate finely ground, which we had found after ten years of experience to be of no value as a fertilizer?

Q. It was the Thomas's phosphate?

A. I found last year there was some increase in the corn and root crops fertilized by the Thomas's phosphate, but I do not think the increase in this case was sufficient to cover the cost of the fertilizer.

*By Mr. Stenson :*

Q. I would like to have it explained in regard to green manure, that in most cases the effects are better than when it is employed rotted; will the professor give us particulars as to how it is spread and at what seasons on the farm. It would be precious information for the farmers. We use it in small heaps all winter, while some wait for the spring, some wait for root crops and plough it under, and others do it in the drills?

A. The explanation as to the way these special plots are treated, of which I have been speaking, is this: These are plots of  $\frac{1}{10}$ th of an acre each, and on the first plot rotted manure is used in the proportion of 15 tons to the acre, while on the same size plot and adjoining we used fresh manure, the same crops being continuously grown in each plot. Please bear in mind this is not a plan I would advise farmers to follow, but is adopted by us for the purpose of getting information.

*By Mr. McMillan :*

Q. At what season do you apply the manure?

A. The manure is applied just before sowing when it is spread evenly over the ground and turned under a few inches.

*By Mr. McGregor :*

Q. Do you use a disc harrow or a common harrow?

A. We use a common harrow in this case and harrow lightly, otherwise we would be likely to drag some of the manure to the surface. The object is to bury the manure in the soil not more than three or four inches deep so that it may be more readily available to the crop. In these experiments the manure is composed of equal weights of cow manure and horse manure, the green manure is used within two or three days of the time it is made. The liquids and solids both saved and mixed together, and put on the plots, the same weight being used in both cases.

*By Mr. Stenson :*

Q. All over the snow?

A. No; in both cases it is applied in the spring just before seeding, spread evenly and then ploughed in.

*By Mr. McMillan :*

Q. And in what condition is the rotted manure kept during the winter?

A. It is rotted for three months before using and consists of equal parts of cow and horse manure, made into a pile in the usual way and turned over as often as is necessary to bring about rapid decay. The point I wish to make clear is that in using this fifteen tons of manure to the acre, the results had in crops from the fresh manure have averaged quite as good as those from the same weight of rotted manure. In leaving green manure to rot, it loses fully 40 per cent of its weight if left for three months, and 50 to 60 per cent of its weight when it is left for five or

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six months. In our experience we find the use of green manure more economical than rotted. The plan we adopt for the winter is to distribute the green manure as made in small piles over the ground; the object of putting it in small piles being to prevent heating. These small piles freeze up quickly and thaw out again in the spring, when the manure is in much the same condition as if it had been freshly put out. It is then ploughed under. Where this course is practicable it is the most economical way to use barn-yard manure.

*By Mr. Stenson :*

Q. It would not be practicable on a hill ?

A. It would not be wise to place manure on a hillside in winter where the soluble fertilizers in it would be liable to be washed away in the spring. While there is some loss in allowing it to rot in a pile, there might be greater loss from leaching if the manure was placed on a hillside. In all such cases the farmer must use his own good judgment, and he will thus be able to utilize the information given him to the best advantage.

*By Mr. McMillan :*

Q. In turning that manure during those three months do you use anything to prevent the ammonia escaping ?

A. Not in these experiments, for the reason that it is not the practice for farmers to follow that method, and our aim has been to get our results under similar conditions to those which surround the average farmer. We used gypsum for this purpose in other cases and have found it to be a very good thing.

*By Mr. Erb :*

Q. In the comparison of the yield of crops sown late and early you refer to the remarkable difference in the yield of wheat sown late and early, but you made no reference in regard to pease, does the same difference hold good in regard to that crop ?

A. Not so decidedly with regard to pease. We have tried similar experiments with pease along the same line but they have not been continued for so long a time. Pease have been tested for four years and the results we have had show that this crop can be sown late with less loss than either wheat, barley or oats, indeed the difference in crop between the second, third and fourth week in sowing pease is not very great. Pease sown the second week gave 33 bushels 30 lbs., those sown the third week 32 bushels, 26 lbs., the fourth week 30 bushels 23 lbs., the fifth week 26 bushels 42 lbs., and the sixth week 24 bushels 41 lbs., as the average of the four years test. The first has not given as good results as the second week, the crop averaging 29 bushels 26 lbs., the reason is probably this that the date on which the first sowing is made, which is just as early as the land can be worked, is rather earlier than pease should be sown. It also often happens that we have about that time strong wind storms which gather up sand from the high spots with light soil, and this sand is blown against the young blades and cuts the young plants to such an extent as to injure them. The estimates I have submitted of losses from delay seeding have been based on the end of the first week after the land is ready as the best time to get the seed in the ground. I have shown that by delaying a week after that time there is a considerable loss which is further increased in proportion to the length of delay.

Having read the preceding transcript of my evidence I find it correct.

WM. SAUNDERS.

COMMITTEE ROOM, No. 46,  
HOUSE OF COMMONS,  
Thursday, 1st June, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 a.m., Mr. Bain, the Chairman, presiding.

Dr. SAUNDERS, having been cited by the committee gave the following evidence :—

Mr. CHAIRMAN AND GENTLEMEN.—In my remarks to you at the last meeting, I submitted evidence in regard to some important principles which underlie successful farming in Canada. As an illustration of the result of the adoption and the carrying out of these principles, I wish to bring to your notice the results we have had at the Experimental Farm in Ottawa. We have made considerable progress in the way of increased crops. As you are aware, the Experimental Farm work was inaugurated in 1887. It required about two years to do the fencing, the clearing and the draining at the Central Experimental Farm, so as to get the land into fair order. Taking the three years following that period which would be the years 1889, 1890 and 1891 and comparing the average of these three years with the average of the past three years, 1896, 1897 and 1898, I think we get a fair idea as to the results which have been obtained by the carrying out of these principles by the practical methods which I brought under the notice of the committee at the last meeting.

In the first three years on the Central Experimental Farm the average crop of oats taking all the varieties under cultivation was 32 bushels 17 lbs. to the acre. During the last three years the average crop for the whole period has been 56 bushels, 6 lbs. per acre, an increase of 26 bushels and 13 lbs., a gain of more than 50 per cent.

In barley the average crops of the early three years was 31 bushels and 6 lbs., and of the later three years 43 bushels 13 lbs., being an average gain of 12 bushels and 7 lbs. per acre.

In wheat the average for the early three years of all the varieties was 15 bushels and 19 lbs., in the later three years 20 bushels and 9 lbs., showing a gain in the last period of 4 bushels and 50 lbs., nearly five bushels per acre over that of the early period.

Thus in the wheat the gain has been nearly 33 per cent, and that of the barley nearly 40 per cent.

The results have been brought about by the draining of the land and bringing it into a good condition of tilth, by the moderate use of barn-yard manure, the ploughing under of green crops of clover, the thorough working of the land, early sowing, the selection of the most productive varieties of seed and by carefully cleaning the grain and sowing only plump and vigorous seed.

It is sometimes urged that the growing of grain on small plots is no guide as to the crops you get from larger areas, and that is an objection of much force in some cases. As an indication as to how the crops from the plots compare with those of the fields, I submit to you the results obtained at the Central Farm during the past year. From the experimental plots of oats we have an average over the whole series of 66 bushels and 11 lbs. per acre. In the field plots amounting in all to 54½ acres of oats there was an average of 60 bushels and 14 lbs., a difference of nearly 6 bushels in favour of plots. But when you consider that the plots are sown on better average soil than the fields, on land selected on account of the more uniform character of its soil, I think the field crops show up very well.

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*By Mr. Featherston :*

Q. In the plots is there not a greater distance between the varieties than in the fields ?

A. There is a pathway of three feet left between the plots, this, as I have pointed out on several occasions, affords the plots an advantage by giving them more margin than can be had in a field, and grain will usually be found more vigorous along the margin than elsewhere. To lessen the force of this objection we arrange our plots so as to have them as nearly square as possible.

Q. On a field where there is space you often see three or four rows better at the outside than the grain farther in ?

A. Yes, that point is very well taken.

In the experimental plots of barley the two-rowed varieties have given an average yield of 39 bushels and 46 lbs. per acre, while the field crops of four and a half acres in all have given 32 bushels and 6 lbs. In the six rowed barley while the average on the experimental plots was 44 bush. 28 lbs. the average of the field crops (10 acres in all) was 42 bushels and 2 lbs. In the spring wheat while the average of uniform test plots was 23 bushels and 39 lbs. the average of the field crops (9 acres in all) was 27 bushels and 13 lbs. In this later case field crops have given an average of nearly four bushels per acre more than the plots. In pease the average crop on the uniform test plots was 34 bushels and 30 lbs., while the field crops averaged 31 bushels and 35 pounds.

In Indian corn where the objection that has just been cited would not apply the crops from plots and fields come out very even. The average of the experimental plots cut green for ensilage was 18 tons and 1,216 lbs., and of the field crops (9 acres in all) 18 tons and 348 lbs.

The average yield during the past year from the best six varieties of turnips grown on the uniform test plots at the Central Experimental Farm was 29 tons 162 lbs. per acre, whereas the best six sorts at all the Experimental Farms averaged 33 tons and 1,102 lbs. per acre. This shows that the root crops throughout the Dominion have been unusually good during the past year. The best six varieties of mangels at the Central Experimental Farm gave an average crop of 32 tons 20 lbs. per acre, whereas the best six at all the farms averaged 33 tons and 898 lbs. per acre. Of carrots the best six varieties at the Central Farm gave an average of 23 tons 1,472 pounds per acre, while the best six at all the farms gave 25 tons and 232 lbs. per acre. Of potatoes the best 12 sorts at the Central Farm gave an average crop of 341 bushels 11 lbs. per acre, while the best 12 sorts at all the farms have given an average crop of 453 bushels 3 lbs per acre.

My chief object in bringing these figures before you is to show that by the application of the principles which I explained so fully at the last meeting of the Committee to all these Experimental Farms, the average crops have been increased and are much larger than those had by farmers in general. The large crops referred to are not obtained by the use of special methods of fertilizing the land nor are they the result of special skill in the operations. Everything done has been explained and nothing has been undertaken in the growing of crops at the Experimental Farms which could not be fairly well imitated by the average farmer farming in Canada.

I will now call your attention to a few of the experiments which have been carried on with other crops. Horse beans were again tried at the Central Farm on eight different plots and have given an average yield, when cut green for ensilage, of 3 tons 817 lbs. per acre. This is an unusually light yield for horse beans, but we have found them very subject to blight, and they suffered much from this disease last year. Two field plots of horse beans were also sown and gave an average of 3 tons 522 lbs. per acre. As the crop was not sufficient to permit further tests to be carried on in the feeding of cattle with ensilage made from the mixture of corn, beans and sunflowers, known as the Roberston mixture, no further feeding tests have been made with this mixture during the past year.

Sunflowers were tested on two half-acre plots, which gave an average weight in heads of 5 tons 984 lbs. per acre. Experiments have also been conducted with early

ripening Soja beans on six different plots, and the average weight of the crop, cut green for ensilage, was 11 tons 285 lbs. per acre. It will thus be seen that during the past season, and it was the same last year, the early Soja beans have produced on an average much more than the horse beans. This year they have produce more than three times the weight which has been had from horse beans. They seem to be equally rich in nitrogenous matter, and both horses and cattle are very fond of the Soja beans and eat them readily in the form of ensilage or when fed alone. I think these early Soja beans promise to be very useful, especially when cut green and mixed with Indian corn in the silo, and that probably the use of these beans throughout the Dominion will increase rapidly, provided the seed can be got at a reasonable price. Last year the Soja bean seed was sold at \$4 a bushel, which although the seed is small, is a high price for the farmer to pay, but if a large demand arises for them they will no doubt be obtained cheaper. They are now imported from Japan, but may also be ripened in the Southern and Central States.

*By Mr. Featherston :*

Q. How much seed did you use per acre ?

A. We have been testing this point, about which there was a good deal of uncertainty. We sowed in the first place in drills 35 inches apart, that was the widest space allowed for the beans, and the weight of green fodder in that case was 9 tons 520 lbs. to the acre. When sowed in drills 28 inches apart, the weight was 9 tons 890 lbs. per acre, very little more, you see, than in the other case. In drills 21 inches apart the yield was 10 tons 1,760 lbs. per acre. There were two sowings in 21 inch drills, the first on 26th April, and the second on 19th May. The figures I have given you were for the first sowing, and those sown on the last date in the 21 inch drills gave a weight of 11 tons 1,480 lbs. an acre. In drills 14 inches apart the yield had increased to 12 tons 1,800 lbs. per acre, so our experiments this year at all the Experimental Farms have been planned to adopt the latter sowings which were shown last year to give the best results, and to sow in drills 14 inches and 21 inches apart, the two distances which have given the best results.

Q. What was the amount of seed you used ?

A. Sown in 14 inch or 21 inch drills it would take just about the same as Indian corn—the beans are a little smaller than Indian corn—which would be from half a bushel to three pecks per acre.

*By Mr. Calvert :*

Q. About what height did these beans grow ?

A. They grew to an average height of about 42 to 46 inches.

Q. What time did you cut them ?

A. We cut them when the pods were well formed and the seed still green. The date of cutting was the 12th of September in this case.

*By Mr. Rogers :*

Q. How do you harvest these beans ?

A. They can be harvested in the same way as corn. If you have a corn binder you can use it for this crop, or you may use a common binder. Our plots being comparatively small we cut them by hand. Where the beans are sown wide apart the stems become much more woody than where they are sown at a distance 21 inches or 14 inches, and I think either one of these widths would be a proper distance to sow. In 1897 we sowed Soja beans in drills 9 inches apart and got a heavier crop than this year, but the beans did not mature as well. Like corn, this crop requires a certain amount of area to give it light and air, but at the same time you do not want it to become woody by sowing the rows too widely apart.

*By Mr. Douglas :*

Q. Is its usefulness confined to ensilage alone ?

## Agriculture and Colonization.

A. We have not tried it for ensilage. We have fed the beans cut green to cattle, and the cattle will eat them readily. The quantity we have sown has not been sufficient to put into the silo to make a layer thick enough for a feeding test.

*By Mr. McMillan :*

Q. Would it not help to prevent the formation of woody fibre to cut it earlier?

A. Yes, no doubt, but then for ensilage we would not have the corn ready.

*By Mr. Calvert :*

Q. Do you cut it with the binder or the mower?

A. You can cut it with the binder without trouble.

*By Mr. McMillan :*

Q. Have you sent any seed to the other provinces? We tried the common horse bean several times, brought them out from the old country, and they didn't do any good with us?

A. We sent these Soja beans to be tried at the branch Experimental Farms also.

*By Mr. McGregor :*

Q. We tried horse beans some years ago from the Experimental Farm, and they were no good?

A. Horse beans will, as a rule, do well in the moist climate in parts of the maritime provinces; they will do fairly well in Quebec and sometimes at Ottawa, but more often the crop is poor here; and as you get further west they are of little value; not profitable enough to induce people to sow them.

*By Mr. Stenson :*

Q. Have you tried to sow the Soja beans with corn?

A. No, we have not. The tests we have made formerly in sowing horse beans and climbing beans with corn have fully satisfied me that this is not a good plan. The crop was exceedingly small and varied, so much that you could not get a definite quantity of beans from any given area. One plot may give a fair crop, while others give very little. So we always like to sow these beans by themselves and take a definite weight of each so that we have the materials we are using mixed in proper proportion. I may say that the evidence I have submitted as to the growth of crops on the Experimental Farm could be supplemented by similar evidence regarding the crops at the branch farms; they have also been increased by the adoption of the principles I have explained to you.

### DISTRIBUTION OF TRIAL SAMPLES.

I desire now to call your attention to the distribution of samples that has been carried on during the present year, a distribution which was closed only a few days ago. Much useful work has been done by the distribution of these samples during the last nine or ten years. We have sent out only the best and most productive varieties and they have given, as a rule, very satisfactory returns in all parts of the Dominion. The results of the work this year, just completed on the 24th of May, show that we have sent out to 33,725 of the farmers of this Dominion samples amounting in all to about 64 tons. Every pound of this material has been carefully cleaned, selected, and all small grain rejected by the use of the fanning mill and sieves, and only the plump and well matured seeds have been disseminated. I have brought for the inspection of the committee samples of some of the varieties of grain which have been sent out which will corroborate what I have said about the careful cleaning of the grain at the Experimental Farm. While the usual distribution in three-pound samples has been carried on as heretofore, and 29,405 three-pound samples have been

distributed, a new departure has been made this season under which each farmer has received a sufficient quantity of seed to sow a one-tenth acre plot. In the distribution of the the three-pound samples no effort has been made to prescribe any particular size of plot on which these samples should be sown, the samples being small, it was scarcely practicable to do so. Some farmers have sown on a plot of one size and others on a plot double the size, hence a fair comparison of the results of the experiment one with the other owing to the difference in the area covered could not be accurately made. It was thought that by making a select list of farmers taking few from every county in every province of the Dominion, and choosing twelve or fourteen varieties of the best grain we had grown, and such as our reports from year to year had shown to produce the best results, and selecting the men to make this test from among these farmers who had made reports to us from year to year on samples they had received, we would in that way get into the hands of a large number of good men, in all the different climates in the Dominion, the same quantity of grain to be grown on the same sized plot. In this way we expect to get a more accurate and complete description of the results obtained from these samples and reach more correct conclusions regarding the actual service which these particularly productive sorts are able to render to the farmers of this country.

*By the Chairman :*

Q. About what is the average of the returns you receive from those to whom you sent out samples?

A. The average returns this year are much better than heretofore. In previous years we averaged about 23 per cent of returns where we sent out samples in response to applications from individual farmers, but where we have filled applications on lists which have been received from agricultural societies and members, we have not usually received more than three or four per cent of returns, and for that reason the Minister decided some two years ago that we should send only to those who applied individually, and it is gratifying to know that this limitation has not materially lessened the number of applicants. Farmers have applied for samples for themselves, and when doing so they have felt under a greater obligation to make the returns desired. The returns are not fully made up, but I think we must have received from 30 to 35 per cent this season.

Q. We are improving?

A. Decidedly, in that particular. In order to make the special distribution of grain for one-tenth acre plots as effective as possible, it was thought best to give farmers their choice of varieties. One might have land more suitable for oats and others for wheat or barley, so this circular was prepared and sent out in the early winter. It was addressed to a select list of farmers, which was prepared by going over all the returns that had been received and choosing those who appeared to take the deepest interest in the work. The following circular was prepared early in the winter, and a copy addressed to each of the farmers whose names had been placed on this special list :—

“DOMINION OF CANADA.

“DEPARTMENT OF AGRICULTURE,

“CENTRAL EXPERIMENTAL FARM,

“OTTAWA, . . . . . 189..

“DEAR SIR,—The reports received from you concerning the test of samples sent you from the Experimental Farm show that you are interested in the important work of seed testing. By instruction of the Honourable Minister of Agriculture, a new feature has been added to the grain distribution this season, namely, that of offering a few of the very best sorts in sufficient quantity to sow a plot of one-tenth of an acre. These samples will be sent to a select list of farmers chosen from each county and you are invited to co-operate in this work. As it is proposed to publish the results obtained in each county this test will, in a sense, be a competitive one. The samples will be sent free through the mails, one sample to each farmer.

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"The size of the plots on which these samples should be sown is 33 x 132 feet or 66 x 66 feet, and the quantity of grain to be sent of the different sorts will be as follows :—Oats 8 lbs., spring wheat 10 lbs., and barley 10 lbs.

"The following varieties have been chosen for this special distribution: Oats—Abundance, Banner, Improved Ligowo, American Beauty, Bavarian and Golden Giant.

"Of spring wheat the Preston, Percy, Stanley and Advance.

"Two-rowed barley, the Beaver and Sidney, and of the six-rowed barleys the Royal and Trooper.

"If you desire that one of these samples be sent you for trial, please let me know which of the sorts named you would prefer, and name also your second choice in case the stock of your first choice should be exhausted. An early reply is requested. An addressed envelope is inclosed. All letters forwarded to the Central Experimental Farm, Ottawa, may be sent free of postage.

"Yours very truly,

"WILLIAM SAUNDERS,

"*Director Experimental Farm.*"

There was a very prompt reply to this circular and in a few days we had returns from more than three-fourths of all those who had been addressed, and there was subsequently sent to this chosen list of farmers distributed all over the Dominion 4,320 samples. As these applications came in they were classified by counties—and where we found that any county was short in the number of samples applied for, efforts were made to supplement that number so as to bring it up to its proper proportions. In this way the grain has been fairly distributed over every section of the country. In some counties, especially in New Brunswick, where there has been a very great interest taken in this branch of experimental work, we had so many returns to choose from, that it was very difficult to reduce the number so as to make them even with other counties and to some a larger share was sent for the reason that the farmers in those counties have taken more interest in this work and given more satisfactory returns.

When sending out the varieties of grain chosen, some information was given on a printed slip attached to the circular giving some particulars as to how the special variety sent had succeeded on the Experimental Farms. It was thought that these particulars would tend to interest the farmer more fully in the variety of grain he had chosen.

Information was thus given with the several varieties sent out as follows :—

### THE BANNER OAT.

The Banner oat was first grown at the Experimental Farms in 1890, and has been sown each year since with very satisfactory results. From the outset it has shown great vigour and has been very productive. It is a white oat with a branching head and a stiff straw. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 70 bushels 21 pounds per acre. The Banner oat has been similarly tested at all the Experimental Farms throughout the Dominion and has given, as the result of four years' trial, an average crop of 71 bushels 17 pounds per acre, which is the largest yield given by any variety. The heaviest crop yet obtained from this oat at any of the Experimental Farms was at Brandon, Man., in 1898, when it gave 106 bushels 6 pounds per acre. In 1895, at Indian Head, N.W.T., an 18-acre field of this oat gave an average of 106 bushels per acre.

### GOLDEN GIANT.

The Golden Giant oat was first grown on the Experimental Farms in 1893, and has been tested each year since with very satisfactory results. It is a yellow oat with a sided head and a fairly stiff straw, which has proved vigorous and very productive. In the uniform test plots at the Central Experimental Farm this oat has given an average

yield during the past four years of 65 bushels 7 pounds per acre. The Golden Giant oat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 64 bushels 19 pounds per acre. The largest crop yet obtained from this oat at any of the Experimental Farms was at Indian Head, N.W.T., in 1895, when it produced 104 bushels 4 pounds per acre.

#### BAVARIAN.

The Bavarian oat was first grown on the Experimental Farms in 1894, and has been tested each year since with very satisfactory results. It is a white oat with a branching head and a stiff straw, which has shown much vigour and been very productive. In the uniform test plots on the Central Experimental Farm this oat has given an average yield during the past four years of 62 bushels 13 pounds per acre. The Bavarian oat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 66 bushels 33 pounds per acre. The largest crop yet obtained from this variety at any of the Experimental Farms was at Brandon, Man., in 1898, when it gave 109 bushels 14 pounds per acre.

#### AMERICAN BEAUTY.

The American Beauty oat was first grown on the Experimental Farms in 1891, and has been tested each year since and given satisfactory returns. This is a pale yellow oat with a branching head and fairly stiff straw, a vigorous grower and very productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 62 bushels 32 pounds per acre. The American Beauty oat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as a result of four years' trial, an average crop of 71 bushels 16 pounds per acre, which is only one pound per acre less than the Banner, which stands at the head of the list for productiveness. During the season of 1898 a five-acre field of American Beauty gave at the Central Farm an average crop of 82 bushels 11 pounds per acre. The largest crop yet given by this variety was had at Brandon, Man., in 1898, when it produced 113 bushels 18 pounds per acre.

#### IMPROVED LIGOWO.

The improved Ligowo oat was imported from France by the Experimental Farm in 1891, and has been grown each year since with very satisfactory results. It is a white oat, large and plump, with a branching head and stiff straw, a vigorous grower and very productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 65 bushels 30 pounds per acre. The improved Ligowo oat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 64 bushels 6 pounds per acre. The largest crop yet given by this variety was at Indian Head, N.W.T., in 1896, when it produced 92 bushels 32 pounds per acre.

#### ABUNDANCE.

The Abundance oat was imported from France by the Experimental Farms in 1891, and has been grown each year since with satisfactory results. It is a white oat with branching head and a fairly stiff straw, a vigorous grower and very productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 66 bushels 37 pounds per acre. The Abundance oat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 65 bushels 9 pounds per acre.

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The largest crop yet given by this variety at any of the Experimental Farms was had at Indian Head, N.W.T., in 1895, when it produced 108 bushels 28 pounds per acre.

### THE PRESTON WHEAT.

The Preston wheat is a cross-breed sort produced at the Central Experimental Farm, Ottawa, in 1888, by fertilizing the Ladoga wheat with the Red Fife. It is a bearded variety which has shown great vigour and productiveness. It has a stiff straw and ripens on an average about four days earlier than Red Fife. At the Central Experimental Farm it has been tested alongside of a large number of other sorts, under similar conditions, for four years, and has given an average yield for this period of 26 bushels 4 pounds, which is 2 bushels 4 pounds per acre more than that obtained from any other sort at Ottawa. The Preston wheat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial at all these farms, an average of 32 bushels 17 pounds per acre, being 1 bushel 17 pounds more than that obtained from any other variety tested. The largest crop yet given by the Preston at any of the Experimental Farms was at Brandon, Man., in 1895, when it gave 48 bushels 20 pounds per acre.

### ADVANCE.

The Advance wheat is a cross-bred sort, which was produced at the Central Experimental Farm in 1888, by fertilizing the Ladoga wheat with the White Fife. It is a bearded variety with a stiff straw, which has shown much vigour and productiveness, and ripens on an average about three days earlier than the Red Fife. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 21 bushels 20 pounds per acre. The advance wheat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 29 bushels 8 pounds per acre. The largest crop yet obtained from this wheat at any of the Experimental Farms was at Brandon, Man., in 1895, when it gave 46 bushels 20 pounds per acre.

### PERCY.

The Percy wheat is a cross-bred sort, produced at the Central Experimental Farm, Ottawa, in 1888, by fertilizing the Ladoga wheat with the White Fife. It is a beardless variety with a stiff straw, which has shown much vigour and productiveness, and ripens on an average about four days earlier than the Red Fife. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 21 bushels 7 pounds per acre. The Percy wheat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average of 30 bushels 24 pounds per acre. The largest crop yet obtained from this variety at any of the Experimental Farms was at Indian Head, N.W.T., in 1898, when it gave 45 bushels 20 pounds per acre.

### STANLEY.

The Stanley wheat is a cross-bred sort, a sport which occurred in the variety known as Preston, a cross between Ladoga and Red Fife. This is a beardless sort with a stiff straw, which has shown much vigour and productiveness, and ripens about four days earlier than Red Fife. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 22 bushels 41 pounds per acre. The Stanley wheat has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial at all these farms, an average of 29 bushels 3 pounds per acre. The largest crop yet obtained from this variety at any of the Experimental Farms was at Nappan, N.S., in 1896, when it gave 49

bushels per acre ; the second largest crop was at Brandon, Man., in 1895, when it gave 43 bushels 30 pounds per acre.

#### THE TROOPER BARLEY

The Trooper six-rowed barley is a hybrid which was produced at the Central Experimental Farm in 1889, by crossing the Swedish two-rowed barley with the Baxter, a six-rowed sort. It has been tested each year since with satisfactory results. This barley has a stiff straw, is vigorous in growth and productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 48 bushels 17 pounds per acre. The Trooper barley has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 46 bushels 29 pounds per acre. The largest crop yet given by this variety at any of the Experimental Farms was at Indian Head, N.W.T., in 1896, when it produced 67 bushels 14 pounds per acre.

#### ROYAL.

The Royal six-rowed barley is a hybrid which was produced at the Central Experimental Farm in 1889, by crossing the Swedish two-rowed barley with the Baxter, a six-rowed sort. It has been tested each year since with satisfactory results. This barley has a stiff straw, is vigorous in growth and productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 53 bushels 26 pounds per acre. The Royal barley has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial an average crop of 45 bushels 4 pounds per acre. The largest crop yet given by this variety at any of the Experimental Farms was at Brandon, Man., in 1895, when it produced 65 bushels 30 pounds per acre.

#### SIDNEY.

The variety of two-rowed barley known as Sidney is a hybrid produced by crossing the Swedish two-rowed barley with the Baxter, a six-rowed sort. This cross was effected at the Central Experimental Farm in 1889, and this barley has been tested each year since with satisfactory results. It has a stiff straw, is a vigorous grower and productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 39 bushels 38 pounds per acre. The Sidney barley has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 39 bushels per acre. The largest crop yet obtained from this variety at any of the Experimental Farms was at Indian Head, N.W.T., in 1896, when it produced 61 bushels 42 pounds per acre.

#### BEAVER

The variety of two-rowed barley known as Beaver, is a hybrid produced by crossing the Swedish two-rowed barley with the Baxter, a six-rowed sort. This cross was effected at the Central Experimental Farm in 1889, and it has been tested each year since with satisfactory results. It has a stiff straw, is a vigorous grower and productive. In the uniform test plots at the Central Experimental Farm it has given an average yield during the past four years of 42 bushels 9 pounds per acre, which is the highest yield obtained from any of the varieties tried at Ottawa. The Beaver barley has been similarly tested at all the Experimental Farms throughout the Dominion, and has given, as the result of four years' trial, an average crop of 41 bushels 12 pounds per acre. The largest crop yet given by this variety was at Indian Head, N.W.T., in 1896, when it produced 66 bushels 32 pounds per acre.

## Agriculture and Colonization.

These few particulars placed before the farmer some of the best results obtained at the experimental farms with the variety he had chosen.

*By Mr. McMillan :*

Q. This Preston wheat did fairly well in Ontario ?

A. Yes, it has done very well in Ontario. The average of the three-pound samples gave a result of somewhere about fifty, about fifty-two, pounds, I think. The result of between two and three hundred tests in Ontario and Quebec were very satisfactory.

*By Mr. Calvert :*

Q. This Preston is a spring wheat, is it not ?

A. Yes.

Q. Do you know if any of it was tried down in the western part of Ontario where I live, near London ?

A. I am not sure. There is very little spring wheat grown there. Some samples were sent out this year, I know, in that district. The Preston has been much sought after this year by those asking for samples of wheat.

*By Mr. McMillan :*

Q. Have you any evidence upon tests on the flour of the Preston wheat ?

A. Not yet. We have not had a large enough quantity of Preston to test its value for flour. The millers here require a car load for this purpose and it has not been possible to obtain that quantity. About a month ago a sample of Preston was sent to the High Commissioner for Canada, in England, and he was asked to submit it to the best experts in England and to have the report of any test they might make sent to me, but I have not yet received any report on this wheat. I hope, however, before very long to get some information on that subject. The kernel is a little longer but it seems to be as hard and as transparent as that of the Red Fife.

As soon as it became known that a special distribution of grain for one-tenth acre plots was being made, a large number of applications were received from all parts of the Dominion, but we were not able to entertain many of these except in a few counties where the representation was less than in other counties. In all cases where the larger quantity could not be sent, a three-pound sample was forwarded with an explanation of the reason why the larger samples could not be given. As soon as practicable after the results are received from these tests it is proposed to issue a special bulletin giving the average crop in each county, with the names of the most successful growers. A very considerable interest has been manifested in this new department in our distribution work, and it is believed that this effort to gain the fullest information on this subject and to assist in this way, some of the best farmers in each county in their efforts to improve the character of the seed grain they are using, will awaken a still greater interest in this work and materially assist in demonstrating the advantage of using the most prolific sorts for seed and also of thoroughly cleaning all seed grain used for sowing. The usual distribution of three-pound samples has been sent out by provinces in response to personal application as follows : Ontario, 7,192, Quebec 7,782, Nova Scotia 4,062, New Brunswick 4,684, Prince Edward Island 2,110, Manitoba, 2,086, North-west Territories 1,187, British Columbia 302, making a total of 29,405. The special distribution for one-tenth acre plots has been made to the different provinces as follows : (Most of these were sent out between the 1st and 20th of March so there should be no complaint as to any of these samples being received late.) Ontario received 1,305, Quebec 1,399, Nova Scotia 423, New Brunswick 520, Prince Edward Island 181, Manitoba 228, North-west Territories 149, British Columbia 85, making in all 4,320, all of which were sent by mail. The three-pound samples this year have included a considerable number of the new cross-bred sorts produced at the experimental farm sent out with the object of more thoroughly testing them, some of these continue to give much promise.

Many reports have been received from farmers who have had several years' experience with some of the varieties of grain distributed. Some have reported having from fifty to seventy-five bushels of oats as a result of the sowing of the three-pound sample at the end of the second year, and from 200 to 350 bushels at the end of the third season.

This third multiplication is fast bringing into more general use the best and most productive sorts in many parts of the Dominion.

SEED TESTING.

The testing for farmers of the germinating power of samples of seed grain has also been continued with much advantage in many cases. The total number of tests made this year has been 2,400. Many instances of samples being very deficient in vitality have been met with, and by the timely information sent, many farmers have been saved from the disappointment which would unavoidably result from the sowing of bad seed. I may say that in some instances the vitality of oats, especially from some parts of Manitoba and the North-west where the grain was much injured by rain during harvest and had sprouted considerably, the germinating power was reduced to 10 and 15 per cent, while in those places in the North-west where the harvest weather was good the percentage of vitality ran up to 90 and 97 per cent. The information given to farmers in these special cases was of great value to them and was much appreciated.

AVERAGE CROPS FROM MOST PRODUCTIVE VARIETIES FOR FOUR YEARS.

In the evidence given before this Committee last year I gave you particulars of the average crops of the previous three years, given by the twelve best varieties grown at the different experimental farms. I now submit to you the results obtained from four years' trial with oats, barley and spring wheat, which will show the varieties which have done best in each part of the Dominion during this period. These particulars emphasize the importance of growing the most prolific varieties, and at the same time afford further proof of the great inherent powers of productiveness in varieties and also that the stamp of productiveness is so fixed in variety and so permanent as to permit of these varieties being taken from one part of the Dominion to another, carrying this characteristic of productiveness with them.

FOUR YEARS' EXPERIENCE WITH VARIETIES OF OATS.

The twelve varieties of oats which have averaged the heaviest crops at the several experimental farms during the past four years, are the following :—

CENTRAL EXPERIMENTAL FARM, OTTAWA, ONTARIO.

|                          | Per acre. |      |                                | Per acre. |      |
|--------------------------|-----------|------|--------------------------------|-----------|------|
|                          | Bush.     | Lbs. |                                | Bush.     | Lbs. |
| 1. Banner.....           | 70        | 21   | 7. Golden Giant.....           | 65        | 7    |
| 2. Golden Beauty.....    | 69        | 7    | 8. White Schonen.....          | 64        | 15   |
| 3. American Triumph..... | 67        | 19   | 9. White Russian.....          | 64        | 2    |
| 4. Columbus.....         | 67        | 15   | 10. Joannette.....             | 64        | 1    |
| 5. Abundance.....        | 66        | 37   | 11. Early Golden Prolific..... | 63        | 23   |
| 6. Improved Ligowo.....  | 65        | 30   | 12. American Beauty.....       | 62        | 32   |

An average crop of 66 bushels per acre.

NAPPAN EXPERIMENTAL FARM, NOVA SCOTIA.

|                       | Per acre. |      |                                   | Per acre. |      |
|-----------------------|-----------|------|-----------------------------------|-----------|------|
|                       | Bush.     | Lbs. |                                   | Bush.     | Lbs. |
| 1. White Russian..... | 66        | 21   | 7. California Prolific Black..... | 62        | 12   |
| 2. Wallis.....        | 65        | 2    | 8. Abyssinia.....                 | 62        | 4    |
| 3. Columbus.....      | 64        | 19   | 9. White Schonen.....             | 61        | 26   |
| 4. Banner.....        | 63        | 19   | 10. American Beauty.....          | 61        | 16   |
| 5. Oderbruch.....     | 63        | 13   | 11. Golden Beauty.....            | 60        | 25   |
| 6. Early Blossom..... | 62        | 17   | 12. Lincoln.....                  | 60        | 25   |

An average crop of 62 bushels 31 lbs. per acre.

# Agriculture and Colonization.

## INDIAN HEAD EXPERIMENTAL FARM, NORTH-WEST TERRITORIES.

|                           |    | Per acre. |                               |    | Per acre. |
|---------------------------|----|-----------|-------------------------------|----|-----------|
|                           |    | Bush.     | Lbs.                          |    |           |
| 1. Columbus.....          | 88 | 18        | 7. Early Golden Prolific..... | 80 | 2         |
| 2. American Beauty.....   | 85 | 15        | 8. White Schonen.....         | 79 | 34        |
| 3. Holstein Prolific..... | 84 | 26        | 9. Wide Awake.....            | 79 | 34        |
| 4. Abundance.....         | 82 | 4         | 10. Early Archangel.....      | 79 | 14        |
| 5. Golden Beauty.....     | 80 | 7         | 11. Bavarian.....             | 77 | 32        |
| 6. Abyssinia.....         | 80 | 5         | 12. Banner.....               | 77 | 1         |

An average crop of 81 bushels 10 lbs. per acre.

## BRANDON EXPERIMENTAL FARM, MANITOBA.

|                               |    | Per acre. |                                   |    | Per acre. |
|-------------------------------|----|-----------|-----------------------------------|----|-----------|
|                               |    | Bush.     | Lbs.                              |    |           |
| 1. American Beauty.....       | 92 | 19        | 7. Bavarian.....                  | 79 | 26        |
| 2. Banner.....                | 90 | 5         | 8. California Prolific Black..... | 77 | 12        |
| 3. Holstein Prolific.....     | 81 | 23        | 9. Rosedale.....                  | 77 | 7         |
| 4. Early Golden Prolific..... | 81 | 1         | 10. Golden Beauty.....            | 75 | 12        |
| 5. White Schonen.....         | 80 | 27        | 11. Columbus.....                 | 74 | 1         |
| 6. Golden Giant.....          | 79 | 29        | 12. Joannette.....                | 73 | 25        |

An average crop of 86 bushels 25 lbs. per acre.

## AGASSIZ EXPERIMENTAL FARM, BRITISH COLUMBIA.

|                        |    | Per acre. |                               |    | Per acre. |
|------------------------|----|-----------|-------------------------------|----|-----------|
|                        |    | Bush.     | Lbs.                          |    |           |
| 1. Bavarian.....       | 60 | 22        | 7. Early Golden Prolific..... | 55 | 33        |
| 2. Lincoln.....        | 60 | 6         | 8. Early Archangel.....       | 55 | 30        |
| 3. Early Gothland..... | 59 | 27        | 9. Cream Egyptian.....        | 55 | 5         |
| 4. Early Blossom.....  | 56 | 17        | 10. Holstein Prolific.....    | 55 | 3         |
| 5. Banner.....         | 56 | 7         | 11. American Beauty.....      | 54 | 33        |
| 6. Columbus.....       | 56 | 7         | 12. Early Maine.....          | 54 | 16        |

An average crop of 56 bushels 26 lbs. per acre.

The twelve varieties of oats which have produced the largest average crops for the past four years on all the experimental farms, and hence may perhaps be regarded as worthy of being placed at the head of the list for general cultivation are the following:—

|                           |    | Per acre. |                               |    | Per acre. |
|---------------------------|----|-----------|-------------------------------|----|-----------|
|                           |    | Bush.     | Lbs.                          |    |           |
| 1. Banner.....            | 71 | 17        | 7. White Schonen.....         | 65 | 29        |
| 2. American Beauty.....   | 71 | 16        | 8. Early Golden Prolific..... | 65 | 27        |
| 3. Columbus.....          | 70 | 5         | 9. Wallis.....                | 65 | 16        |
| 4. Golden Beauty.....     | 67 | 17        | 10. Abundance.....            | 65 | 9         |
| 5. Bavarian.....          | 66 | 33        | 11. Golden Giant.....         | 64 | 19        |
| 6. Holstein Prolific..... | 66 | 18        | 12. White Russian.....        | 64 | 11        |

An average crop of 67 bushels 4 lbs. per acre.

The Improved Ligowo, which is also a very promising oat, averaged 64 bushels 6 lbs. per acre, within 5 lbs. per acre of the White Russian.

## FOUR YEARS' EXPERIENCE WITH VARIETIES OF BARLEY.

### TWO-ROWED BARLEY.

The six varieties of two-rowed barley which have averaged the heaviest crops at the several experimental farms during the past four years, are the following:—

### CENTRAL EXPERIMENTAL FARM, OTTAWA, ONT.

|                          |    | Per acre. |                         |    | Per acre. |
|--------------------------|----|-----------|-------------------------|----|-----------|
|                          |    | Bush.     | Lbs.                    |    |           |
| 1. Beaver.....           | 42 | 9         | 4. Canadian Thorpe..... | 40 | 15        |
| 2. Danish Chevalier..... | 40 | 32        | 5. Sidney.....          | 39 | 38        |
| 3. Bolton.....           | 40 | 15        | 6. Newton.....          | 39 | 27        |

An average crop of 40 bushels 22 lbs. per acre.

## NAPPAN EXPERIMENTAL FARM, NOVA SCOTIA.

|    |                  | Per acre. |      |    |                | Per acre. |      |
|----|------------------|-----------|------|----|----------------|-----------|------|
|    |                  | Bush.     | Lbs. |    |                | Bush.     | Lbs. |
| 1. | French Chevalier | 36        | 12   | 4. | Beaver         | 34        | 3    |
| 2. | Danish Chevalier | 35        | 25   | 5. | Bolton         | 33        | 51   |
| 3. | Newton           | 34        | 18   | 6. | Prize Prolific | 33        | 16   |

An average crop of 34 bushels 29 lbs. per acre.

## BRANDON EXPERIMENTAL FARM, MANITOBA.

|    |                  | Per acre. |      |    |                | Per acre. |      |
|----|------------------|-----------|------|----|----------------|-----------|------|
|    |                  | Bush.     | Lbs. |    |                | Bush.     | Lbs. |
| 1. | French Chevalier | 51        | 9    | 4. | Newton         | 43        | 36   |
| 2. | Sidney           | 48        | ..   | 5. | Beaver         | 42        | 46   |
| 3. | Thanet           | 44        | 28   | 6. | Prize Prolific | 39        | 47   |

An average crop of 45 bushels 4 lbs. per acre.

## INDIAN HEAD EXPERIMENTAL FARM, NORTH-WEST TERRITORIES.

|    |                  | Per acre. |      |    |                | Per acre. |      |
|----|------------------|-----------|------|----|----------------|-----------|------|
|    |                  | Bush.     | Lbs. |    |                | Bush.     | Lbs. |
| 1. | French Chevalier | 58        | 31   | 4. | Prize Prolific | 53        | 34   |
| 2. | Danish Chevalier | 56        | 22   | 5. | Newton         | 52        | 6    |
| 3. | Canadian Thorpe  | 54        | 29   | 6. | Beaver         | 52        | 4    |

An average crop of 54 bushels 29 lbs. per acre.

## AGASSIZ EXPERIMENTAL FARM, BRITISH COLUMBIA.

|    |                  | Per acre. |      |    |                 | Per acre. |      |
|----|------------------|-----------|------|----|-----------------|-----------|------|
|    |                  | Bush.     | Lbs. |    |                 | Bush.     | Lbs. |
| 1. | French Chevalier | 37        | 39   | 4. | Beaver          | 35        | 12   |
| 2. | Kinver Chevalier | 36        | 45   | 5. | Canadian Thorpe | 34        | 10   |
| 3. | Danish Chevalier | 36        | 2    | 6. | Prize Prolific  | 32        | 39   |

An average crop of 35 bushels 24 lbs. per acre.

The six varieties of two-rowed barley which have produced the largest crops for the past four years, taking the average of the results obtained on all the experimental farms, are :—

|    |                  | Per acre. |      |    |                 | Per acre. |      |
|----|------------------|-----------|------|----|-----------------|-----------|------|
|    |                  | Bush.     | Lbs. |    |                 | Bush.     | Lbs. |
| 1. | French Chevalier | 36        | 26   | 4. | Canadian Thorpe | 34        | 10   |
| 2. | Danish Chevalier | 34        | 18   | 5. | Newton          | 33        | 26   |
| 3. | Beaver           | 34        | 17   | 6. | Prize Prolific  | 32        | 14   |

An average crop of 34 bushels 10 lbs. per acre.

## SIX-ROWED BARLEY.

The six varieties of six-rowed barley which have averaged the heaviest crops at the several experimental farms for the past four years are the following :—

## CENTRAL EXPERIMENTAL FARM, OTTAWA, ONTARIO.

|    |         | Per acre. |      |    |         | Per acre. |      |
|----|---------|-----------|------|----|---------|-----------|------|
|    |         | Bush.     | Lbs. |    |         | Bush.     | Lbs. |
| 1. | Odessa  | 57        | 12   | 4. | Pioneer | 51        | 39   |
| 2. | Mensury | 55        | 42   | 5. | Stella  | 48        | 19   |
| 3. | Royal   | 53        | 26   | 6. | Trooper | 48        | 17   |

An average crop of 52 bushels 26 lbs. per acre.

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## NAPPAN EXPERIMENTAL FARM, NOVA SCOTIA.

|    |                | Per acre. |      |    | Per acre.     |       |      |
|----|----------------|-----------|------|----|---------------|-------|------|
|    |                | Bush.     | Lbs. |    |               | Bush. | Lbs. |
| 1. | Mensury.....   | 48        | 45   | 4. | Surprise..... | 41    | 42   |
| 2. | Trooper.....   | 43        | 1    | 5. | Pioneer.....  | 41    | 32   |
| 3. | Oderbruch..... | 42        | 44   | 6. | Vanguard..... | 40    | 30   |

An average crop of 43 bushels 8 lbs. per acre.

## BRANDON EXPERIMENTAL FARM, MANITOBA.

|    |              | Per acre. |      |    | Per acre.     |       |      |
|----|--------------|-----------|------|----|---------------|-------|------|
|    |              | Bush.     | Lbs. |    |               | Bush. | Lbs. |
| 1. | Common.....  | 56        | 7    | 4. | Nugent.....   | 51    | 32   |
| 2. | Trooper..... | 55        | 2    | 5. | Surprise..... | 50    | 15   |
| 3. | Mensury..... | 54        | 30   | 6. | Stella.....   | 49    | 23   |

An average crop of 52 bushels 42 lbs. per acre.

## INDIAN HEAD EXPERIMENTAL FARM, NORTH-WEST TERRITORIES.

|    |                        | Per acre. |      |    | Per acre.    |       |      |
|----|------------------------|-----------|------|----|--------------|-------|------|
|    |                        | Bush.     | Lbs. |    |              | Bush. | Lbs. |
| 1. | Rennie's Improved..... | 60        | 30   | 4. | Mensury..... | 57    | 24   |
| 2. | Odessa.....            | 59        | 28   | 5. | Baxter.....  | 55    | 40   |
| 3. | Common.....            | 57        | 28   | 6. | Trooper..... | 55    | 30   |

An average crop of 57 bushels 38 lbs. per acre.

## AGASSIZ EXPERIMENTAL FARM, BRITISH COLUMBIA.

|    |                | Per acre. |      |    | Per acre.    |       |      |
|----|----------------|-----------|------|----|--------------|-------|------|
|    |                | Bush.     | Lbs. |    |              | Bush. | Lbs. |
| 1. | Oderbruch..... | 33        | 34   | 4. | Common.....  | 32    | 21   |
| 2. | Mensury.....   | 33        | 1    | 5. | Royal.....   | 32    | 12   |
| 3. | Odessa.....    | 32        | 44   | 6. | Trooper..... | 31    | 1    |

An average crop of 32 bushels 27 lbs. per acre.

The six varieties of six-rowed barley which have produced the largest crops for the past four years, taking the average of the results obtained on all experimental farms are:—

|    |              | Per acre. |      |    | Per acre.      |       |      |
|----|--------------|-----------|------|----|----------------|-------|------|
|    |              | Bush.     | Lbs. |    |                | Bush. | Lbs. |
| 1. | Mensury..... | 49        | 47   | 4. | Common.....    | 45    | 24   |
| 2. | Odessa.....  | 47        | 20   | 5. | Royal.....     | 45    | 2    |
| 3. | Trooper..... | 46        | 29   | 6. | Oderbruch..... | 44    | 44   |

An average crop of 46 bushels 27 lbs. per acre.

## FOUR YEARS' EXPERIENCE WITH VARIETIES OF SPRING WHEAT.

The twelve varieties of spring wheat which have averaged the heaviest crops, at the several experimental farms during the past four years, are the following:—

### CENTRAL EXPERIMENTAL FARM, OTTAWA, ONTARIO.

|    |                     | Per acre. |      |     | Per acre.                |       |      |
|----|---------------------|-----------|------|-----|--------------------------|-------|------|
|    |                     | Bush.     | Lbs. |     |                          | Bush. | Lbs. |
| 1. | Preston.....        | 26        | 3    | 7.  | Stanley.....             | 22    | 41   |
| 2. | Colorado.....       | 23        | 59   | 8.  | Pringle's Champlain..... | 22    | 33   |
| 3. | Goose.....          | 23        | 51   | 9.  | Huron.....               | 22    | 27   |
| 4. | Wellman's Fife..... | 23        | 46   | 10. | Progress.....            | 21    | 41   |
| 5. | Rio Grande.....     | 23        | 37   | 11. | Vernon.....              | 21    | 41   |
| 6. | Monarch.....        | 23        | 24   | 12. | Advance.....             | 21    | 20   |

An average crop of 23 bushels 5 lbs. per acre.

## NAPPAN EXPERIMENTAL FARM, NOVA SCOTIA.

|                        | Per acre. |      |                        | Per acre. |      |
|------------------------|-----------|------|------------------------|-----------|------|
|                        | Bush.     | Lbs. |                        | Bush.     | Lbs. |
| 1. Wellman's Fife..... | 32        | 44   | 7. Goose .....         | 29        | 50   |
| 2. Stanley .....       | 31        | 5    | 8. White Russian.....  | 29        | 5    |
| 3. White Connell.....  | 30        | 55   | 9. Rio Grande .....    | 29        | ..   |
| 4. Preston.....        | 30        | 45   | 10. Old Red River..... | 28        | 55   |
| 5. Red Fern.....       | 30        | 35   | 11. Advance.....       | 28        | 35   |
| 6. Huron .....         | 30        | 10   | 12. Admiral.....       | 27        | 20   |

An average crop of 29 bushels 5 lbs. per acre.

## BRANDON EXPERIMENTAL FARM, MANITOBA.

|                    | Per acre. |      |                             | Per acre. |      |
|--------------------|-----------|------|-----------------------------|-----------|------|
|                    | Bush.     | Lbs. |                             | Bush.     | Lbs. |
| 1. White Fife..... | 39        | 5    | 7. White Connell.....       | 34        | 57   |
| 2. Goose .....     | 38        | 7    | 8. Pringle's Champlain..... | 34        | 43   |
| 3. Red Fife.....   | 36        | 50   | 9. Rio Grande.....          | 34        | 28   |
| 4. Preston.....    | 36        | 41   | 10. Old Red River.....      | 33        | 35   |
| 5. Monarch.....    | 36        | 25   | 11. White Russian.....      | 33        | 2    |
| 6. Crown.....      | 35        | 27   | 12. Wellman's Fife.....     | 32        | 25   |

An average crop of 35 bushels 29 lbs. per acre.

## INDIAN HEAD EXPERIMENTAL FARM, NORTH-WEST TERRITORIES.

|                    | Per acre. |      |                        | Per acre. |      |
|--------------------|-----------|------|------------------------|-----------|------|
|                    | Bush.     | Lbs. |                        | Bush.     | Lbs. |
| 1. Red Fife.....   | 42        | 7    | 7. Percy .....         | 40        | 57   |
| 2. Emporium.....   | 42        | 3    | 8. Crown.....          | 40        | 52   |
| 3. Beaudry.....    | 41        | 48   | 9. Wellman's Fife..... | 40        | 50   |
| 4. Preston.....    | 41        | 25   | 10. Red Fern.....      | 40        | 10   |
| 5. Huron.....      | 41        | 22   | 11. Stanley.....       | 39        | 10   |
| 6. White Fife..... | 41        | 2    | 12. White Connell..... | 39        | 2    |

An average crop of 40 bushels 53 lbs. per acre.

## AGASSIZ EXPERIMENTAL FARM, BRITISH COLUMBIA.

|                          | Per acre. |      |                                 | Per acre. |      |
|--------------------------|-----------|------|---------------------------------|-----------|------|
|                          | Bush.     | Lbs. |                                 | Bush.     | Lbs. |
| 1. White Fife.....       | 26        | 31   | 7. Old Red River.....           | 25        | 25   |
| 2. Preston.....          | 26        | 30   | 8. Wellman's Fife.....          | 25        | 15   |
| 3. White Connell.....    | 26        | 20   | 9. Alpha.....                   | 25        | 1    |
| 4. Red Fife.....         | 26        | 11   | 10. Monarch.....                | 24        | 45   |
| 5. Herisson Bearded..... | 26        | 2    | 11. Campbell's White Chaff..... | 24        | 45   |
| 6. Rio Grande.....       | 25        | 50   | 12. Admiral.....                | 24        | 35   |

An average crop of 25 bushels 35 lbs. per acre.

The twelve varieties of spring wheat which have produced the largest crops, taking the average of the results obtained on all the experimental farms for the past four years, are :—

|                        | Per acre. |      |                        | Per acre. |      |
|------------------------|-----------|------|------------------------|-----------|------|
|                        | Bush.     | Lbs. |                        | Bush.     | Lbs. |
| 1. Preston.....        | 32        | 17   | 7. White Connell.....  | 30        | 19   |
| 2. Wellman's Fife..... | 31        | ..   | 8. Rio Grande.....     | 30        | 1    |
| 3. Monarch.....        | 30        | 58   | 9. Goose.....          | 29        | 58   |
| 4. Percy .....         | 30        | 24   | 10. Red Fern.....      | 29        | 17   |
| 5. Red Fife.....       | 30        | 23   | 11. Old Red River..... | 29        | 17   |
| 6. White Fife.....     | 30        | 20   | 12. Advance.....       | 29        | 8    |

An average crop of 30 bushels 17 lbs. per acre.

The cross-bred variety Stanley came within 5 lbs. of Advance, having averaged 29 bushels 3 lbs. for the four years.

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## THREE YEARS' EXPERIENCE WITH VARIETIES OF PEASE.

The twelve varieties of pease which have averaged the heaviest crops at the several experimental farms for the past three years, are the following :—

### CENTRAL EXPERIMENTAL FARM, OTTAWA, ONTARIO.

|                               | Per acre. |      |                          | Per acre. |      |
|-------------------------------|-----------|------|--------------------------|-----------|------|
|                               | Bush.     | Lbs. |                          | Bush.     | Lbs. |
| 1. Arthur .....               | 41        | 22   | 7. Canadian Beauty ..... | 35        | 30   |
| 2. Macoun .....               | 39        | 10   | 8. Bedford .....         | 35        | 27   |
| 3. Kent .....                 | 37        | 23   | 9. Creeper .....         | 35        | 22   |
| 4. Agnes .....                | 36        | 26   | 10. Duke .....           | 35        | 17   |
| 5. Mackay .....               | 36        | 15   | 11. Crown .....          | 35        | 15   |
| 6. Black-eyed Marrowfat ..... | 36        | 12   | 12. Paragon .....        | 34        | 47   |

An average crop of 36 bushels 32 lbs. per acre.

### NAPPAN EXPERIMENTAL FARM, NOVA SCOTIA.

|                               | Per acre. |      |                               | Per acre. |      |
|-------------------------------|-----------|------|-------------------------------|-----------|------|
|                               | Bush.     | Lbs. |                               | Bush.     | Lbs. |
| 1. Crown .....                | 47        | ..   | 7. Large White Marrowfat..... | 33        | 50   |
| 2. Centennial .....           | 36        | 40   | 8. Carleton .....             | 33        | 10   |
| 3. Pride .....                | 36        | 33   | 9. Bedford .....              | 32        | 10   |
| 4. Black-eyed Marrowfat ..... | 36        | 26   | 10. Prince .....              | 32        | 10   |
| 5. New Potter.....            | 33        | 53   | 11. Prince Albert.....        | 31        | 33   |
| 6. Creeper .....              | 33        | 50   | 12. Paragon .....             | 30        | 50   |

An average crop of 34 bushels and 50 lbs. per acre.

### BRANDON EXPERIMENTAL FARM, MANITOBA.

|                    | Per acre. |      |                               | Per acre. |      |
|--------------------|-----------|------|-------------------------------|-----------|------|
|                    | Bush.     | Lbs. |                               | Bush.     | Lbs. |
| 1. Pride .....     | 52        | 35   | 7. Crown .....                | 44        | 32   |
| 2. Mummy .....     | 48        | 32   | 8. Black-eyed Marrowfat ..... | 44        | ..   |
| 3. New Potter..... | 48        | 30   | 9. Trilby .....               | 43        | 46   |
| 4. Carleton.....   | 46        | 33   | 10. Prince.....               | 41        | 26   |
| 5. Kent .....      | 45        | 40   | 11. Agnes .....               | 40        | 53   |
| 6. Mackay .....    | 44        | 53   | 12. Prince Albert.....        | 40        | 13   |

An average crop of 45 bushels 8 lbs. per acre.

### INDIAN HEAD EXPERIMENTAL FARM, NORTH-WEST TERRITORIES.

|                  | Per acre. |      |                     | Per acre. |      |
|------------------|-----------|------|---------------------|-----------|------|
|                  | Bush.     | Lbs. |                     | Bush.     | Lbs. |
| 1. Paragon ..... | 43        | 23   | 7. Golden Vine..... | 37        | 22   |
| 2. Trilby .....  | 42        | 53   | 8. Centennial ..... | 37        | 20   |
| 3. Carleton..... | 40        | 30   | 9. New Potter.....  | 36        | 20   |
| 4. Crown .....   | 39        | 26   | 10. Pride.....      | 36        | ..   |
| 5. Duke.....     | 38        | 36   | 11. Mackay .....    | 35        | 33   |
| 6. Prince.....   | 38        | 3    | 12. Creeper.....    | 34        | 46   |

An average crop of 38 bushels 12 lbs. per acre.

### AGASSIZ EXPERIMENTAL FARM, BRITISH COLUMBIA.

|                       | Per acre. |      |                       | Per acre. |      |
|-----------------------|-----------|------|-----------------------|-----------|------|
|                       | Bush.     | Lbs. |                       | Bush.     | Lbs. |
| 1. Arthur.....        | 28        | 53   | 7. New Potter.....    | 23        | 32   |
| 2. Creeper .....      | 25        | 53   | 8. Centennial .....   | 22        | 45   |
| 3. Prince Albert..... | 25        | 46   | 9. Kent .....         | 22        | 13   |
| 4. Carleton.....      | 24        | 50   | 10. Paragon .....     | 22        | 7    |
| 5. Macoun .....       | 24        | 46   | 11. Crown .....       | 21        | 51   |
| 6. Multiplier .....   | 23        | 55   | 12. Golden Vine ..... | 21        | 27   |

An average crop of 23 bushels 59 lbs. per acre.

The twelve varieties of pease which have produced the largest crops taking the average of the results obtained on all the experimental farms, for the past three years, are :—

|                       | Per acre. |      |                    | Per acre |      |
|-----------------------|-----------|------|--------------------|----------|------|
|                       | Bush.     | Lbs. |                    | Bush.    | Lbs. |
| 1. Crown.....         | 37        | 36   | 7. Centennial..... | 33       | 47   |
| 2. Carleton.....      | 35        | 49   | 8. Paragon.....    | 33       | 40   |
| 3. Pride.....         | 35        | 16   | 9. Creeper.....    | 33       | 26   |
| 4. New Potter.....    | 34        | 57   | 10. Trilby.....    | 33       | 16   |
| 5. Prince Albert..... | 33        | 49   | 11. Duke.....      | 33       | 14   |
| 6. Arthur.....        | 33        | 47   | 12. Kent.....      | 33       | 11   |

An average crop of 34 bushels 19 lbs. per acre.

*By Mr. Clancy :*

Q. You might say what varieties of oats were first, second and third?

A. In oats Banner stands at the head of the list at the Central Farm, Golden Beauty second, and American Triumph third. At Nappan, White Russian stands first, Wallis stands second, and Columbus third, with Banner fourth. I might say that the White Russian is a variety which has usually succeeded well in the maritime provinces and to some extent over the whole Dominion.

*By Mr. Rogers :*

Q. Do you judge oats by weight or by measure?

A. By weight.

*By Mr. Calvert :*

Q. Are these the samples of those kinds which you have here?

A. Not all of them, we have the Banner here. These are samples brought to show the kind of grain we have been sending out for sowing on the one-tenth of an acre plots, 14 sorts in all; these are also intended to show how we clean the grain before sending it out for sowing. You will observe that the grain is mostly large and plump and quite clean.

*By Mr. Semple :*

Q. How does White Russian do at the Experimental Farm?

A. White Russian does very well, it stands ninth here on the list of the best twelve. In Manitoba the American Beauty oat stands at the head of the list although at Ottawa it stands twelfth. It should be borne in mind that in arranging these plots at Ottawa there is no variety favoured, no effort made to put this or that sort on the best spot. Our land here is not very uniform in quality, and sometimes a variety which has done well one year drops out of the list of the best sorts the next year for the reason that it has been sown on a poorer piece of ground. Sometimes the best varieties suffer from being sown in very exposed positions. This was the case with the Banner oat at Indian Head in 1897. The plot on which it was sown was very much exposed to strong winds which blew out a portion of the seed and exposed the roots of the plants so that they were much injured. That plot produced only 52 bushels 2 lbs. per acre, whereas another plot near by on the same land but sheltered from wind by a belt of trees gave from the same seed 101 bushels 16 lbs. per acre. There are thus many factors which influence the results, and it is not to be expected that the same varieties will be found in the same position on the list every year. All the varieties are exposed to like conditions and the results obtained, whether favourable or unfavourable, are honestly and fully stated.

*By Mr. Clancy :*

Q. Would that not rather suggest that the tests made there are not altogether reliable, for the reason that it depends on the character of the soil rather than on the

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grain itself? For instance, you have spoken of the inequalities of the land at the farm and you are not able to make true tests?

A. I do not admit that we cannot make true tests, but we must admit that differences in soil and climate materially affect the crops. Now, notwithstanding that the Banner dropped out of the list of the best 12 sorts in 1897 at Indian Head, it did so well over the whole Dominion that it stands at the head of the list at all the farms after four years' trial. We should not lay too much stress on the results of any one year but take the average for several years, the longer the time the more reliable are the results. The average results of four years shows that 11 of the 12 varieties which were best in 1897 over the whole Dominion were included in the best 12 for 1898, showing that there is inherent productiveness in varieties, and that this productiveness is to a large extent a fixed and permanent characteristic.

Q. What I am endeavouring to find out is this, that while it stood low you tried to account for it by conditions that prevailed, the character of the soil or the action of the wind, which prevented it attaining to the position it should?

A. Yes, that is quite true, the unfavourable conditions referred to were clearly the cause of the small crop in that case, but the large crop produced from the same seed near by showed clearly that the Banner oat was not lacking in productiveness. But there are other conditions, especially when the grain is flowering, which sometimes injure the crop which are not so easily traced. When wheat is in flower, and the pistil and stamen are soft and glutinous if the weather is unusually hot and the sun shines strongly it may strike through the two layers of chaff which covers the seed with so much heat as to wither the organs and destroy or injure the immature grain. What we want to get at in all these cases is the truth, not to recommend any special varieties, but to give the results of the crops in bushels per acre and let farmers judge for themselves as to the varieties most likely to give them satisfaction. The strongest recommendation I have given to any variety will be found in the paragraph in bulletin 32 dealing with the 12 varieties of oats which have produced the largest average crops for the past four years on all the experimental farms. I said that "for the reason they have produced these large crops they may perhaps be regarded as worthy of being placed at the head of the list for general cultivation." That is not a strong statement, the reason for the opinion is given in bushels per acre the farmer is left to exercise his own judgment. In all cases much more dependence can be placed on the results of four or five years experience than on the crops of any one year.

*By Mr. McMillan :*

Q. In grain cut for seed is great care taken to cut them all at the same stage of ripeness?

A. Great care is taken in reaching conclusions on that question. The farm foreman watches every day for the exact time when the cutting should take place. And if the crop is not cut that day, the date when it is ripe for cutting is entered and this is given as its time of ripening. The farm foreman at the Central Farm is a good practical farmer who has had a long experience, and I would rather trust in his judgment on this point than in my own. It is the same on the branch farms. The superintendents there have had long experience and are very reliable men, and their judgment is taken as regarding the time of ripening of all the different varieties.

*By Mr. Stenson :*

Q. What is the consequence if grain is not cut at the proper time?

A. In some instances when crops are not cut promptly they shell badly and if left for several days after the grain is ready for harvesting much waste would occur and part of the crop would be on the ground.

Q. But as regards its usefulness for seed?

A. That would not be affected if the grain is fully ripened.

Q. But if it's not perfectly ripe will its reproductive properties be destroyed?

A. If cut very green there is little doubt that its germinating power is injured, but if it is cut within a few days of ripening and allowed to stand for a time on stock it matures fairly well. As a rule, however, plump and well ripened grain will produce the best results. When grain is cut too early it is not as valuable commercially. We had a singular experience at the Indian Head farm in 1891, when there was much frosted wheat in the country and its usefulness for seed was very doubtful. Plots of the same size were sown with good plump seed of Red Fife wheat and with Nos. 1, 2 and 3 frosted. The No. 3 was so poor in quality and shrivelled that it was considered only fit for chicken feed, yet it gave a crop of  $5\frac{1}{2}$  bushels per acre more than was had from the good plump seed. The plump seed gave 32 bushels 40 pounds, and the poor shrivelled grain yielded 30 bushels 10 pounds per acre. I do not think such a result as this could be had on any but very rich soil. The germ of the wheat is very small and is embedded in one end of the kernel and if the kernel is large it affords a large amount of food to the plant in its early stage of growth. But there its usefulness ends, and after it has consumed that food the plant must then take its nourishment from the soil. In the shrivelled seed there was enough food to give the plants a start and after that plenty of food was found in the soil to give it vigour and produce rapid growth. I don't think we would get the same results here where the soil has not the same amount of plant food. These results show, however, that you can lay down no rigid rules in this matter which will be applicable to every case, because climate, soil and other factors influence plant growth so largely.

*By Mr. Calvert :*

Q. How do you harvest these plots?

A. We cut them by hand.

Q. Do you keep them separate?

A. Yes. They are kept separate and threshed separately.

Q. How do you thresh them?

A. We have a special small machine for threshing the crops from these plots, which is easily opened so that every kernel can be cleaned out. Careful arrangements are made to prevent any mixing of the seeds of the different varieties.

Q. Is there no danger of a mixture in the threshing machine?

A. No. Every time a threshing is completed the machine is taken apart and thoroughly cleaned before the next variety is put in.

Q. Do you thresh the grain as soon as it is brought in?

A. As soon as we can, but as we usually have 500 or more of different plots every year we cannot always thresh as fast as the grain is ready, but we do it as rapidly as we can.

Q. It must take a lot of room to store the different crops until you can thresh them?

A. That is so; and we endeavour to thresh as large a number as we can, as they come in from the field.

*By Mr. Clancy :*

Q. What space do you leave between each plot?

A. There is three feet of space allowed between each plot.

Q. Would that have any tendency to effect the variety?

A. No, not the slightest. The flowers of wheat, barley and oats are fertilized by their own pollen. The flower case is so tightly closed that there is no chance of the access of any foreign pollen, unless the spikelet is torn open or eaten by an insect which is a very rare thing indeed. In the ordinary course of nature there is not the slightest danger of any one variety affecting any other sort by cross-fertilizing, from being grown near together.

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*By Mr. Featherston :*

Q. It is different with corn ?

A. Yes, it is a very different thing with corn where the fertilizing is effected openly. The corn pollen which is formed on the tassel drops on the silk and sends a little fibre out which penetrates the thread of silk and descends to the ovary and there fertilizes the seed, but in the case of wheat, barley and oats, there is no danger of that, as every kernel is fertilized by its own pollen and that in and in breeding is probably one of the chief reasons why some varieties so soon die out. A few years ago I examined a large number of samples of different varieties of wheat which had been exhibited at the Centennial Exhibition, and I was surprised to find that of all the varieties then exhibited very few are now known. Red Fife is a remarkable example of the power of some varieties to maintain their vigour and productiveness for a long period ; this originated in 1842, and it is still one of our most vigorous and productive sorts especially in the North-west. So one cannot lay down any law in regard to the length of life of any of these varieties. It may be that the change of the seed of Red Fife from one part of the Dominion to the other—that is from Ontario to Manitoba—has exercised a very great influence upon this variety. I think it is the duty of the Agricultural Department of every government to look ahead in this matter of varieties so that new and vigorous sorts may be available to replace any that may run out and cease to be profitable.

*By Mr. Parmelee :*

Q. You would recommend the frequent change of seed ?

A. Yes, I think it is an advantage, although as I said at the last meeting it is one of those things the advantage of which it is difficult to furnish actual proof. This practice is, however, held to be beneficial by most intelligent farmers, over the whole world, and this general consensus of opinion based on experience may safely be regarded as well founded.

*By Mr. Calvert :*

Q. Would you consider that good proof ?

A. Fairly good, but not as good as can be furnished in support of many other questions bearing on profitable farming. A man may believe that all the advantage he gets in crop is due to this one cause, whereas one-half or two-thirds of it may be dependent on other circumstances. I believe in the desirability of change of seed from one place to another, and from time to time from one soil to another, and have practised this more or less for many years in connection with the work of the experimental farms.

*By Mr. Pettet :*

Q. Do you sow your own seed ?

A. We do very often, and we often send seed grain to the branch farms, and they in return send seed here for a change. We sent this year to Nappan seed from Ottawa of all varieties of wheat they required. Their wheat this year was shrivelled on account of rust. The superintendents of the branch farms at Brandon and Indian Head and Agassiz exchange seed whenever they think it is desirable, and I have always instructed them to carry out whatever they think best in this matter, but we have not pursued any special line of investigation with the object of ascertaining the effect on crops of such changes of seed. I have regarded this practice as one which was everywhere recognized as beneficial.

Q. You cannot tell how long you have sown any particular kind of seed ?

A. Yes, we have the number of years all on record on our books. The branch farms have received all their seeds at the start from Ottawa, so all had the same strain

at the beginning. The results we have published in the growing of varieties are in most cases the crops obtained from successive sowings from year to year of seed grown on the same farm; occasional changes have been made, but our uniform test plots have only been carried on for five or six years, and this is but a short time in the life of any good variety of seed.

*By Mr. Semple :*

Q. Haven't you brought any seed grain from foreign countries?

A. Yes, from almost every foreign country, and we have been growing these in comparison with other new varieties which have been introduced, and some which have been originated here. We have had them from Russia, Japan, Australia, New Zealand, also from England and France, and many other countries. A number of varieties have been discarded after two or three years of trial, because they were of such poor quality that it was not worth while to continue them. This was especially the case with some varieties from the south of Europe, the Trimenian Sicilian, the Medea, and the Greek summer wheats from Southern Europe. These were all much like goose wheat, translucent with very little gluten, and were manifestly inferior. We have selected the best and kept these on, and have found the number quite large enough. With all the weeding out we have done, there are still a very large number of varieties to look after, there are over 700 plots this year at the central farm to take records of.

*By Mr. Clancy :*

Q. Did you say that the varieties you sent out are hybrids?

A. The four varieties of wheat sent out for the special test in one-tenth acre plots were all cross-bred sorts. They are all crosses between Red or White Fife and the Ladoga, the Ladoga blood being introduced to try and produce earliness in connection with the vigour and productiveness of the Fife.

Q. What is your experience with regard to the productiveness of these hybrids?

A. I have already given examples. One of these, the Preston wheat, has produced as the average of four years' trial on all the experimental farms, one bushel and 17 pounds, more than any other variety tested.

Q. That may be considered a proof then, that instead of keeping the same seed continually it is well to change occasionally?

A. That, I think, is the indication.

*By Mr. Featherston :*

Q. By the continuous growing of many samples of many seeds upon the farm do you find they have decreased in yield?

A. Our experience is too short to expect that. We find a difference in yield in different seasons and in different climates, but have not observed any regular decrease in productiveness in any of these varieties.

*By Mr. McMillan :*

Q. In the varieties that you have brought over from other countries, have you found them to improve after two or three years here?

A. I can scarcely answer that question directly in a way that would be strictly fair to the varieties referred to. Take for example the Indian varieties of seed grain which we got from high altitudes in the Himalayas, through instructions from Lord Dufferin seven or eight years ago, some of them coming from an altitude of 11,000 feet. The methods of agriculture practised in India are so poor that the crops are very small, their best results being from 8 to 10 bushels to the acre. Where a variety has been grown for several hundred years under such conditions, and is then brought to a new country where the soil contains an abundance of plant food, there is bound to be an increase. These varieties did produce larger crops, but not large enough to compare favourably with the varieties in common cultivation here, and after trying them for

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several years, most of them were discontinued, but we have used them to cross fertilize other varieties with, because they are so much earlier. In the case of the Ladoga wheat, I do not think that has given us, during the last three or four years, as large crops on the average as it did during the first two or three years after it was introduced, but in some districts it continues to do very well. A gentleman recently told me that north of Edmonton he had seen, last year, one of the finest fields of wheat he ever saw, the Ladoga was the variety he spoke of; it stood, he said, as high as his head and produced a splendid crop. I have also had reports from Indian agents from Indian reserves in the far north, praising this variety, showing that climate has a great deal to do with the usefulness of some of these sorts.

*By Mr. Parmalee :*

Q. Is Ladoga not a good milling flour?

A. It produces flour of good quality, and good bread is made from it, but the flour having a yellowish colour, this is an objection to it, and we do not want to encourage the growing of any variety which is likely to lessen the reputation of our Canadian flour.

The next series of tables give the six best varieties of six-rowed and two-rowed barley, at each farm, and the six best sorts at all the farms, and the twelve best varieties of spring wheat in the same way. Permit me to point out how the Preston wheat stands at the different places. It stood at the head at Ottawa, last year, with a yield of 26 bushels 3 pounds per acre, the next variety giving 23 bushels 59 pounds, a difference in favour of Preston of 2 bushels and 4 pounds per acre. At Indian Head, Preston stood fourth on the list with a yield of 41 bushels 25 pounds, at Nappan it was fourth on the list with 30 bushels 45 pound. At Brandon it was fourth on the list with 36 bushels 41 pounds. I may say that the three or four varieties at the head of each list come very close to each other in yield, so that a little waste in harvesting might cause some to change places. In British Columbia, Preston stood second with 26 bushels and 30 pounds. In this instance you have a variety tested over the whole Dominion in many climates, ranking not lower anywhere than fourth in the lists of the twelve best varieties.

*By Mr. Rogers :*

Q. Is it a good milling wheat?

A. We believe it is, although that has not yet been tested, we have sent samples to London, England, to the High Commissioner for Canada, to get the opinions of experts on the quality of that wheat, but have not yet heard the results. Our millers here require a carload of the grain to make a satisfactory test, and as yet it has not been possible to procure that quantity. I have also given you the result of three years' experience with varieties of pease.

*By Mr. Clancy :*

Q. Would you give us the varieties of pease?

A. Do you want the twelve varieties or a less number of those giving the larger crops?

Q. What would be the general yield?

A. The results of the test of the 12 varieties at all the farms places Arthur, which is a cross-bred variety, at the head of the list with 28 bushels 53 pounds as the average yield of four years. The Creeper which is a very small pea and not of much value for marketing, but good for feeding, stands second with 25 bushels 53 pounds, this gives a clear gain to the Arthur of 3 bushels to the acre. Prince Albert stands third with 25 bushels 46 pounds. Next in the list are two other cross-bred sorts, Carleton and Macoun. Multiplier stands sixth with 23 bushels 55 pounds. New Potter and Centennial next, these are two commercial varieties, Kent is a new cross-bred sort, Paragon, Crown and Golden Vine, are old and well-known varieties. These are the 12 which did best on all the Experimental Farms.

*By Mr. Semple :*

Q. How did the variety Arthur do at the Central Farm ?

A. The variety Arthur at the Central Farm stands at the head with 41 bushels 22 pounds. We have sent out a good many samples of this pea to farmers and two years ago a bushel was sent to several of the leading Canadian seedsmen who are now growing this variety for sale, and they are all pleased with the crops they have had from it.

*By Mr. Calvert :*

Q. You said that the average of oats on the farm during 1889-90-91 was slightly over 32 bushels to the acre, and in 1896-97-98 it was 56 bushels, or a difference between the two periods of 23 bushels 56 pounds ; how do you account for that ?

A. By our having practised what we have been teaching, by improving the land, adding to its fertility by yearly applications of barn-yard manure and the ploughing under of green clover, by thoroughly preparing the soil for the seed and attending to underdraining, which is very important. By selecting the best varieties of seed and thoroughly cleaning them so to sow only plump and well ripened grain, and the seed is sown at the proper time, that is as early as possible. We think it pays us, if we are rushed with work, to hire extra teams in order to get the seed in as early as possible. As already stated a delay of a week beyond the proper time will cause a loss of ten or fifteen per cent, and a delay of two weeks will often cause a loss of twenty-five to thirty per cent. It is by putting into practice what we have been teaching along all these different lines that we have brought about these increased crops on the Central Farm.

*By Mr. McMillan :*

Q. You mentioned a while ago that you were sending out 8 lb. samples of oats for  $\frac{1}{10}$  acre plots, that is 2 bushels 12 lbs. to the acre ; is that not rather much ?

A. After careful consideration of this matter it was thought best to send out that quantity of oats. Seven pounds would have been sufficient on the basis of two bushels per acre, the extra pound was sent to provide against any little accidental waste in seeding which might occur. The same was done with the wheat and barley, and 10 pounds was sent.

Q. I think if you put 2 bushels and 12 pounds of oats where 2 bushels would with care have been sufficient, on good land it is too much. You supply 8 pounds for  $\frac{1}{10}$  of an acre, which is 80 pounds to the acre. Two bushels are 68 pounds and you have 12 pounds over ?

A. I admit that this is a larger amount of seed than we sow in Ottawa, but in the maritime provinces farmers frequently sow  $2\frac{1}{2}$  and 3 bushels to the acre. Had we sent the exact quantity it would to some farmers appear very niggardly.

*By Mr. Clancy :*

Q. You said you had sent the Preston wheat to some of the seedsmen ?

A. Yes.

Q. Have you ever found that some seedsmen are not so cautious as those of the heads of the farms about new varieties ; they are sometimes disposed to boom such things under new names ?

A. I know that is sometimes the case, but we have only sent this grain to a few of our most reliable seedsmen. If we withheld these new sorts and did not take any steps to make them available to the public we might be blamed for this. These seedsmen have sent the samples to special farmers to grow and as soon as a sufficient quantity is available the seed will be sold to those who want to buy them.

Q. We have known seed to be greatly boomed that is worthless ?

A. We find every year that some seedsmen bring out old varieties and give them new names, and we have to undertake the work of growing these alongside of other

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varieties with which they are identical in order to prove their identity. I do not think however, that there is the slightest danger of anything but straightforward dealing by the seed firms in whose hands these seeds have been placed.

### THE FEEDING OF STEERS AND SWINE.

Early in the winter of 1898-99 a series of experiments was undertaken in connection with the fattening of steers. 36 animals were procured for the purpose and divided into nine groups of four each. These feeding tests were only partly completed under my charge when Mr. T. H. Grisdale was appointed as agriculturist. This work was at once handed over to him and the result of these tests will no doubt be given in his evidence. Some experiments were made with swine which were completed before Mr. Grisdale's appointment, these will now be referred to. The pigs, in this case, consisted of five lots of four each. No milk was given in any case to any of these swine, they were fed entirely on mixtures of whole and ground grain. The mixture consisted of equal parts of oats, barley and pease, with half a part of bran, and this was fed either whole or ground, dry or soaked.

### FED ON A MIXTURE OF WHOLE GRAIN DRY.

Lot No. 24 was fed on a mixture of whole grain dry, and as much was given to the swine as they would eat up clean. Water was supplied freely in a separate trough. The pigs in this pen consisted of two Polan China sire, with Tamworth dam, one Tamworth sire and Chester white dam and one Polan China sire and Yorkshire dam. The four pigs at the outset weighed an average of  $67\frac{1}{2}$  lbs. each. These were rather smaller than those we usually select for such experiments. We generally have them to weigh from 70 to 80 lbs. The feeding test began on the 20th of July, and was continued for 14 weeks until the 26th of October. At the conclusion of the experiment the pigs weighed  $175\frac{1}{2}$  lbs. each, and 4.08 lbs. of grain was consumed for each lb. of increase in live weight.

*By Mr. Semple :*

Q. What was the daily increase in live weight ?

A. We did not take their weight daily, but weighed them every fortnight, the average gain per day can be easily calculated from the figures given.

*By Mr. Rogers :*

Q. That was a little over a pound a day ?

A. I have not figured it out, but I can do that for you if desired.

*By Mr. Clancy :*

Q. I heard a man speaking the other day who said that he was able to make  $3\frac{1}{2}$  lbs. daily ?

A. We have succeeded in occasionally getting three pounds daily increase with steers ; but have not succeeded in making so rapid an increase in pigs. It would be interesting to get fuller information from that gentleman on this subject.

I gave him my address because I was anxious to hear the particulars, but I have not heard from him yet.

### FED ON A MIXTURE OF WHOLE GRAIN SOAKED.

Lot 25 was put on the same mixture of whole grain, soaked on an average for 30 hours in cold water before feeding. It consisted of four cross-bred swine of exactly the same breeding as lot 24. The swine received of this soaked grain all they would eat up

clean. This lot averaged  $65\frac{3}{4}$  lbs. each at the start, and at the close of the experiment they weighed 195 lbs. each. The quantity of grain used to produce each pound of increase in weight in this case was 3.56 lbs.

FED ON A MIXTURE OF GROUND GRAIN DRY.

Lot 26 consisted of four cross-bred pigs of exactly the same breeding as lots 24 and 25. These were fed for the same period and on the same mixture of equal parts of oats, barley and pease, with half a part of bran, but in this case the grain was ground and fed dry. The pigs were given all of this mixture they would eat up clean, and they had all the water they required in a separate trough. The pigs in this lot weighed at the beginning  $68\frac{3}{4}$  lbs. each, and at the close of the experiment, 195 lbs. each, and the quantity of grain used to produce each pound of increase in live weight was 3.56 lbs.

FED ON A MIXTURE OF GROUND GRAIN SOAKED.

Lot No. 27 consisted of four cross-bred pigs of exactly the same breeding as the other pens. These had an average weight of  $66\frac{1}{2}$  pounds each at the beginning and  $109\frac{1}{2}$  at the end. They were fed for fourteen weeks, and consumed 3.76 pounds of grain for each pound of gain live weight.

MR. PARMALEE—Soaking does not appear to have done much good.

*By Mr. Clancy :*

Q. Will you give us the different average increase on the different mixtures ?

A. The average quantity of food consumed for each pound of increase in live weight was as follows : For the first lot 4.08, for the second lot 3.88, the third lot 3.56, and the fourth lot, 3.76.

*By Mr. Featherston :*

Q. I thought the quotation was  $3\frac{7}{16}$ .

A. No. It was  $3\frac{7.6}{16.6}$ .

*By Mr. Clancy :*

Q. Were they all the same age ?

A. They were all the same age in the four pens, and of the same breeding.

FED ON A MIXTURE OF GROUND GRAIN SOAKED, WITH CLOVER ADDED.

The last lot of pigs fed, lot 28, were fed with the same mixture of grain ground and soaked in cold water for thirty hours, and one-third of the weight of green cut clover was added to the ration. This lot consisted of one Polan China sire and Tamworth dam, one Tamworth sire and Chester White dam, one Polan China sire and Yorkshire dam and one pure Tamworth. These weighed on an average  $68\frac{1}{4}$  pounds at the beginning and  $136\frac{1}{4}$  pounds at the close. The weight of these at the finish was much less than that of the others. They did not consume the same weight of food nor make the same growth or progress in weight that the others made which were not getting clover.

*By Mr. Featherston :*

Q. That was the average ?

A. The increase at the close of the experiment showed that 3.60 pounds of meal and 1.20 pounds of clover had been consumed for each pound of gain. This experiment was included in the list last year because the suggestion was made by some gentleman in the committee that clover should be tried with the grain. Was it you, do you remember, Mr. McMillan ?

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Mr. McMILLAN.—I should not wonder if it was me, because we have been feeding clover and have been turning out sixteen pigs a month with very good results.

A. The clover was dried and soaked and put in with the grain. It may have been the fault of the pigs that progress was so slow, but that is the result we had. They weighed 13  $\frac{1}{2}$  pounds each at the close of the experiment, and had consumed nearly as much grain as lot 27, and they ate the clover in addition. One object in feeding the clover was to gain information as to whether it had anything to do with the softening of pork, but when killed no difference could be seen as to the hardness of the fat.

*By Mr. Featherston :*

Q. Was the pork of all this lot good?

A. The pork of all these was pronounced to be good. The Poland China cross would not come into the first-class because the fat was more than 1  $\frac{1}{2}$  inches through along the back. The pure Tamworth was a little soft, but in justice to the breed it must be said that this was a stunted little pig in the litter which had not been thought good enough to sell for breeding and hence it was put into this experimental feeding test.

Q. That is the great trouble with this soft pork, it comes from unhealthy hogs.

Mr. McMILLAN.—In fact it is from the hogs that do not thrive when young.

*By Mr. Featherston :*

Q. You found as a result that the dry feeding is the most profitable.

A. That was the case with the ground grain, but the whole grain gave the best result when soaked.

*By Mr. Rogers :*

Q. Had you an opportunity of feeding with whey and milk?

A. We have had much experience in feeding skim-milk, and in all cases where two or three pounds of milk has been given to each hog per day, the results in increase in weight and thriftiness of growth have been very satisfactory.

Having read over the preceding transcript of my evidence, I find it correct.

WM. SAUNDERS,

*Director, Dominion Experimental Farm.*

COMMITTEE ROOM 46,

HOUSE OF COMMONS, 13th June, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 a.m., Mr. Bain, chairman, presiding.

THE CHAIRMAN.—We have present with us to-day Dr. Saunders, who desires to speak on the work of the outside Experimental Farms that are scattered over the various provinces in the Dominion.

THE STOCK ON THE CENTRAL FARM.

DR. SAUNDERS.—MR. CHAIRMAN AND GENTLEMEN.—Before beginning what I have to say on the work of the branch Experimental Farms I wish to refer to one matter on which I wanted to speak in connection with our Central Farm work, that is our entire freedom now from tuberculosis. The cattle at the Central Experimental Farms were all tested with tuberculin in October last, and no case was found where there was any suspicious reaction. The cattle were tested also at the branch experimental farms, and at Nappan, N.S., Brandon, Man., and Agassiz, B.C., no cases were found, but at Indian Head two animals out of fifty-two tested gave a reaction. These were killed and found to be slightly affected. It is gratifying to know that we are now practically free from that disease.

*By Mr. McMillan :*

Q. Did you think there was any particular reason why your cattle should be affected?

A. The only reason I can assign for it is this, that we bought cattle from at least two different points from herds which we afterwards found were affected. These animals were examined before purchase by veterinary experts and pronounced sound. This is a very insidious disease and spreads rapidly, especially where cattle are kept in close quarters. I am of opinion that where cattle are watered from a common trough the disease may be spread in this manner. The sputa often contains the germs of this disease and these may be taken in by another animal drinking from the same receptacle. This plan of watering the cattle was used at the Central Farm, but as soon as we realized the possibility of danger from this source the troughs were abolished. It is also probable that the experiments conducted for four years in trying to feed thirty cows on forty acres of land, had a tendency to spread the disease as these cattle were housed together for the greater part of this time.

*By Mr. Sproule :*

Q. Were these common troughs for water used in the barn?

A. Yes.

*By Mr. McMillan :*

Q. It is a trough running from one to the other.

A. Yes. These troughs were emptied and brushed once a day, but still there was a chance of the disease germs passing from one animal to another in this way.

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*By Mr. Wilson :*

Q. How do you do it now ?

A. We water them separately. We expect shortly to introduce a device which our agriculturist, Mr. Grisdale, is working out by which each animal can be watered separately without carrying water to each.

Q. That is a little more trouble ?

A. Yes. We water with pails now and shall continue to do so until we get the watering device referred to completed.

*By Mr. Moore :*

Q. I think the farmers do not understand this tuberculin matter, where it is to be got and how administered. It might be well to give a little explanation which would go out in your evidence ?

A. I shall be glad to do that. The tuberculin is obtained by making cultures of the bacillus which causes the disease. These give off a peculiar secretion during their growth, which is retained in the tuberculin, and when this is injected into animals affected with the disease it causes a rise in the temperature of from two to five or six degrees above normal in a few hours, and it is by that rise in temperature that the presence of the disease is detected. In connection with the tests made at the several Experimental Farms, we have killed a considerable number of animals and there is only one instance which I can recall where this reaction occurred where the disease was not found. That was a young bull whose sire and dam were both diseased, and on this account as the bull was of no value the examination made was done with less care than in other cases, and that is the only case I can recollect where we did not find the disease clearly marked.

*By Mr. McMillan :*

Q. Is it possible for an animal to show reaction that has not the disease ?

A. It has been said so, but it can scarcely be proven that such animals have not the disease unless every part of their organism is examined, and this it is very difficult to do. There is a very strong belief among veterinarians all over the world that this is a reliable means of diagnosing the disease. The tuberculin when prepared is injected under the skin of the animal and the thermometer is placed in the anus or mouth and the variations in temperature watched and recorded every two hours. If a rise in temperature takes place to the extent mentioned, it is held to be proof that the animal is diseased.

*By an hon. Member :*

Q. Within what length of time does this change take place ?

A. Usually in eight or ten hours. In Bulletin No. 20 of the Experimental Farm series, a very full account is given of all the tests conducted at the Central Farm. These show that the conditions vary in different animals. Usually the temperature rises within eight or ten hours and remains up for six or eight hours.

*By Mr. McMillan :*

Q. You will have to take the normal temperature before making the tests ?

A. Certainly ; the natural temperature is usually taken before the test is made for three times at intervals of two or three hours each, and the average of these is used as a basis for comparison.

*By Mr. Cargill :*

Q. Do you consider this a reliable test under all cases ?

A. I do, sir. As I have already stated, we have killed many animals at the experimental farms here which have reacted, and have found the disease in every case ex-

cept that one which I have referred to, and we might, in all probability, have found it in that if we had searched more thoroughly.

Q. I have been told by parties who import cattle that in testing them one or two will probably react and then on a subsequent test these one or two which reacted would stand the subsequent test without reacting, and probably one or two others which stood the former test will react.

A. It is a well known fact that where repeated tests are made with tuberculin if you do not allow the lapse of sufficient time, you do not get the reaction again, as a rule. That has been shown in the bulletin I have referred to. We tested animals a second time after two weeks, and these, although badly diseased, did not show any reaction from the second injection.

*By Mr. Cochrane :*

Q. I understand that Mr. Cargill says that with some animals in the same herd a couple of them would react, and then after a while he tested those that had not been tested, and they would show reaction.

*By Mr. Cargill :*

Q. No, no ; the same lot.

A. At what lapse of time, sir ?

Q. It wouldn't be more than a week or ten days.

A. I have never known of any instance of that kind.

*By Mr. McMillan :*

Q. Is there any case, in your knowledge, of a healthy animal, after having been tested three or four times with tuberculin, suffering from the disease ?

A. I have never known any instance of the health of the animal suffering. We had cases of an animal one year giving no reaction and the following year showing signs of the disease. The two animals I referred to as affected at Indian Head, were tested two years ago and showed no reaction, but this year they reacted, and on killing them the disease was detected. These, probably, had the germs of the disease in them at the time first tested, but not far enough advanced to bring about the reaction under the tuberculin test.

*By Mr. Ratz :*

Q. What do you do with the animals which are diseased ?

A. We bury them.

#### EXPERIMENTAL FARM, NAPPAN, NOVA SCOTIA.

At this as well as at all the other branch farms experiments have been carried on during the past year with grain, fodder crops and roots similar to those I have spoken of at the Central Farm.

Last season the crops at Nappan were lighter than usual with all sorts of grain. Rust prevailed to a large extent and at the Experimental Farm we suffered from this disease as elsewhere, and the crops were reduced. The average crop for all the varieties of oats grown was thirty-seven bushels per acre, the average of the best twelve sorts was forty-six bushels thirty-one pounds, and the largest crop was fifty bushels per acre. In barley the average of all the two-rowed varieties was twenty-nine bushels twenty-three pounds, the average of the best twelve sorts, thirty-four bushels twenty-eight pounds ; and the largest crop was forty bushels and forty pounds per acre. The six-rowed barley gave an average from all varieties of thirty-six bushels twenty-one pounds, the average of the best twelve sorts was forty-four bushels fifteen pounds, and the largest crop was fifty bushels per acre. In spring wheat the average of all varieties was eighteen bushels forty pounds, the average of

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the best twelve sorts, twenty-two bushels twenty-three pounds, while the largest crop was twenty-five bushels twenty pounds per acre. I give you these figures to show that the falling off has been quite considerable as compared with former years, and this has been due largely to the prevalence of rust. Indian corn did well at the Nappan Farm; the average of all the varieties was fifteen tons 1,695 pounds per acre, the average of the best six sorts nineteen tons 1,967 pounds, and the largest crop was twenty-three tons 1,850 pounds per acre. Turnips have done fairly well—roots generally succeed well in the maritime provinces—the average of all the varieties of turnips grown was twenty-six tons 551 pounds, the average of the best six sorts thirty tons 625 pounds, and the largest crop thirty tons 1,915 pounds per acre. In mangels the average of all varieties was twenty-three tons 841 pounds, the average of the best six sorts thirty tons 1,627 pounds, and the largest crop thirty-eight tons 125 pounds per acre. Carrots gave an average yield on all varieties of twelve tons 768 pounds, the average of the best six varieties was fifteen tons 1,320 pounds, and the largest crop was seventeen tons, seventy-five pounds per acre.

*By Mr. Broder :*

Q. With turnips do you test different times of sowing, earlier and later ?

A. Yes, sir, we had at all the experimental farms two series of plots, one sown two weeks later than the other. At the Central Experimental Farm we carry that point further and sowed last year four series of plots at intervals of from eight to twenty days each, but at the branch farms there are but two sowings.

*By Mr. Macdonald (Kings) :*

Q. Have you got the names of the kinds of wheat that gave the results mentioned

A. Yes. Wellman's Fife gave the largest crop of wheat at the Nappan farm, and the varieties that stood next were Pringle's Champlain, Beauty, Progress, Alpha and Admiral, Hungarian, White Connell, Emporium and Huron. These are the varieties which averaged twenty-two bushels, twenty-three pounds per acre, the Wellman's Fife having given the largest yield, namely, twenty-five bushels and twenty pounds per acre.

*By Mr. Semple :*

Q. What was the result of the early and late sowing of turnips ?

A. The average of the crop of the first sowing at Nappan was 28 tons 1,185 pounds per acre while the second sowing gave an average of 23 tons 1,918 pounds per acre, a difference of 4 tons 1,267 pounds per acre in favour of early sowing. The quality of the turnips has generally been a little more woody from the first sowing than the second, but I do not think that is a matter of much moment, as the cattle seem to eat them just as freely as those later sown.

*By Mr. Burnett :*

Q. What was the time of the first sowing ?

A. The first turnips were sown at Nappan on the 25th of May; the second on the 7th June. The first sowing at the Central Farm last year was on the 28th of April, the second on the 6th of May, the third on the 21st of May, the fourth on the 11th of June. The average yield per acre from the first sowing was 25 tons 1,298 pounds, that was perhaps unduly early as it did not yield as well as the second sowing. The next sowing, that on 6th May, gave 26 tons 905 pounds. The average yield from the third sowing was 33 tons 330 pounds, and that from the last sowing was 24 tons 1,413 pounds.

*By Mr. Broder :*

Q. The last sowing was in June ?

A. Early in June. The differences were not so largely in favour of the early sowings last year as they usually are, much depends on the season.

*By Mr. Bell (Pictou):*

Q. Which gave the biggest yield?

A. In this case the second sowing gave the largest crop, that of the 6th of May.

Q. How many tons was that?

A. Taking the average of all the varieties the yield was 26 tons 905 pounds per acre. The largest crop was given by the East Lothian, which was 30 tons 710 pounds per acre.

*By Mr. Broder:*

Q. The Kangaroo turnip has been recommended by some. Can you tell us anything about that?

A. No. That is a variety which has not been tried here. In fact, I have not heard of this sort before.

Q. They are raising it in the Eastern provinces?

A. There are many instances occurring of local seedsmen giving extraordinary names to old varieties. Possibly this may be a case of that sort, as I have not met with this name in any of the seed catalogues.

Q. It is a very long turnip, not unlike a Swedish turnip. The people there have been calling it a Government turnip, that is what made me ask the question?

A. It did not come from the Experimental Farm under that name.

Potatoes have given very good results at Nappan during the past year. The average of the best twelve varieties was 378 bushels and 28 pounds, and the largest crop, 448 bushels 48 pounds per acre.

Horse beans have been tested during the past season at all the Experimental Farms by growing them in rows of different widths, and they have succeeded very well at Nappan, the largest crop there being 13 tons 400 lbs. per acre. Horse beans have done poorly on all the other farms. In all cases these experiments have shown that growing them in rows two instead of three feet apart has produced the best results. On inquiry I find that it is a common practice in Great Britain to grow horse beans in rows two feet apart.

Soja beans have given the largest crops at Nappan in drills two feet apart, namely 5 tons 600 lbs. per acre. The Soja beans have not done as well at Nappan as the horse beans, whereas at the other farms they have done a great deal better. In these experiments the best results have been had when the seed has been sown in drills from 21 to 24 inches apart.

In millets there is a new variety, the Japanese millet, coming to the front, which promises to be very valuable as a fodder plant. It gave a yield last year at Nappan of 16 tons 1,960 lbs. per acre when grown at a distance of 15 inches between the rows.

#### WATER SUPPLY.

For some years past the water supply at the Nappan farm has been very defective. Last year some springs were found on the farm in the woods on high ground, about three-quarters of a mile from the buildings. A reservoir was constructed near the source of the springs and the water has been brought from this in galvanized iron pipes and introduced into all the buildings. This water has been analysed by the chemist of the Experimental Farms who says: "It is exceedingly good water, exceptionally pure, and one eminently suited to drinking and household purposes." The supply is ample for drinking and household purposes and is of excellent quality.

#### EXPERIMENTS WITH MILCH COWS.

During the last year a comprehensive test has been conducted with the whole herd of milch cows, 27 in all, showing the cost of feed and receipt from sales of milk, setting the manure against the labour. The results show an average profit of \$14 per cow. The different animals vary very much; the best one gave a profit of \$28.64; the

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poorest one 21 cents, showing that it is very important for farmers to know what sort of animals they are feeding and to watch the results they get so that they may find out whether each cow is giving a profit or whether they are keeping some animals for the pleasure of their company.

A comparison was made by Mr. Robertson of two groups of cows about equal in quality, which showed that more profit was made from cows which calved in the fall than from those which calved in the spring.

*By Mr. Wilson :*

Q. Does he give any reason why?

A. No; but he shows that they gave more milk and consumed more of the rough products of the farm.

*By Mr. Calvert :*

Q. What did he do with the milk?

A. He sold it to the experimental dairy at Nappan, which is conducted by the Dairy Commissioner. The milk was delivered there and sold for the making of butter.

*By Mr. McMillan :*

Q. That was a very low average of profit, \$14?

A. That was the average. If the poorer cows had been eliminated, the results would have been better. I may say that it is not the most successful experiments that give us always the most useful information. If we take the average results and can explain the conditions under which they are obtained and point out how these may be improved, these are sometimes more valuable and impressive than if we could show a large gain from each animal.

*By Mr. Macdonald :*

Q. Does the profit from cows calving in the fall arise from the advanced price of the butter or the better quality of the milk?

A. In his report the superintendent says: "One striking fact is that cows of equal quality (as near as can be judged) which were fresh in the fall gave more profit than their equals fresh in the spring, besides consuming more of the rough products of the farm. For instance, Nos. 21, 24 and 26 were fresh in the spring, and consumed \$117.62 worth of feed, paid for it and left a balance of \$63.13 to their credit. While Nos. 6, 17, 22 and 25 that were fresh in the fall consumed \$154.51, paid for it and left a balance of \$106.11, being \$10.75 per cow in favour of the fall-calved cow."

*By Mr. McLaren :*

Q. Would that not be on account of getting better profits in the winter?

A. That might influence the result to some extent, but I could not say how much. We get an advance on the milk sent to the dairy of 50 cents per hundred pounds, which is paid at the end of each month for all the milk delivered, then at the end of the year, after the cost of the butter has been deducted the balance of profit is divided pro rata among the patrons who have supplied the milk.

*By Mr. Calvert :*

Q. You don't remember what the average would be?

A. I do not, and the particulars are not given to us in such a way as would enable us to give that information.

*By Mr. McMillan :*

Q. The cows are pastured in summer ?

A. Yes.

Q. Cows fully fed lying in the stable in the winter will give more milk than cows in pasture ?

*By Mr. Cargill :*

Q. Although the winter feeding costs more money the product in milk will be so much greater that the difference will be in favour of the winter-fed cow ?

A. There is a difference of \$10.75 per cow in favour of those which calved in the fall after taking the cost of the feeding in each case.

Q. The difference in profit is in favour of the winter cow ?

*By Mr. Martin :*

Q. Is the milk in both cases used for the manufacture of butter ?

A. I believe so—I do not think there has been any cheese made at this factory during the past two or three years.

Q. Is the milk sold absolutely, or is the skimmed milk returned to the farm ?

A. The skim milk is returned to the farm.

Q. In making up the profits do you take into account the feeding of calves ?

A. Yes. The value of the skim milk is duly estimated.

An additional area of land has been cleared on this farm during the year and some of it brought into cultivation. Improvements have also been made in the buildings.

In the horticultural branch many additional varieties of large and small fruits have been planted and the orchards have made satisfactory growth, that which is sheltered by a belt of wood has done exceptionally well. Comparative tests have also been made of many varieties of small fruits, also with many different sorts of garden vegetables, such as pease, tomatoes and corn.

The superintendent of the farm and the horticulturist have devoted a good deal of time during the past year to attending meetings of farmers and delivering addresses in different parts of the maritime provinces on agricultural and horticultural subjects.

Satisfactory progress has been made in all branches of the work, and quite a number of varieties have been added to the collection of ornamental trees, shrubs and plants now being tested at Nappan as to their hardiness and general usefulness for the maritime provinces.

#### THE BRANCH EXPERIMENTAL FARM AT BRANDON.

At the Brandon farm experiments of a similar nature to those I have described in connection with Nappan have been conducted, but with better results in some respects, particularly in reference to the oat crop. The Brandon farm this year takes the lead of all the Experimental Farms in the number of bushels per acre obtained of this cereal. The average crop of all the varieties tested was ninety bushels and eight pounds per acre. The best twelve sorts gave an average of 107 bushels and 13 pounds, while the heaviest yielding variety, a newly introduced oat, the White Giant, gave a yield of 114 bushels 4 pounds to the acre.

Barley has also done remarkably well there, the two-rowed varieties of the best six sorts, gave an average of fifty-nine bushels and twenty-eight pounds per acre, the average of all varieties was fifty-one bushels and thirty-five pounds, and the largest yielder, the Kirby, a newly introduced hybrid sort gave sixty-five bushels and twenty pounds per acre.

The six-rowed barleys which were tested have also done well. The average yield of all the varieties has been fifty five bushels and seventeen pounds, the best six sorts have averaged sixty-three bushels and forty-six pounds per acre and the largest crop

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has been given by the Stella, which is also one of the new hybrids, and gave sixty-eight bushels and sixteen pounds per acre.

The yields of spring wheat at the Brandon farm have not come quite up to those of the Experimental Farm at Indian Head this year, but they show well with an average crop of all varieties of thirty bushels to the acre, while the general average for the province of Manitoba has been about eighteen bushels. These larger crops show the advantages we have derived from a thorough preparation of the land, early sowing, using only plump and well matured grain for seed and selecting the most productive and vigorous varieties for sowing.

*By an hon. Member :*

Q. How many bushels to the acre have you sown ?

A. In sowing spring wheat we use a bushel and a-half to the acre, of barley we usually sow two bushels to the acre, and oats will vary from a bushel and three pecks to two bushels ; where short plump oats are used a bushel and three pecks is sufficient.

*By Mr. Calvert :*

Q. Would the average figures you have given be taken from the small plots or from the larger field plots ?

A. The averages I have quoted are the results which have been obtained from the small plots ; I have, however, some figures regarding the field crops which I shall be glad to give you. They show that the field crops compare very well with those obtained from the smaller plots.

Q. You gave spring wheat at thirty bushels to the acre and the general average of the province at eighteen bushels, would that thirty bushels be from the small plots ?

A. That would be from small plots. You will find, however, by referring to the field crops, that the returns have been much the same. I will give you the figures of some of the field crops at Brandon.

I may say that the area occupied by field crops at Brandon is not large with any one variety as we have so many different sorts to grow.

| VARIETY.            | SIZE OF FIELD.  |          | YIELD PER ACRE. |  |
|---------------------|-----------------|----------|-----------------|--|
|                     | ACRES           | BUSHELS. | POUNDS.         |  |
| Wellman's Fife..... | 1 $\frac{1}{4}$ | 40       | ..              |  |
| Red Fife.....       | 2               | 39       | 30              |  |
| Preston.....        | 3               | 36       | ..              |  |
| Percy.....          | 2               | 31       | 30              |  |
| Red Fife.....       | 3 $\frac{1}{2}$ | 30       | 40              |  |
| White Connell.....  | 3 $\frac{1}{4}$ | 30       | 8               |  |
| Crown.....          | 1               | 38       | 18              |  |
| White Russian.....  | 1               | 37       | 43              |  |
| Dufferin.....       | 1               | 34       | 28              |  |
| Vernon.....         | 1               | 33       | 30              |  |

In the whole list of field crops of wheat comprising over thirty acres, the average yield has been about thirty-two bushels per acre, which is a larger average than that obtained from the smaller plots.

*By an hon. Member :*

Q. Is the seed sown in drills or broadcast ?

A. Always in drills at the experimental farms. We have tried broadcast sowing for several years at Brandon, and the results have shown that it is much more economical to sow with the drills.

The practice is to use more seed when sowing broadcast than in the drills, and the crop has not been so good.

*By Mr. McNeill :*

Q. In speaking of these varieties you have just referred to, have you found in many years much difference in varieties?

A. Yes, sir, we have found in a four years' test that some varieties will average much more than others. And these demonstrations in bushels per acre, cannot be set aside. Where we sow for four or five years running a number of varieties and find certain sorts coming to the top of the list every year with a large average yield, that, to my mind, is quite sufficient to justify the recommending of these varieties for general cultivation, and when tried they usually give very satisfactory results.

In Manitoba the pea crop is attracting more attention than formerly. The varieties tested have nearly all done well, and have averaged 41 bushels 8 pounds per acre, the best twelve sorts giving 51 bushels 7 pounds per acre. The highest yielder was Harrison's Glory, which gave 59 bushels per acre. This is a variety which was introduced some years ago at the Agricultural College at Guelph, Ont. It came, I think, from England, and has done unusually well at Brandon. Indian corn has also given good crops, the best six sorts having given an average yield of 23 tons 1,450 pounds per acre. The yield of roots have been remarkable during the past year—the best six varieties of turnips averaging 49 tons 1,088 pounds per acre, and the best six varieties of mangels averaging 62 tons 872 pounds per acre.

Q. In the experimental plots?

A. Yes, sir, but the experimental plots are sown in precisely the same way as the field plots, in rows  $2\frac{1}{2}$  feet apart, and the yields per acre are calculated from the weight of roots obtained from two rows, each 66 feet long.

Q. Do you find the experimental plots and the field cultivation yield about the same on an average?

A. Much the same where the land is of fair average quality.

Carrots have given much lighter yields, the average from the best six varieties was 12 tons 567 pounds. The crop of potatoes has been unusually large, the average returns from the whole number of varieties tested, which was 104 in all, were 394 bushels 18 pounds per acre. The best twelve sorts have averaged 600 bushels 7 pounds per acre. The largest yielder was a seedling which was originated at the Central Farm, this gave 682 bushels 8 pounds per acre.

#### TREATMENT OF OATS FOR SMUT.

Experiments have also been continued with reference to smut in grain and especially with the smut which affects oats. This variety of smut has been increasing very much in Manitoba of late years, so much so, that in some localities it has reduced the weight of the crop considerably. We have been trying experiments with a new antiseptic, formalin or formaldehyde. This is a liquid known in commerce under both these names, and in both instances it consists of a 40 per cent solution of formaldehyde in water. It is a very strong antiseptic, and we find that by taking  $4\frac{1}{2}$  ounces of formalin, which costs about 5 cents an ounce, and mixing it with 10 gallons of water and steeping the grain in that mixture we get a complete remedy for this trouble. We have tried soaking the grain for two hours and for one hour, and we have tried it at Brandon for ten minutes and have found the result satisfactory in all cases. The grain grown on plots where the seed was so treated was completely free from smut. We are carrying on the same line of experiments this year, as this is one of the most hopeful things for smut in oats and barley we have ever tested. Smut in wheat we can control well with blue stone, that has now been tried for many years and found to be an effectual remedy.

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*By Mr. Bell (Pictou) :*

Q. What was the shortest time of soaking you found effectual?

A. The shortest time tried was 10 minutes. In the past most of the remedies used for smut in oats have involved soaking for twenty-four hours, but we began with the formalin by soaking for two hours. Then at Brandon it was tried by Mr. Bedford for a shorter time, half-an-hour and subsequently for fifteen and ten minutes, and he found good results from it all through. This year it is being tested on all the experimental farms for the shorter periods.

*By Mr. McMillan :*

Q. What did you say was the price of the formalin?

A. We have paid here, buying it at wholesale, 50 cents a pound, that is less than 4 cents an ounce. I said 5 cents an ounce. I have seen it advertised in the North-west papers at 75 cents a pound, that is a little less than 5 cents per ounce.

*By Mr. Bell (Pictou) :*

Q. Will it be necessary to saturate the grain or will it do to sprinkle the solution?

A. I am not yet able to answer that question. One of the experiments being tried this year is to sprinkle the grain and see if that will have the desired effect.

*By an honourable Member :*

Q. I suppose you soak one lot of grain and put an another in the same fluid after it?

A. Yes, as long as the liquid lasts.

*By Mr. Bell (Pictou) :*

Q. Is this remedy for sale all over Canada?

A. I think you will have no difficulty in procuring it from drug stores in any town or city. The superintendents of our North-west farms have both spoken of the usefulness of this remedy at meetings in the North-west where this is a matter of more vital importance than it is here, and they inform me that it can be procured now almost everywhere in that part of the country, and I understand it has been used by many farmers for this purpose during the past season.

*By Mr. McMillan :*

Q. It dissolves entirely like water?

A. It mixes readily with water in all proportions.

*By an honourable Member :*

Q. After you have soaked the oats in this solution do you dry them then?

A. We spread them out for an hour or so before sowing.

*By Mr. Moore :*

Q. Were wheat, barley and oats all treated in this way?

A. We tried oats only last year, but this year barley is also being tried. The covering of these cereals, being wrinkled and uneven, it has been difficult to find a satisfactory remedy. It does well with the oats, and I think will do well with barley. The ordinary remedy, bluestone dissolved in water, has been found quite effective with smut in wheat.

*By the Chairman :*

Q. This formalin is the same article that is used for domestic purposes for destroying mold ?

A. Yes, it is an antiseptic, and is used also in hospitals as a germ destroyer.

*By Mr. McLaren :*

Q. The cheese, supply men all over the country keep this in stock in large quantities ?

Q. In the factories ?

A. Those who furnish dairy supplies in the different towns in Canada.

*By Mr. Bell (Pictou) :*

Q. What strength of bluestone do you use ?

A. One pound in a pail and a half of water and that is sprinkled on ten bushels of wheat. That quantity of the solution is enough to moisten every kernel of the ten bushels of wheat when stirred well with a shovel.

*By Mr. McNeill :*

Q. How much of the formalin would be required to do say ten bushels ?

A. I could not say just what quantity of the fluid would be required for ten bushels of grain—We recommend  $4\frac{1}{2}$  oz. of the formalin to be mixed with ten imperial gallons of water. About twenty cents would cover the cost of this quantity.

Q. How much grain would that suffice for ?

A. We have not yet determined that point, our plan has been to immerse the grain in very coarse open sacking in the liquid and leave it there for ten or fifteen minutes, then lift it out, allow the liquid to drain and empty the grain out to dry. I do not know how many small sacks could be soaked in this way in ten imperial gallons. That would be about a quarter of a barrel. The mixture would cost about eighty cents a barrel.

*By Mr. McMillan :*

Q. You have never tried just dipping it and taking it out when it is merely wet ?

A. No, sir, we should prefer leaving it in for ten minutes. It is well to give it time enough so that every part of the grain may be well wetted.

Q. If dipping would do, it could be done so much quicker ?

A. We are trying this year not only soaking for short periods, but also the effect of sprinkling.

#### FLAX, SOJA BEANS, JAPANESE MILLET, &C.

Experiments have also been conducted at Brandon with flax, Soja beans, Japanese millet and a number of different varieties of grains and clovers, from which much useful information has been obtained. Experiments have also been carried on to show the usefulness of straw as a fodder for steers. The results of these tests have shown that the animals do very well with straw if the farmer has not hay, provided he uses with it turnips and ground barley.

*By an honourable Member :*

Q. Would you cut the straw ?

A. Yes, by all means.

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## FATTENING OF CHICKENS.

Experiments have been conducted at Brandon for the past two years in the fattening of chickens and turkeys and much useful information has been gained. These experiments have been tried by penning one group of birds and allowing the other to run at large. The groups were equal in number and in 1897 five penned turkeys gained in 24 days 11 lbs. more than the five running at large, and three Plymouth Rock cockerels also gained 3 lbs. 3 ozs. more in confinement. These experiments have been carried on without cramming the birds. They were fed all they would eat. We find that from three to four weeks is as long as it is profitable to fatten birds in confinement, and that after that time it takes a great deal more food for every pound of flesh added. Experiments this last year, 1898, with four Plymouth Rock chickens in each case showed that they gained 5.06 lbs. more in four weeks when penned than the same number of birds allowed to run at large.

*By Mr. Calvert :*

Q. What did the cost of feeding the birds come to per pound of gain?

A. Mr. Bedford estimates it at 3 cents a pound, which I notice is a good deal less than the Dairy Commissioner reports as the cost of feeding here.

Q. I think it is 6 or 6½ cents per lb., and Mr. Bedford gives us 3 cents per lb. I don't know whether the climate has anything to do with it or would make that difference.

A. I cannot say as to that.

*By Mr. McNeill :*

Q. Is it fed whole or ground?

A. The grain was crushed and moistened, he says, for the morning meal and fed whole for the evening meal.

Q. What was it moistened with?

A. With water.

Q. Not with milk.

A. No, not with milk.

Mr. Bedford says that the feed consumed was 7½ lbs. wheat, 3¾ lbs. oats and 3¾ lbs. barley for the 5.06 pounds of gain, and he valued the grain at one cent per pound which made 15 cents in all; so the cost of feed per pound of gain was about 3 cents.

Some interesting experiments in fattening chickens were carried on also at the Central Farm last year which will be given you by Mr. Gilbert, the poultry manager, in his evidence. These experiments seem to show that poultry can be made to increase in weight very rapidly when penned and given all they can eat without the use of the cramming machine, provided the best breeds are selected for this purpose.

## FRUIT AND FOREST TREES.

Further experiments have also been made at Brandon with large and small fruits. It is gratifying to know that the cross bred varieties of apples, crosses between the Siberian crab and the larger and hardier apples of the east have wintered well, most of them having budded from the tips. I have had word from Mr. McKay during the last few days that the wild types of these fruits have wintered well, but that some of the cross-bred sorts have been killed. We have thirty-six of these varieties fruiting this season here, some of them had an unusual show of large blossoms, and the fruit of the crosses between this small crab and the Wealthy apple is now about three times the size of the average of the crabs on the tree from which these crosses were produced. These are photographs of the blossoms, showing the flowers of the two parents and those of the

progeny. The photograph shows the flowers of this cross of nearly double the size of those produced on the parent trees. Mr. Shutt kindly made these photographs for me.

*By Mr McNeill :*

Q. The male used in this cross was the Wealthy?

A. Yes, we have used the Wild Siberian crab for the female, for the reason that we have found in other experiments that it is usually the female which gives constitution and hardiness to the progeny. I think that the outlook is very hopeful for getting some varieties of fruits from this source which will be really valuable for the North-west country. We shall be able to judge better as to this after we have seen the fruits which are now growing, mature. They are growing rapidly and look very promising.

Many experiments have been made on the Brandon farm with forest and ornamental trees, also with ornamental shrubs and flowers. The people in that part of the Dominion, especially, regard with the greatest pleasure and delight the accession of additional fruits, blooming plants and ornamental shrubs, and this department of the work of this branch farm is, I think, one of the most useful lines which can be followed. It makes the settlers more contented with their homes when they find that they can grow so many beautiful things about them, and thus make their surroundings attractive. These little things all count in the lives of the people, and I think that the more contented the settlers are the better it will be for the country. Much experience is being gained each year as to the hardiness of the different varieties of forest and ornamental trees, shrubs and flowers, and the number of species and varieties found useful in this part of the Dominion is steadily increasing. Many comprehensive experiments have also been carried on at the experimental farm at Brandon by Mr. Bedford, in the testing of vegetables to determine those most suitable to the climate of Manitoba.

#### BRANCH EXPERIMENTAL FARM AT INDIAN HEAD.

At Indian Head the oat crop in the test plots has averaged less than in Brandon, the whole of the varieties tested having given an average of 61 bush. 30 lbs. to the acre and the best 12 varieties an average of 74 bush. 15 lbs. In field crops they have done better. Buckbee's Illinois has headed the list of the uniform test plots with a crop of 79 bush. 14 lbs. per acre, but in the field crops 15 acres of Banner have given an average of 85 bushels, while 10 acres of Abundance gave an average of 82 bushels to the acre.

*By Mr. Moore :*

Q. You reckon 34 pounds to the bushel, I presume?

A. Yes; 34 pounds to the bushel.

Of the two-rowed barleys the crop has been good; the six best sorts gave an average crop of 54 bush. 16 lbs. and the largest crop which was given by the Danish Chevalier was 57 bush. 44 lbs. per acre. The average of all the varieties of two-rowed barley was 45 bush. 37 lbs.

The six-rowed barleys have also averaged very well and have been a little more productive than the two-rowed sorts, the best six varieties having given an average of 53 bushels and 6 lbs. per acre, the largest crop being 56 bushels 32 lbs.

In spring wheat the Indian Head farm has given the largest crops obtained from any of the farms, the average of all the varieties tried having been 36 bushels 10 lbs. per acre, an average of 6 bushels 10 lbs. higher than that at the Brandon farm, which stands next in the list. The best twelve sorts of spring wheat at the Indian Head farm

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during the past year gave an average of 43 bushels per acre, and these varieties have run very even in crop and range as follows:—

|                           | Bush. | Lbs. |
|---------------------------|-------|------|
| No. 1 White Fife.....     | 45    | 30   |
| No. 2 Percy.....          | 45    | 20   |
| No. 3 Red Fife.....       | 44    | 20   |
| No. 4 Monarch.....        | 43    | 20   |
| No. 5 Stanley.....        | 43    | 10   |
| No. 6 Wellman's Fife..... | 43    | 10   |
| No. 7 Captor.....         | 42    | 30   |
| No. 8 White Connell.....  | 42    | 30   |
| No. 9 White Russian.....  | 42    | 20   |
| No. 10 Preston.....       | 42    | 10   |
| No. 11 Crown.....         | 41    | 20   |
| No. 12 Progress.....      | 40    | 20   |

Looking over the list it will be seen that the first ten come within very close range of each other; the greatest difference is 3 bush., the one at the top producing 45 and the tenth 42, showing that the averages of the productive sorts have been uniformly high at that farm.

*By Mr. McNeill:*

Q. How many of these are cross-bred sorts?

A. Four out of the ten are cross-breeds, and one, the Percy, stands within 10 lbs. per acre of the highest yielder, which was the White Fife.

Q. How about the ripening of these hybrids?

A. They ripen about four days earlier on the average than the White or Red Fife, taking a series of years. In some seasons the difference is greater and in other seasons less, but that is about the average. This earlier ripening habit has been inherited from the early variety used as one of the parents in this cross. The Red Fife and White Fife wheats have been used as one of the parents in these crosses.

Q. You mean that they are so many days earlier than the Red Fife?

A. Yes.

Nine varieties of fall wheat were tested last year at Indian Head inside one of the hedge inclosures. They wintered well and made very strong growth, but rust struck them early and badly and they gave a very poor yield, the crops averaging from nine to fifteen bushels per acre.

*By Mr. McMillan:*

Q. What sort of a hedge was used about this enclosure?

A. It was a willow hedge.

Q. I know farmers who had rust and barberry hedges and when the hedges were destroyed they had no rust after that.

A. That is no doubt so, on the other hand we have had barberry hedges at the Central Farm and I have never been able to detect any difference in the rusting between the wheat grown near the hedges and that growing distant from them. There are so many conditions which influence crops that it is not always safe to draw positive conclusions from such results. I have mentioned this fall wheat experiment because we have tried to grow it many times and have failed. When it does ripen at Indian Head it usually matures later than spring wheat and gives a lighter crop.

Pease have shown up well at the Indian Head farm, the average of the 47 varieties tested was thirty-seven bushels fifty-nine pounds. The best twelve sorts gave an average of forty-seven bushels twenty-seven pounds, while the largest yielder, the Paragon, gave fifty-seven bushels and fifty pounds. Indian corn has also done fairly well at Indian Head but the crops were very late. The average of all varieties was

eleven tons 1,399 pounds, and the best six sorts gave an average of 15 tons 1271 pounds. The crops of turnips, of which very few are grown in that section of country, were very fair, the best six varieties tested giving an average of 26 tons 1,658 pounds per acre. The six best varieties of mangels gave an average of 28 tons 1,853 pounds. This is an unusually large crop for Indian Head, the season being short there root crops are usually small. Carrots have always given a small yield there, and last year they fell much short of turnips and mangels.

In the potato crop Indian Head stands this year above all the other experimental farms. The 104 varieties which were tested have given the unprecedented average of 503 bushels 16 lbs per acre. The 12 best varieties averages 652 bushels per acre, and the largest cropper the Polaris, stands at the head with 706 bushels and 12 pounds per acre. Mr. McKay tells me they have never seen such a crop of potatoes in the North-west Territories as that of last year.

The experiments in grasses, which are so important, have been continued and attract much interest, but owing to the very dry spring the crops of hay were light, there being no rain till June. Fields from which only one crop of Brome grass had been taken averaged 1,700 pounds per acre, while a newly sown field last year, notwithstanding the dry weather, gave 2 tons 500 pounds per acre. Experiments were begun in the spring of 1898, both at Brandon and Indian Head, with the view of gaining information as to the best plants to sow for ploughing under to enrich the soil. We have found that looking to the maintenance of the fertility of the land, attempts to grow clover with grain as a nurse crop have always been a failure. We find that the grain takes all the moisture out of the land and that there is not enough moisture left in the soil after harvest to give the young plants a fair start, and we have never had any results worth ploughing under from such experiments. But by sowing clover on fallow land without a nurse crop we have had a good growth, and we hope that instead of having a bare fallow every third year, to sow clover, for ploughing down and in this way add to the fertility of the soil and thus help future crops of grain. On the plots devoted to this test last year we had different varieties of clover; we also sowed buckwheat and rape and ploughed these under, for the reason that some farmers advocate the growth of these plants for that purpose. These plots were all ploughed under when in the best condition in the autumn, and sown with Red Fife wheat in the spring. The yields of the different plots will be ascertained when the harvest comes on, and we shall then be able to see the results of this work.

The tests undertaken this year have been in reference to a more permanent rotation of crops. We have laid out a series of half-acre plots, leaving some for check plots, and these were sown with mammoth red clover, common red clover, Alsike clover, pease, tares, lucerne, buckwheat, rape and Brome grass, and these 20 half-acre plots have been arranged for a three years' test. The first series of these plots have been sown with clover which will be followed next year with wheat, and then some of them in the third year with wheat and others with oats, following the practice of some of the farmers in the district in regard to this rotation. The next series of plots are occupied this year with grain, and will have clover next year, and the following year will be sown with grain. The third series will be in grain for the next two years, then following with clovers. It is proposed to carry on this work for a number of years—the plots being so arranged as to show every year both the leguminous crops and the grain crops. I hope that in a few years we shall thus gain much light on that subject, which is so important in the North-west, and be able to demonstrate that the fertility of the land may thus be maintained for a long period.

*By Mr. McNeill :*

Q. Is the land liable to become clover sick?

A. We really know very little about clover sickness in this country, unless it be true that there are lands of that character in Prince Edward Island. That is the only part of the country where I have heard any complaint of this peculiar condition. In several instances where farmers have complained of failure in growing clover in Prince Edward Island I have found that the quantity of seed sown was very small, about four

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pounds to the acre. In such case if the seed chanced to be of poor quality, not much success could be expected. Possibly this may be the true explanation of some of the failures reported.

Experiments have also been carried on at Indian Head with horse beans, Soja beans, Japanese millet, rape, flax, tares, and canary grass, and much useful information has been gathered regarding these crops. A large list of vegetables have also been tried to gain further information as to the sorts which are best suited to the climate of the North-west.

### FOREST TREES, FRUITS, ETC., AT INDIAN HEAD.

Experiments with forest trees have been continued, especially in the direction of discovering the most economical methods of raising trees from seed such as are suitable for that country and of planting and caring for them. Many new varieties have also been introduced there for test. The question was then asked "What does it cost to plant and keep up an acre of these trees?" The total cost per acre for four years under different methods of planting and care has varied from \$12 to \$15 per acre. This includes the cost of planting and keeping the ground clean for the whole of this period, by which time the trees will be large enough to shade the ground and hence require no further care. That does not, however, include the cost of growing the young trees for planting.

*By Mr. Calvert :*

Q. About how many did you plant to the acre ?

A. We have been gaining information every year on this subject and have tried them at different distances, but we find that five feet apart each way gives the best results as far as our experience has gone. The great point is to get as early as possible enough foliage to shade the ground and thus prevent the growth of weeds, then the farmer has no trouble with his tree plantation. Our latest experiment has been to plant forest trees and sand cherries in alternate rows about  $2\frac{1}{2}$  feet apart. The sand cherries make very quick growth and spread rapidly over the ground and it is expected that in two years enough shade will be had from the sand cherries so that there will be no further need for cultivation. The sand cherries would probably die out when the other trees grow large enough to shade the ground thoroughly. In this particular plantation the trees have been arranged so as to permit of cutting out those of least value, leaving permanently those of the most valuable sorts. In this case the ash and the elm are intended eventually to occupy the ground entirely, they will probably be large enough to serve this purpose in ten years.

More than 300 varieties of forest and ornamental trees and shrubs have now been tested at Indian Head during the past ten years, and much information gained as to their relative hardiness. Sufficient experience has now been gained to justify the publication of a list of the most hardy and useful species, which will probably be issued before the close of the present year. Many sorts of small fruits have been successfully grown ; currants, gooseberries and raspberries have done well. Strawberries have not done so well, because the spring frosts so often destroy the blossoms. With the large fruits we have as yet had no success. We have tested more than 200 of the hardiest varieties of apples from Russia and other parts of northern Europe and almost every year they have been killed down to the snow line. In the past ten or eleven years we have planted over 2,000 of these apple trees, and have not yet succeeded in getting an apple. We have now only the hardy cross-bred varieties to which I have referred, to look forward to, but these I think are very promising. A large proportion of the the cross-bred sorts and seedlings which were planted in 1897 at Indian Head lived during the following winter. I have not received full reports yet this year, but I know that the past winter has been unusually severe in the North-west ; there has been a great deal of bare ground and very little snow on it during the severe weather. The Manitoba plum seedlings have all done well at Indian Head, but most of the seedlings of the improved varieties of native plums have not succeeded.

Experiments were conducted last year in the feeding of steers, comparing the relative merits of Brome hay, wheat chaff, threshed Brome hay and native hay for this purpose. Experiments have also been conducted with poultry and in the breeding of swine.

BRANCH EXPERIMENTAL FARM AT AGASSIZ, BRITISH COLUMBIA.

At the Agassiz farm the winter was mild, but the spring has been cold and backward. Similar tests to those carried on at the other farms as to the relative value of many varieties of grain have been carried on at that farm, and a large amount of useful information obtained, and the results of these tests have been inspected by a large number of visiting farmers. All the experimental farms are visited every year by a large number of farmers who inspect the work going on and thus gain much useful information which they can put into practice. At this farm the best 12 sorts of oats have given an average of 62 bushels 2 pounds per acre. The best 6 varieties of two-rowed barley have given 36 bushels 2 pounds per acre, and the best 6 varieties of six-rowed barley 37 bushels 21 pounds per acre.

*By Mr. McNeill :*

Q. What is the difference between the two-rowed and six-rowed barleys ?

A. The difference at the experimental farm at Agassiz, British Columbia, is 3 bushels 19 pounds per acre on the average in favour of the six-rowed sorts.

The best twelve varieties of spring wheat gave 29 bushels 4 pounds per acre ; pease have also done fairly well, the best twelve sorts having given an average crop of 36 bushels 7 pounds per acre.

These crops are not by any means phenomenal, and there are, no doubt, some farmers in British Columbia who have richer land and raise larger crops. The land on parts of the experimental farm at Agassiz is very variable. Much of it was formerly occupied by very large trees, and where these large Douglas firs have been removed, an excavation of about 20 to 30 feet in diameter or more has been made in each case to get out the stump. The underlying gravel has thus been turned on the top, and these gravelly patches are very poor in fertility and cannot be expected to produce heavy crops for some years.

*By Mr. McMillan :*

Q. How has the two-rowed and the six-rowed barley turned out this year ?

A. On the whole, there was not very much difference ; the average of all the varieties on all the farms of the two-rowed sorts was 42 bushels 29 pounds per acre, while the average of all the six-rowed sorts was 43 bushels 11 pounds per acre.

The season was very favourable at Agassiz for Indian corn, and the best six varieties, cut green-for ensilage, have given an average of 31 tons 298 pounds per acre.

*By an hon. Member :*

Q. That is the corn for fodder, you mean ?

A. Yes ; cut in the green state. The yield of roots has been much heavier than any we have ever had there before. The best six varieties of turnips have averaged 49 tons 262 pounds to the acre, and the best six mangels gave an average yield of 40 tons 572 pounds, while the best six varieties of field carrots gave an average of 36 tons 965 pounds per acre. The yield of carrots has been in advance of any crops of this root we have ever had before.

*By Mr. Moore :*

Q. Have you made any experiments with sugar beets ?

A. Yes, but we have found that sugar beets do not usually yield as well as turnips or mangels. At Agassiz, the best yield given by any of the sugar beets was 35 tons

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1,456 pounds, and the poorest 21 tons 1,912 pounds, not nearly as much as the turnips or mangels.

Q. That would be a higher yield than the farmers could expect, of course, in raising the sugar beet for the sugar factories?

A. Oh, yes. About 12 to 15 tons is the common yield for sugar beets in this country.

*By Mr. Calvert :*

Q. Does not that seem a very large yield, over 1,600 bushels to the acre?

A. Yes, it is a phenomenal yield. We have never before had any crops of roots to equal these. The returns, however, are made up with the greatest care and are thoroughly reliable.

*By Mr. Clancy :*

Q. You selected some of the largest specimens for the purpose of making the comparison, I presume?

A. Not by any means, we do no selecting of that sort. The returns are compiled from fair average rows all grown in the same manner, and the calculations are made from the weight of roots gathered from two rows, each 66 feet long. Experiments have also been made at Agassiz in remedies for smut in oats and formalin has been found very effective and seems to be an entire preventive of this disease. We used this in the proportion of  $4\frac{1}{2}$  ounces of formalin to 10 imperial gallons of water and the grain was soaked in this mixture for two hours.

*By Mr. McNeill :*

Q. You spoke of the large yield in carrots just now. What varieties did you refer to?

A. The varieties which gave the largest crops at Agassiz were the Improved Short White, and Half long White. We have several times had 27 and 28 tons to the acre from these varieties at Ottawa.

Q. There is a variety called the Altringham Red carrot?

A. Yes, but that, in our experience, is one of the poorest carrots we have grown.

Q. There seems to be some difference of opinion as to this variety?

A. Yes, but we have not found it a profitable sort, it is a long cylindrical root not easy to dig. The Improved Short White is a better carrot and stands well in the list at Agassiz, and is a good cropper.

Q. There is a great difference between the crops we have had of the Altringham carrot and the average you have referred to? Difference in the seed might partly account for this?

A. We obtain all our Improved Short White carrot seed from the one source, and send portions of the seed to each branch farm so that they all get exactly the same strain of seed for test.

Q. From the statement you have given it is evident that the different varieties of carrot vary very much, some averaging a yield much larger than others?

A. That is so, but at the same time you will find that some of the varieties which give the best returns at Agassiz do not give the largest crops at Ottawa, differences of climate affect the results very much.

Q. But you find that the White varieties you have referred to have yielded a better crop than the Altringham variety I have spoken of?

A. Yes; they will give on the average a much better crop than the Altringham.

*By Mr. Calvert :*

Q. The returns you have given us show an average of 1,200 bushels per acre?

A. Yes; but that was at Agassiz, B.C. We have never had as heavy crops as that at Ottawa.

Some further tests have been made at Agassiz in the growing of horse beans, Soja beans and Japanese millet. The Soja beans have given nearly double the crop of the horse beans, and the superintendent says that they make a splendid fodder, fine when fed green to cattle, and it was preferred both by horses and cattle to any other food.

*By Mr. McGregor :*

Q. Can you depend upon the growth of these beans in this climate?

A. We have tried them here for two years, and they have succeeded very well thus far.

Q. Have you tried them further west?

A. Yes; we have tried them in Manitoba and at Indian Head, in the North-west Territories, with fairly good success.

*By Mr. McNeill :*

Q. What kind of a bean are they?

A. The early Soja bean is a small bean which is cultivated largely in Japan. The Japanese grow many varieties of these beans, and this is one of the earliest maturing sorts.

Q. Does it grow like other beans?

A. It is much more branching than the horse bean, and when full grown it stands about 3 feet 6 in. high, and sometimes as high as 4 feet. We have had the best crops where we have grown them in rows from 15 to 20 inches apart.

*By Mr. McGregor :*

Q. They will do well for the silo, will they?

A. I think they would do very well for ensilage, but we have not had enough of them growing at the experimental farms to enable us to test them thoroughly for this purpose, but we have tried feeding them to cattle, and the cattle eat them readily. They have been analysed by the chemist of the experimental farms, and they show quite as large a proportion of nitrogen as the horse bean, and will probably be a useful introduction for feeding purposes.

*By an hon. Member :*

Q. Do the beans ripen at all here?

A. Our season is not usually long enough to ripen them well at Ottawa. We cut them just about the time we cut the corn and the beans are then in a green state; we did get some seed last year, about half a bushel, which we have sown and which has germinated very well, but they don't usually ripen at Ottawa. I have no doubt that they would ripen in western Ontario.

*By Mr. Clancy :*

Q. But for ensilage you have to cut them green anyway?

A. Yes, certainly. I think the difficulty with reference to obtaining seed will probably be removed shortly, and that seed will be grown in this country; if not in Canada, in some of the warmer climates of the States, and that the seed will then be obtainable at a cheaper rate.

Some experiments have also been conducted at Agassiz with cattle, sheep and swine.

#### FRUIT GROWING AT AGASSIZ.

The fruit orchards at Agassiz now contain probably the largest number of varieties to be found in any one locality in the world. The large fruits alone include over 2,000 varieties. The object in view in bringing together this large number is

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to gain experience with all varieties. We find people settling here from different countries in Europe, inquiring about the particular varieties of fruit they have been accustomed to grow in their own country, and information on such points is much appreciated. Further, we are testing varieties from all parts, so that we may find out which will succeed best in this country. Our superintendent, Mr. Sharpe, reported last year on 92 varieties of apples which had fruited with him for the first time, and he had a great deal of success with them; he has also reported on a considerable number of new varieties of pears, plums, and cherries and a large number of different sorts of small fruits. Some new varieties of plums introduced by us from France four or five years ago have been found to be eminently adapted to the climate of British Columbia, and have produced large crops. The same may be said of some varieties of pears.

*By Mr. McMillan :*

Q. Have you any experience in growing fruit trees in British Columbia on the sides of the mountains, high up from the valleys?

A. Yes, we have orchards of fruit trees at different heights, 150 feet, 500 feet, 800 feet, and 1,100 feet above the valley, and in going over these last autumn I had an opportunity of testing the fruit grown at these different heights. I found that the higher up the fruits were grown the healthier were the trees, the foilage also was freer from fungus growths. I found that gooseberries grown on these higher locations were quite free from mildew while those grown in the valley were badly affected. The work in the culture of large fruits here, covers all the varieties of apples, pears, plums, cherries, peaches, apricots, &c., including in all over 2,000 varieties. Of small fruits there must be in addition at least 1,000 varieties. The work in the testing of forest and ornamental trees and shrubs has also been continued, and much information and experience gained as to the usefulness of some of our eastern timber trees in that climate. This closes what I have to say regarding the work in progress at the branch experimental farms.

### INFORMATION ISSUED FROM THE FARMS.

Before I conclude I wish to mention one thing in connection with the work of the central and branch experimental farms, which the general public seem slow to recognize, that is the very large amount of work done by the officers of these farms in imparting information to the public generally, and this work is constantly increasing. Last year the correspondence received at the central experimental farm reached a total of 57,204 letters. 25,147 of these were answered, the other 32,000 were such communications as could be replied to by circulars partly or wholly printed. More than 150,000 of printed circulars were sent out. At Nappan 1,573 letters were received, and answers were sent to 1,384; at Brandon 4,670 letters were received, and 3,584 answered; at Indian Head 4,702 letters were received, and 5,075 letters sent out; while at Agassiz 1,520 letters were received, and 1,400 answered. This represents a sum total of nearly 70,000 letters received at the experimental farms last year, of which 36,590 had written replies sent to them. In addition 215,000 bulletins and reports were sent out. There is thus a constant flow of information going out from all the experimental farms to the public from day to day all through the year, which has already produced eminently good results; and which must in time confer still greater benefits on the agricultural interests of Canada.

*By Mr. McGregor :*

Q. In planting an orchard in the west would you rather plant in the spring or the fall.

A. Our experience here is altogether in favour of spring planting. I understand that you are speaking of Western Ontario?

Q. Yes ?

A. While your conditions in Western Ontario are very different from ours, and in some seasons it would be quite safe to plant trees in the fall, yet as you are never sure of the kind of winter you are going to have, I think it is much safer to plant in the spring.

Having read over the preceding transcript of my evidence I find it correct.

WM. SAUNDERS,  
Director Dominion Experimental Farms.

# Agriculture and Colonization.

## THE FARM PESTS OF INSECT LIFE.

COMMITTEE ROOM No. 46,

HOUSE OF COMMONS,

Tuesday, 6th June, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 a.m., Mr. Bain, Chairman, presiding.

Dr. JAMES FLETCHER, Entomologist and Botanist, being present at the request of the committee, made the following statement :—

Mr. CHAIRMAN AND GENTLEMEN,—In the department of insects and plants, which is under my care, during the past year it has been of course necessary to attend to the regularly recurring pests of every year, and I am happy to say there is no new pest of importance which has to be reported upon ; but every year there are certain of the well known pests which occur in increased numbers or which require special attention.

At the present time there is probably no insect more in the public mind than the tent caterpillar, which is destroying the foliage of large numbers of forest and ornamental trees, and also of fruit trees in orchards. This is a well known insect, and everything that can be known about its life-history is already well-known, as well as the remedies to be used against it. Though it is difficult to get at all, from the insect being found over large areas and particularly when they attack forest trees, still the place where most of the harm is done is in our orchards, and I have no hesitation in saying that the damage done by these insects is much more than it should be and would be, if people would only treat the study of injurious insects as they do other lines of business which affect their prosperity.

### THE TENT CATERPILLAR.

One great trouble about this and other injurious insects is the prevailing ignorance of the great mass of the people of the country. This is a state of affairs for which there is no excuse, because there is no branch of science which means more to them than the study of insects, and it is a marvel to me that more attention is not paid to it. The subject is taught in schools and colleges to some extent, but on the whole there is great ignorance of this branch of science. The ignorance is appalling in regard to this very common insect, the tent caterpillar, which I have just mentioned. Now, I have had three letters this morning in reference to the tent caterpillar in all of which it is inaccurately named, although it is an insect which has been known for over a hundred years ; and I think that as we lose at least one-tenth of our crops every year from injurious insects, it is about time the people should know something about how to distinguish between a caterpillar, a worm, a bug or a moth, but they do not, and they have to pay for it. Now, I do not mind ignorance in any man if he has nothing to lose by it, but when he does suffer loss from not knowing the commonest crop pests so as to inquire about them intelligently and others suffer also, this ignorance is deplorable. In all business matters that affect my pocket, I take good care to know everything about them as soon as possible ; but it is not so with many in regard to insect pests which annually cause so much loss.

In one of the letters I received this morning I find the tent caterpillar described as a moth. Luckily a specimen came with the letter, and I knew what

the man meant, but if the specimen had not come I could not have conceived what was meant, especially as he said that it "cut the trees down." Now it does not cut the trees down, but it eats the foliage off them, and that is probably what he means. In another letter the tent caterpillar is spoken of as a worm, in another as a slug, both very inaccurate descriptions, but quite similar to others given not only of these but of many other insects. I embrace with pleasure every year this opportunity to come up before the committee on agriculture to speak a few timely words about these insect pests to men who are going out among their constituents in all parts of Canada, and who can remind them, when their crops are attacked by insects, to whom they can apply for help, and also because it is a committee whose proceedings appear in the newspapers and are read by many, so that it seems to me a proper time to speak a word of warning about the pests which cause loss at this season. If I spoke of nothing new at all, I think it would be well worth the time of the committee to hear something about the latest remedies for many of our common crop enemies.

#### SAN JOSÉ SCALE—TREATMENT.

There are one or two problems which demand discussion at the present time, and one of these is the most important subject with regard to injurious insects which has ever yet been discussed by the public in Canada, that is the treatment of the San José scale. Now this is a matter of importance, because, in the United States, enormous losses occur every year from the attacks of this insect, notwithstanding all that has been done to control it. It has also occurred in a few places in Canada, in the extreme south-west of Ontario and in the Niagara district, where it has done most harm and where the largest amount of money has been spent in controlling it. It has become a matter of importance because the Ontario government has spent a large amount of money and put forth special efforts to stop the spread of this pest. But these efforts have been misunderstood by the fruit growers, for whom they were put forth, and even to-day, after much money has been wisely spent in exterminating this pest, letters appear in the papers from fruit growers stating that these efforts are misguided and that more harm is being done than good. Now in the *Toronto Globe*, one of our leading newspapers, a letter has appeared, anonymous of course; people who write these letters never sign their names. This one calls himself "Pro Bono Publico," for the public good; I hope the gentleman who wrote this will some day feel so clear as to what may be for the public good that he will only write such letters as he is not ashamed to sign. The letter is reasonable enough in some particulars, but it has so many inaccuracies in it that it will do much harm. Now, as this letter has been widely circulated and has not yet been contradicted or criticised, and because as I say much of it is reasonable, though it has so many unfortunate mistakes, I take this opportunity to answer it publicly. The writer condemns the action of the Ontario government in the way they treated orchards infested by the San José scale, and I might here state what that action was. The government sent out inspectors to all such portions of the province as they thought were liable to be affected by this most injurious insect, and I lay stress on its pernicious nature: no other insect which has ever been studied has done so much harm as this small scale insect which, as I treated of it fully last year, I shall not say much about now, except that it is very inconspicuous and thus easily overlooked, is very fatal to the trees it occurs upon, spreads with great rapidity, and is more difficult to control than any other insect pest we have yet had to deal with. The Ontario government recognized early the injury which this insect had done in the United States and might do in Canada, and the Minister of Agriculture sent a specialist to the States to study it. He then, after due consultation, put in force an Act with the idea of controlling it. But this, after a year's experience, was thought not to be sufficient, and this year the Act was amended so that the inspectors have more power to carry out its provisions. Now, the letter referred to states that the scale insect is prevalent over such a large area in Canada that we cannot possibly succeed in eradicating it. But such I believe is not the case. This plague is confined in Canada to certain restricted sections of the province of Ontario, and every reasonable and wise effort has been put forth to control the insect

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by not allowing it to spread from that area. Where it is very abundant, trees are condemned and destroyed, and compensation is given to the owner of the trees so that he may not have to meet too serious a loss. I had the honour last year of speaking to you on this matter, and I think the fruit growers should thank and not condemn the Ontario government for what it has done. The compensation should be looked upon as a bonus because this is so dangerous a pest that if the government had destroyed every one of the trees and given nothing, the world would say it was hard luck but only what should be done. The Ontario government have fortunately secured excellent inspectors, who have done their work thoroughly. They have visited all parts of the province to which it was known trees from infested nurseries in the United States had been sent.

I believe that nearly every orchard in Ontario where the scale occurs has been located and that its spread has been prevented. The statement that it has spread all through the country is inaccurate. But though a small area only is now affected, we do not know that the insect would not thrive elsewhere. We have made mistakes in the past as to the places where it could exist as an injurious pest; therefore it is wise to be on the safe side, and take no risks in the way of relaxing our efforts to control it in the most effective manner.

All of the best authorities who have had opportunities of studying this pest agree that digging up and burning trees found to be infested is the only certain way of eradicating this enemy; but some fruit growers, and among them the writer of our letter claim that they should be allowed to treat their trees instead of destroying them, as has been done by the government inspectors.

Now, then, with regard to this treatment. Should fruit growers, the ordinary fruit growers of the country, be allowed to treat their trees instead of having them destroyed? I say most emphatically "No." This is an exceedingly difficult insect to fight against. The very best men we have have been experimenting for eight or ten years to find out the best remedy. And although one or two of the leading entomologists in the United States to-day claim that they are able to thoroughly destroy this insect, there are frequent instances where we find that they have failed; therefore we must take what they say with caution. This certainly is not an insect which should be given any benefit of a doubt; or rather the prosperity of the whole country should not hang on the chance of whether the ordinary fruit growers and farmers in the country have skill and willingness to take the trouble to treat their trees properly and thoroughly. If it was an ordinary pest, as is claimed in this letter, then the government would not make these strenuous efforts to control it. But it is not an ordinary pest. It does a great deal of harm, and I consider that the Minister of Agriculture of Ontario has adopted a wise measure, and what he has done up to the present has been the best thing that could be done under the circumstances. Now it is claimed that trees should be treated and that this treatment would be sufficient to destroy the insects, because some success has attended the efforts of the specialists in the United States; but I say that it would be time to discuss that when more thorough investigation has been made. I say the time has not yet come when we can with safety adopt this principle. The Minister of Agriculture of Ontario is not only destroying the trees, but has specialists examining into every treatment yet devised, is watching the whole matter carefully, and is taking every precaution. He has specialists, I say, examining into all the remedies proposed. He has a full plant for fumigating the trees, and, although he does not allow men who are growing fruit in Ontario, the fruit growers, to risk the prosperity of the whole country by undertaking these experiments themselves, he is having that work carried on by specialists and is ready at the very first moment he can find a sure remedy to relax his act so that the less drastic remedy may be used instead of destruction. This is a matter that I think we should speak very definitely and very distinctly upon, because here is a definite statement in which it is demanded that the act shall be repealed and the country left to take its chances.

## PERNICIOUS TEACHING.

The letter referred to says:—"So that the alternative is this—shall we have orchards with the scale a comparatively harmless pest, or shall we have no orchards in the country? The scale is a comparatively harmless affair, nor nearly so pernicious as the yellows or the rose leaf. I was in an orchard the other day which had just been cut down by order of the inspector. The owner told me it had been infested with the scale since it was planted out, eight years ago, and yet you could not find healthier and more vigorous trees anywhere. They were the finest looking trees I ever saw, and yet that magnificent orchard was cut down because the scale was found on about one in every eight of the trees. If the orchard had been allowed to stand, it would probably have lived almost to its natural age without the fruit being injured in the least, if proper sprays had been judiciously used. In no other part of the continent do they resort to these drastic measures for destroying the scale, so far as I have learned. In California they have had it for nearly thirty years and they regard it with comparative indifference.

"And here, again, if the scale could be got rid of by the measures adopted by the government, we would soon have it again, as long as the scale is not being destroyed in New York State, which is just across the river from us. The orchards of that state are not much more than half a mile from our orchards on this side of the river. The scale is as bad there as it is here, and they are not such fools as to cut down their orchards on account of the scale. So that, as long as we have any orchards on this side of the river, the scale will be carried from the other side by the birds which are continually crossing.

"Now, this attempt to do the impossible is costing the province a good deal of money, besides almost ruining this part of the county. In many a case the accumulations of a lifetime have been put into a fruit farm perhaps by men who are incapable of any other kind of farming, and then just as their orchards are beginning to yield a full crop they are ruthlessly destroyed in the fruitless attempt to get rid of a pest which would be incapable of much mischief if properly sprayed. As a consequence, our fruit growers will have no source of income, for the farms are, many of them, too small for general farming, even if their owners could adjust themselves to the new role.

"Now, there is only one rational and fair thing to do. Let the operation of this Act, which is making such havoc in this part of the province, be at once suspended, and let a fair compensation be given to those fruit growers whose property has been destroyed, and when the House meets again let it at once repeal the Act. The condemnation of the Act is well nigh unanimous throughout this section of the country, and just as fast as the scale travels this denunciation of cutting down the orchards will travel with it. Just as soon as any fruit-raiser learns that his own orchards are condemned he at once joins in the chorus of denunciation, no matter how ardently he has supported the Act up to that time. As long as the Act only affects other people it is all right, but as soon as it strikes home it is all wrong. Whatever is done should be done quickly, as all our best orchards are fast being destroyed. It is only a question of time and the government will have to arrest this wholesale destruction of the fruit industry. Why not do so at once before the mischief becomes irreparable?"

It is not an attempt to do the impossible. A sufficient amount of success, a very large amount of success, has attended the efforts of the Ontario government, and I think that in the meantime these efforts should be continued on exactly the same lines that have been adopted. The Minister is watching the matter carefully himself and through his specialists, and directly a successful remedy can be found this will be adopted instead of the total destruction of the trees.

## CATERPILLARS.

I will now speak of the caterpillars which are destroying so many trees. The reason they have done so much damage to cultivated trees is because generally people hitherto have not understood that this insect can be destroyed if attended to

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at the right time. The life history of the tent caterpillar is well-known. The eggs are laid in July; the young caterpillars form in a few weeks and remain in the egg until the following year. The next spring after a few warm days they hatch and appear on the trees destroying the young leaves as they expand. The warm weather in the spring hatches the young caterpillars and at the same time the young of two others of our most destructive insect pests, the eye-spotted bud-moth, and the canker worm. These are hatched during the first warm days of spring, but the leaves and foliage of the trees do not respond as quickly to this warm weather in April and May, and consequently the caterpillars are hatched before the leaves have formed. That means that the caterpillars are not always retarded to the same degree that foliage and plant life are, and consequently a few warm days in spring followed by colder weather have the effect of allowing the injurious enemies of fruit trees to be hatched out while the foliage is held back. This is sometimes deceptive, and it was said this year that there would be no caterpillars; consequently, when they wakened up to the fact that there were a great many, some people didn't understand, and wasted time writing to learn the meaning of it. It does not help our fruit growers and orchardists to be looking for a solution of a problem like this, when they should be attending to the application of the remedies for the pest. It does not matter much to the fruit grower how this occurred. The point for him is how to apply the remedies that are known to be effective, for fruit farming requires constant care and prompt timely action. The fruit grower must watch with unremitting attention all through the spring for injurious insects. The old days when no one had to take any steps at all to prevent fruit trees being destroyed have passed by, and during the ten or fifteen years that have lately passed it has been found necessary as a rule to do something every year to destroy the hordes of insects which attack almost every crop we grow. In the old days, before the forests were destroyed, the injurious insects had in the wild plants sufficient food to prevent them coming into the orchards and gardens. But since the forests disappeared the insects have increased enormously from finding suitable food in large areas, and consequently there has been increased difficulty in growing uninjured crops. A great deal of special study has been devoted to this branch of agriculture, and we now have practical remedies for most injurious insects which attack crops. It has been considered expedient in all the experimental stations and agricultural institutions, to issue at short intervals what are called spraying calendars, a means of ready reference for fruit growers and farmers to learn the chief injurious insects each year and the best and most practical remedies for each, with a note as to the time of year to apply them. This is a copy of our last spraying calendar, which we issued this spring for our correspondents; there is of course every year a very large demand for it. This year we were fortunate enough to make arrangement with the *Canadian Horticulturist*, by which we sent copies to all their five thousand subscribers, and in that way we have got copies into the hands of most of the fruit growers in the country quite early in the season, thus providing them with means of fighting the chief injurious insects liable to give them trouble and cause loss. Of course there are others which do not occur on this condensed list, but fruit growers are now learning that there is a source of reference for reliable information in regard to the various injurious insects, at the Central Experimental Farm. All we ask is that they will write promptly on the first appearance of the injury and send specimens so that we can tell what it is caused by. Owing to the ignorance of insect life to which I have referred, the descriptions are sometimes very inaccurate and hard to understand. We therefore ask to have specimens sent and have been fortunate enough to make arrangements with the Post Office Department by which there is no trouble in sending them. All that is necessary is to wrap them up and send them to the department. There is little trouble and no expense to the sender as they are forwarded post free. On these calendars are given the different chief crops and insects and fungi which attack them, then short accounts of the different substances used to destroy the insects, and to control the various diseases.

These are drawn up in the simplest language that can be found, and I think they are intelligible to any one that likes to know about these matters. In the annual

reports and bulletins sent out from the farm we try to make known promptly the best remedies that have been discovered for these pests. There are, of course, with regard to every insect a great many remedies which have been tried and which have been exploited in the agricultural and daily press of the country, but unfortunately many of these remedies which are frequently recommended are not of very much use. It is wise, therefore, for those who follow the business of farming or fruit growing to follow very closely these reports and bulletins which teach them the best remedy to use under certain circumstances. I have put together a few notes so as to refer briefly to some of the worst enemies which are likely to occur at this time of the year, because many people are looking for information regarding them.

#### THE ROCKY MOUNTAIN LOCUST—REMEDIES,

Last year there was considerable interest in the reappearance of what was supposed to be the Rocky Mountain locust in southern Manitoba. Any one who can remember the damage these insects did in 1868, 1870, 1872 and 1874, will know what a curse to that whole country the invasion of these locusts was, how everything that was green was stripped and the great suffering among the settlers which followed from the visitation. Therefore it was not surprising that last year when in southern Manitoba there was an outbreak of what was supposed to be, and no doubt was, the Rocky Mountain locust, there was a great deal of anxiety on the part of the farmers and of the Manitoba government. I was passing through Manitoba during the summer, and was requested by Mr. Fisher, Minister of Agriculture, and Mr. Greenway, Premier of Manitoba, to visit the district and see if this was, as stated in the newspaper press, the real Rocky Mountain locust, or whether it was only one of the less dangerous native species, and if so what could be done to remedy the evil. It was thought that because this insect was small and very similar to the ordinary grasshopper it was not the real Rocky Mountain locust. Sufficient of its life history and habits were known by the settlers there to know that it was a matter of a great deal of importance to be able to ascertain the exact identity of this insect, because it is well known that the Rocky Mountain locust has a far greater power for evil than any other of the native insects. Of course it was only a matter of a moment after once securing a specimen to find out that it was the real Rocky Mountain locust and to warn the farmers that, unless active steps were promptly taken, they would this year have a great deal of trouble from the large number that would be present in the wheat and oat fields.

The season last year was exceedingly dry, so that much of the grain which was sown quite early did not germinate until late in June, therefore on every field there was a double crop; a few grains that had been placed to a sufficient depth in the soil germinated early, but the large proportion, probably 50 or 75 per cent of the grain was not sufficiently covered with soil to obtain moisture enough to germinate and was only just coming up at the end of June when the others were far advanced. There had been no rain from the autumn before until June of last year, consequently there was a great deal of anxiety as to how the crop would turn out, because it was thought that the first crop would be so small and that the later crop would be late and probably injured by frost or destroyed by the grasshoppers. A large area of this, however, on account of the recuperative properties of the climate and soil being so great did come forward, and on account of the absence of early frosts in autumn a good crop was reaped in localities where it was feared in the spring there would be no crop at all. I do not fear such bad results from the visit of the Rocky Mountain locust now that so many farmers have learned what to do under the circumstances. It is known that where the eggs are laid in large quantities injury must be expected in the following year, and as the farmers were warned to be on the lookout they were able to ascertain the localities where the eggs were laid. We know that the eggs are laid chiefly in the stubble fields and not on the open prairie, consequently even in such a large extent of country as we have in southern Manitoba the remedy is practicable. The eggs, as I have said, are laid in the stubble, consequently if the farmers would plough the stubble either in the autumn or early in the spring, the eggs which are laid within an inch or two of the surface are

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buried down very deep, so deep that when the delicate young locust is hatched from the egg, it is unable to emerge from the depth of soil beneath which they are buried, or, if they do, there is nothing on the surface of the ground for them to feed upon. Therefore they starve before they can travel by hopping to where there may be food for them. They are of course very small when they first emerge, and the sun during the latter part of May and early in June is extremely hot ; so no insect that has to hop and is very small can go very far before being destroyed by the very hot sun and by the want of food. The ploughing under of the eggs has been found the most effective of all the remedies tried.

*By Mr. Wilson :*

Q. And that is the best remedy they have found ?

A. Yes.

Q. How would burning the stubble do ?

A. It would not do equally well for this reason. The eggs are too far down in the ground to be destroyed by the burning of the stubble. The burning of the stubble is, however, adopted there for some other insects, and because up there they do not use all the straw they grow, they frequently burn over the stubble to destroy weed seeds. It is not absolutely necessary to plough in the fall, as ploughing in the spring will answer the same purpose if it is done early enough, so that the soil becomes consolidated by the rains and winds and the young locusts are unable to emerge when they hatch. If the ploughing is not done, hopper dozers are used very extensively in Minnesota, Dakota and other parts. They have not been used on this side of the line, but it is possible that some of our farmers in Manitoba may find it advantageous to use them this season if the land has not been ploughed ; I think the farmers of southern Manitoba are sufficiently awakened up to attend to the matter. I do not want to make any prophecies at all, but I am in no fear of a general outbreak as some of the farmers feared last year on account of the number of grasshoppers in the fields during the month of July last. It was noticed that not many eggs were laid during the egg-laying season, as the weather turned cold about the time of egg-laying and the eggs were not laid in as large numbers as might have been expected, consequently the outbreak may not be so great this year. Several of my correspondents have been taking a great deal of trouble to find out where the insects had laid their eggs and to warn the farmers there that, if they appear in numbers, the matter should be attended to at once. One danger is that stubble fields intended for summer-fallowing may be left until after the young locusts hatch. If this is noticed these fields will require ploughing as soon as possible, and, if done while the insects are small, a great many will be destroyed. The ploughing should begin at the outside of the field and gradually work towards the centre. In that way farmers can destroy large numbers of them. That is, the land should be ploughed early in June so as to plough down the young locusts as soon as possible after they hatch from the egg.

Another remedy which was used by Mr. Scott, near Deloraine, was spreading long rows of straw across the fields where the young locusts were abundant. It was found that they gathered in these for shelter ; so at night by firing the rows of straw after dark he managed to kill bushels of these insects. Mr. Scott's farm was specially infested and full particulars of this case are contained in the last report of the Experimental Farms. I have nothing more to say on this subject unless any one wishes to ask a question.

### WHEAT STEM MAGGOT.

During my investigations of insect pests in Manitoba last year a subject on which a great deal of curiosity existed was cleared up to some extent, that is the injury to wheat known as "dead heads" or "white heads" in wheat. Various theories have been advanced as to the cause of this, one that it is fungus. The word "fungus" seems to be a sort of an explanation for everything, and when nothing is known about

some growth the first thing you hear said about it is that it is a fungus or a fungous disease. There is no word more commonly used among badly informed people as an explanation of something they know nothing about ; it is something they know nothing about ; it is something like the word evolution. When a dabbler in science does not understand something he generally says it is to be explained by evolution ; and it is so with the word fungus. Farmers say "It is a fungous disease, and we must trust to Providence to remove it." The "dead heads" or "white heads" in Manitoba wheat are due, however to a large extent to the wheat stem maggot, one of the well known pests of eastern Canada, and one concerning which I will only say that, though its injuries may sometimes be rather severe, it disappears periodically and is not likely to be injurious to any great extent in the future. The perfect fly is abundant on the prairies in Manitoba, where the maggots doubtless feed on the stems of various kinds of wild grass. It is only recently that it has taken to the habit of eating the wheat stems. This is undoubtedly due to the climatic conditions which develop the wheat plant to a suitable condition at the time the flies lay their eggs ; though the injury in places the year before last was five per cent, the pest disappeared in most sections last season, and I do not think it is going to be a serious cause of injury in the future.

*By Mr. Rogers :*

Q. Is that the same maggot that attacks timothy ?

A. No, sir, it is a different thing, but has occasionally the same appearance. The insect which attacks timothy is a true plant bug, which sucks the sap from the stem by a puncture, and the puncture is made where the soft fleshy part of the stem is, where there is most sap. The sap is sucked out and the top of the stem dies. In Ontario it is particularly noticeable also in June grass ; we find it mostly in pastures which have been left down too long. It is the same in timothy, because when left too long in grass the insects increase and more injury is done. The weather has nothing to do with this injury ; we have had wet weather and the injury has gone on just the same. It is the juicy soft part of the stem which is attractive to the plant bug.

*By Mr. Semple :*

Q. Did you find white heads as common in strong, well cultivated fields as in poorer ones ?

A. In Manitoba you mean, yes. It was just the same ; there was no difference. It was local, but the vigour of the crop did not affect it. One particular crop I saw near Rounthwaite was a very beautiful and vigorous crop of wheat, which had many of these white heads, and across the road in another crop there were none. I could not learn that there had been any difference in treatment except that the land was not broken for a year after the other, but that was not enough to account for this. Probably the condition of the wheat, that is when the head came out of the sheath, was a little different in the two crops when the females were laying their eggs.

#### CUTWORMS.

Among the constantly recurring field pests are the cutworms, now doing such harm. I have a little contrivance here that I would like to exhibit, because it is one that any one can make, which protects the plants after they are planted out, especially tomatoes or cabbages. You can buy them in Ottawa of an enterprising firm for \$1 a thousand.

*By Mr. Wilson :*

Q. What are they made of ?

A. Ordinary stiff paper. Of course the maker would advertise that it is a special paper, perhaps a waterproof paper, but ordinary stiff paper would answer

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just as well. This has a slit at one end with a tongue at the other which fits into it from the outside. The paper is bent round and the tongue in one end is put through the slit in the other, forming a ring. As you know cut worms cannot climb up smooth surfaces, and this is certainly a smooth surface. They use to a large extent practically the same remedy in Prince Edward county, where they use tin, but it is more expensive and more difficult to store, while these are so cheap that one need never be without them.

Q. How far are they above the ground?

A. Half an inch below the ground and  $2\frac{1}{2}$  inches above. In his advertisement the maker states that they are excellent for protecting young tobacco plants against frost.

Q. They are about three inches wide?

A. Two inches and a half perhaps, but it is a very good and simple affair and is the same remedy exactly as is used by many growers, of pieces of paper wrapped loosely round the stems of transplanted plants so as to leave an inch or two above the ground. We have used these for years on the farm and they have given satisfaction. One year an experiment was tried of planting 2,000 cabbages on one field. Three-fourths of these were papered and saved almost without a single failure, while the whole of the others which were unprotected were lost, and the only protection was an ordinary piece of paper. We have tried many forms of improved tarred and oiled paper but ordinary paper answers sufficiently to prevent enormous loss from cut-worms.

*By Mr. Featherston :*

Q. Did you ever try salt?

A. Yes ; it is practically no use at all. Salt as a remedy is very much recommended and very much used. It is a slight stimulant to cabbage, because cabbage is a sea plant, but it is practically useless against cut-worms. Lime is another thing very largely recommended but of little value.

### ROOT MAGGOTS.—HOW TO CHECK.

Among the very worst pests which injure the crops of the field and garden are the root maggots, which every year destroy large quantities of turnips, radishes, onions, early cabbages and cauliflowers. It is not at all an unusual thing for a gardener to have to plant the whole of his cauliflowers or radishes over again. I am now trying some experiments with radishes ; I left a whole row untreated and I do not think there is one that is not destroyed by the root maggots. Experiments are being carried on which vary in the use of remedies, but I am not prepared to state what the results of these are as yet. Many remedies have been tried which are spoken highly of and much written up in newspapers and other publications and have been found wanting. If a remedy is recommended and puffed before it is known sufficiently and fully tested, great harm may be done. Where market gardeners grow large areas under certain crops, and where they rely on a remedy, particularly if, as is sometimes the case, it costs a good deal of money for materials and labour, much harm is done by giving the wrong remedy. First of all, the man loses his crop and the use of his land ; besides this, he loses his confidence in all remedies for injurious insects, and every one who sees the failure knows it is a failure ; thus the whole cause is discredited and great injury may be done. Therefore, I am not very anxious to give out remedies before they are well tested and it is quite time to do so, because far too much of this bad work is being done to-day simply for a little cheap credit.

With regard to the protection of cauliflowers and cabbages against maggots, I have here another little contrivance which I wish to show to the committee. It is called the "Goff tarred-paper card." In the course of his experiments at one of the United States agricultural college stations, Mr. Goff devised this apparatus. It was known that carbolic acid had a very repellent effect on many insects, particularly on the root maggots. Mr. Goff conceived the idea of putting tarred paper,

which has a strong odour, around the young plants at the time of planting. As you see, these are hexagonal pieces of ordinary tarred building paper, three inches in diameter, with a slit from one angle to the centre, where there is a star-shaped perforation to allow the placing of the card around the stem of the young cabbage. The reason it is star-shaped is to allow the little points to stick up and fit back closely against the stem. If this appliance is placed around the cabbages when planted, no eggs are laid by the fly from which the maggots come, and consequently the young plant is protected until it is strong, or it is too late for the flies to lay their eggs. I do not think these are made in Canada now, but it is such a simple matter, and a punch for cutting them out is so easily made, that I suppose any man of ingenuity could make them. We had very good results last year in the use of these cards, and we are using them in large number this season. I received a large box of them as a present to the department from Prof. Slingerland, of Cornell University.

#### REMEDY FOR CUTWORMS.

Before I leave this subject I wish to speak again of a remedy for cutworms, which do so much harm every year by cutting off young cabbages as soon as they are set out. In the last report of this committee or the report of the year before, I mentioned a mixture of bran and Paris green for the destruction of cutworms. I have tried it again this year and can only describe its effects as remarkable. It seems strange that a caterpillar which feeds on green vegetable matter will pass by the green leaves and eat poisoned bran, but such proves to be the case. By sprinkling between the rows to be protected a mixture of wheat bran dampened sufficiently with water or sugar and water to make the Paris green adhere to it, and enough Paris green dusted into the mixture to give it a green tinge, we find that the cutworms will eat the poisoned mixture and that from the time the poison is set out the plants are left uninjured. During the last month I have tested this remedy thoroughly and with the greatest possible success on all kinds of vegetables, and I do not think that half a dozen have been eaten since the bait was put out. Before that fifty and sixty plants a night were eaten in rows of pease, beets, carrots, onions, &c. The bran has been eaten and the caterpillars are dead.

*By Mr. Rogers :*

Q. Is it any better than the paper band ?

A. It is for plants grown in a different way, that is in rows as carrots, onions, beets, beans, &c. It may also be used in corn fields by putting a very small quantity on the hills.

Q. Is it any good for caterpillars ?

A. Yes, cutworms are caterpillars—the caterpillars of a class of night-flying moths.

*By Mr. Wilson :*

Q. You take the wheat bran and put on enough Paris green to give a green colour ?

A. Yes, after dampening the bran a little, if this heavy poison is put into perfectly dry bran, it sifts through it to the bottom, when it is stirred for mixing.

Q. You do not give the specific quantities ?

A. No, it is a remedy that does not require particular directions as to quantities, if there were an excess of Paris green the caterpillars would eat it just the same, and it would be difficult to injure the plants, because it is only put on the ground near them.

*By Mr. McMillan :*

Q. Would that have any effect on the insect that cuts off corn, sometimes right at the ground ?

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A. It is the very thing. In Prince Edward county, as I learn from Mr. Pettet, this remedy is now being used extensively by the large growers of tomatoes, who used formerly to use tin bands, which were rather expensive and were hard to store safely owing to the space they required.

*By Mr. Wilson :*

Q. How long have you been using this remedy?

A. Four years.

### THE PEA MOTH—HOW TO PREVENT.

With regard to another insect, which is not abundant in Ontario as a rule, but is very injurious through New Brunswick, Nova Scotia and Quebec, as far up as here, I have a few words to say. I refer to the pea moth. The pea moth or pea maggot, which attacks the green pease in the pod, is a little caterpillar somewhat like that of the coddling moth or apple worm, and does a great deal of harm. It is not very pleasant when you find a few of these in a dish of cooked pease; and sometimes and in some places they are so abundant that people get used to them and don't take much trouble to pick them out of the pease before cooking them. In almost every dish you will find a few boiled, swelled-out maggots, as they are generally called. Now, such discoveries have a tendency to destroy the appetite of a good many people—when they see them, they do not want any more pease; others profess not to mind them, and eat their delicacies contentedly. This is no new insect. It is not mentioned, however, in any reports on injurious insects, as far as I know, except our own, although it does considerable harm in New York and the states to the south of us. The life history of the insect has been studied out, and we have found that the moth which lays the eggs from which the caterpillars hatch, does not appear until the end of June or beginning of July. To avoid injury by this insect we can, in the case of garden pease for table use at any rate, sow the seed of the earliest varieties with good results, because the moth that lays the eggs does not appear until these pease are ready for use, therefore some of the very early varieties—and there are several good ones which can be grown successfully for a garden crop, can be grown and matured long before any injury is done. I have picked out several varieties of this class, such as the following:—Alaska, American, Wonder, Gregory's Surprise, Gradus, Nott's Excelsior, McLean's Little Gem. Many people do not like the Alaska, because they say it is a very little pea and not worth growing for that reason. However, it is well worth growing. These were ripe on the 17th of June last year, and this year they will probably be ripe as early. These varieties are all of good quality, and were ready and ripe for the table before the 1st of July last year, and add to that another fortnight this year, and we still have an early pea.

*By Mr. Wilson :*

Q. What do you mean by being ripe?

A. I mean that they were ready for use, for boiling as green pease. Last year it was a very early season, but gave it an extra fortnight this year, and you have all these pease ready before the "pea maggot" can do them any harm, that is, of course, if they are put in early, in this part of Canada at any rate. When we get farther down towards the sea, we find the season a little later as we go east, and the best way there to avoid loss from the insect is the same as here, to choose the very best varieties of early pease, and get them in as early as possible. Pease, as all know, can be put in as soon as you can get on the land, as soon as the ground is thawed out sufficiently deep to put the seed in. The only remedy, then, for the present for this insect, until something else is discovered, is to sow early varieties of pease and get them in as early as possible.

*By Mr. McMillan :*

Q. We got the best results from field pease recently by sowing late. We had the maggot two or three years ago very plentifully, but last season it was not so plentiful?

A. That, Mr. McMillan, I believe arose from the reason that the moth appears at a certain time, and there is only one period in the year when the insects are ready to lay their eggs. The females lay their eggs on the pods that are young and in a suitable condition for the young caterpillars to eat their way in and get at the forming seeds; so, by sowing either early or late, the pods are not ready at the time the moths are laying the eggs, and consequently the crop does not suffer from the ravages of the insect. Much useful information on this subject has been collected by Mr. Wetmore, of Clifton, N.B., and again this year at my request he is going to try spraying his pease in the same way we do apple trees for the coddling moth. It is possible that this may be a good remedy for garden use, but might be found rather difficult for the pea crop growing in the field, because the vines cover the ground so thickly. But the result of his experiments will be valuable, because if we can get a good remedy for a garden crop, it is worth having, and ultimately we may be able to apply it to field crops.

#### THE CARROT RUST FLY—TO PREVENT.

Another insect, somewhat new as a crop pest, is the carrot rust fly. This insect, which I am sorry to say is increasing in Canada and giving a great deal of trouble, is a small black fly. It lays its egg near the surface of the ground by the side of the young carrots, particularly after the carrots have been thinned out, that is, when by handling the plants a certain amount of the odour of the plant is given out. The eggs are laid at that time, and the young maggots burrow down, they puncture the root, and serious injury is done by their boring into the roots in every direction, thoroughly ruining them for table use, and certainly not improving them for stock, but probably not injuring them to the same extent as those intended for table use. The only remedy that has given satisfaction with us for getting rid of that insect is late sowing. The carrot is a plant from which good roots may be obtained, if sown very much later than is the usual practice. I found, when in London some years ago, that quite late in the year a very nice lot of tender young carrots were being sold in Covent Garden market, and learnt from one of the growers that they sowed them right up to the month of July, and those which were sown late were better for the market than those of the earlier sowings. With field crops we sow them as early as possible in order to get the largest amount of crop for feed, but when sown for the table they can be sown late, and if they get a little rain, they make good growth, and for table use are much better than those sown earlier in the season.

Experiments have been tried with some success in sowing along the rows different substances odourized with carbolic acid and other materials that have a strong odour, so as to hide the natural odour of the carrot.

#### THE TURNIP APHIS—HOW TO DESTROY IT.

Another insect that did a good deal of harm last season throughout all Canada was the turnip aphis. This is one of the plant-lice or green flies which attacks the turnip, and unfortunately they were very widespread, and the statement went forth, and was generally accepted by farmers, that nothing could be done to prevent loss from its attacks. Now, that is not true; a great deal can be done. When we had a visitation some years ago we found that it was best to let our men who were thinning out the turnips know that they had to look out the turnip aphis. When the men are thinning out the turnips they can easily distinguish the first colonies of the insects, and, whenever a colony is found, if the plant is hoed out and buried by hoeing a little earth over it with the hoe which he has in his hand, the colonies may be prevented from spreading. After hoeing earth over the uprooted plants, it should be firmly pressed down with the foot. When the lice are too numerous for this treatment they should be sprayed with a solution of whale oil soap in the proportion of one pound in eight gallons of water. We have found that whale oil soap is one of the best remedies for all plant-lice, and in that proportion it is useful for nearly

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all kinds of plant-lice. In the spraying calendar, which I have submitted, is a soap and tobacco wash, in which tobacco is added, and where this is available the mixture is much more effective. We mix it in an ordinary forty-gallon coal oil barrel in the proportion that I have spoken of, one pound of whale-oil soap to eight gallons of water and two pounds of tobacco. Good's Caustic Potash Soap, No. 3, if obtainable. The native grown tobacco leaf is what we use. If this solution is sprayed on the attacked plants with a knapsack sprayer, the plant-lice are killed. The knapsack sprayer is a most convenient implement for spraying mixtures on all low crops. The worst example of attack by the turnip plant-louse I have seen was at Morden, Manitoba, where whole acres of turnips were destroyed. It was an unusual attack, but steps have been taken to warn the farmers in southern Manitoba to look out for the appearance of this pest should it occur again.

*By Mr. Featherston :*

Q. Had they dry weather during the time the attack was on ?

A. Yes, it was very dry weather.

*By Mr. Moore :*

Q. I think you have not mentioned the insects that prey on the onion.

A. The worst is the root maggot. You mean the one that destroys the bulb, do you not ?

Q. When the onion plant has grown up to three or four inches high you find them cut off.

A. And the bulb all rotton or cut off ?

Q. Cut off ?

A. That is the cut worm. The Paris green and bran mixture is the best for that. The root maggot is a far more serious pest. One of the greatest desiderata is a good remedy for the root maggots of onions and other plants. As I have already said, carbolic is very objectionable to them, and I am trying various mixtures in which there is carbolic acid to determine which is best. A mixture of soap and crude carbolic acid mixed with water has given the best results against the radish maggot. The well known material, white hellebore, used for the currant-worm insects on white and red currants and gooseberries, has also given good results. This is a remedy I expected nothing from, but after two or three trials of it I had such good results that I now feel I can recommend its use. It is dusted dry along the drills as soon as the young plants appear.

### THE GRAY FRUIT WORM—SPRAYING MIXTURE FOR.

Throughout the province of Ontario last year a good deal of harm was done in apple and pear orchards by certain caterpillars known as the green fruit worms. These are the caterpillars called "Gray Pinions," and they have the bad habit of not only eating the foliage but of attacking the young and forming fruit. This is the time of year that they do most harm. We have not suffered from them this year, and I hope they will not occur again. During the last twenty years we have had to or three visitations of these insects, but they soon disappeared. Last year the green fruit worms were very troublesome in the Niagara peninsula, and also in this locality. In addition to attacking fruit trees, one species attacks maples and other forest trees, and in some places it is so abundant that it strips the trees in the same way as the tent caterpillar.

In British Columbia I found that fruit growers suffered much from the caterpillar of a small moth, which has done a good deal of harm in apple orchards. It is called the "lesser apple-worm" or "plum moth." Last year it did great injury in British Columbia, together with the apple fruit miner, and no remedy was of any avail. Experiments are being tried in spraying the trees with Paris green, as for the codling moth.

*By Mr. Wilson :*

Q. Is it the caterpillar of the codling moth ?

A. No, but it answers to it in everything but size. The spray which we recommend is one pound of Paris green and one pound of fresh lime to 100 gallons of water. This should be applied early in the season after the blossoms have fallen and the young fruit has formed. The eggs are laid on the side of the fruit, and when the young caterpillars hatch they crawl over the forming apple till they reach the eye and remain inside the calyx or cup at the end of the fruit. Spraying should be done early, before the calyx closes and the weight of the young apple turns down the calyx end. The young caterpillar remains for some time in the calyx before it penetrates the fruit. This is the time the poison takes effect before it penetrates the fruit when it cannot be reached.

Q. This miner you speak of is in the spring ?

A. Yes, but the caterpillars are found all through the summer and autumn in the fruit which they destroy by burrowing in every direction.

Q. What do you use for the tent caterpillars you spoke of ?

A. A spray of Paris green in the proportion of one pound to 160 or 200 gallons of water is the best remedy.

Q. It should be applied early ?

A. Yes, very early, because the caterpillar is then small and much easier killed. When they are large they require much more poison and it might be necessary to increase the strength of the mixture to one pound of Paris green to 100 gallons of water, with lime in the same quantity as the Paris green. If lime is mixed with arsenical mixtures no injury is done to the foliage and it is just as poisonous to the caterpillars.

*By Mr. McMillan :*

Q. Could nothing be done to keep the caterpillars from getting up the trees ?

A. Yes ; when they have eaten the foliage off the trees where the eggs were laid and the food supply becomes reduced, they wander ; they drop from the trees and crawl long distances. I measured a fortnight ago, where I found one on a fence ; it was 300 yards from the nearest tree and it had crawled over grass to get to the fence. They crawl in search of food and they frequently crawl long distances along fences and railway tracks. That is how trains are stopped by them sometimes. I once saw a train stopped by weeds in the North-west. The tracks were not excessively weedy, but there had been a thunderstorm and the weeds were knocked over the track, so that the wheels had nothing to grip on. So if half a dozen caterpillars got on the railway track every few inches or so, I can understand how the wheels might spin round without being able to bite. Most people think when they read about trains being stopped by caterpillars that they are piled up on the track so that the train can't get through them.

*By Mr. Wilson :*

Q. It was reported in this case that they were six inches deep ?

A. I believe that that was an exaggeration. I do not think that you could get them six inches deep, and if you did pile them up they would not stay. It reads better to say they were six inches deep than one inch, but I doubt if they were even one inch deep. My weeds when the train was stopped were more than two feet high according to the report ; but it was not so ; they had simply blown down across the tracks.

*By Mr. McMillan :*

Q. What would you do on the trunk of a tree to prevent them getting up ?

A. There are many mechanical contrivances which are good or the banding of the tree either with a band of some easily yielding material, such as cotton batting or some adhesive substance to catch them. The bands of cotton should be tied on

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with string about the middle—which gives a yielding surface over which the caterpillars cannot crawl. Many people use protectors of tin or wire netting or bands of castor oil and resin or even molasses spread on paper and tacked around the trees. When the caterpillars come to those they don't walk any further. The mixture of castor oil and resin has been much used and has proved very successful, being thick and sticky, and at the same time it keeps its viscosity a long time. This mixture has been used by Dr. Springer, of Burlington, with great success against the female moths of the cankerworm, which ascend trees in autumn to lay eggs. I think the simplest remedy which every one can use is a band of cotton batting tied around the trees that are not infested to prevent the caterpillars crawling up.

There is now, Mr. Chairman, just one point about grasses I would like to mention if no one has any further questions to ask about insects.

### APPLE WORM,—WHEN TO SPRAY FOR.

*By Mr. Cargill :*

Q. You do not say what time of year you would spray to prevent the apple worm?

A. As soon as possible after the blossoms fall. This should be repeated three or four times in Western Ontario. In this part of the country we only spray once, as we have only brood of the codling moth. West of Toronto they have two and in the Niagara peninsula apparently three sometimes. Here, I think we may say, we have only one brood and hardly ever two, and west of Toronto two broods and occasionally three.

Q. Would you spray in the spring when the trees first bloom?

A. There would be no advantage in this, and, besides a law has been passed to protect the bees of the apiarist while the trees are in blossom. Most fruit growers find it to their advantage to keep a few bees in their orchards as they help to pollinize the fruit. In spraying it is necessary to have the proper materials and to put them on at the proper times with proper apparatus. This can only be done by finding out the life history of insects and applying these materials in accordance with that knowledge. Most of the most troublesome insects have now their life-histories well known and the best materials for destroying them are also known. Farmers of Canada have our annual reports and spraying calendars, and besides this many persons are writing regularly for information, which we willingly give to the fullest extent possible and on all occasions.

### PASTURE GRASSES,—SEEDING MIXTURES.

Let me now draw your attention to another subject,—pasture grasses, which are of such interest to farmers. Most seedsmen sell special mixtures, some of which are good and some of which are not. We have tried a great many experiments with different mixtures to find out which would give big crops of hay and then good pasture afterwards.

One mixture which has given us splendid results is the Central Experimental Farm mixture, and the fact that we have christened it after our own institution shows at least that we have confidence in it. It was first used by us on a large area last year when it gave the best result out of twenty different mixtures, but it has been used by my correspondents for several years and all have reported most favourably upon it. It is a mixture for an average farm soil suitable for ordinary crops. It consists of, Timothy, six pounds; Meadow Fescue, four pounds; Orchard Grass, two pounds; Kentucky Blue Grass, one pound; Red Top, one pound; clovers, eight pounds. With the grasses mentioned above are sown two pounds each of the three clovers Alfalfa, Alsike and White Dutch, and one pound each of the two red clovers, Common Red and Mammoth Red. Thus we get eight pounds of clover and fourteen pounds of grass, twenty-two pounds in all. This is about the proper proportion of grass seed to produce a heavy

crop of hay. It gives the heaviest crop of a green fodder or hay of any mixture we have tried. It can be cut for two years as hay and after that gives excellent pasture, as good as any we have tried.

*By Mr. Featherston :*

Q. Is that twenty-two pounds to the acre ?

A. Yes.

Q. What was the number of pounds of each ?

A. Six pounds of Timothy, four pounds of Meadow Fescue, two pounds Orchard Grass, one pound Kentucky Blue Grass, one pound Red Top. Red Top is perhaps not necessary unless the land is low. In that case I generally put it in. If the land is high you may put in two pounds of Kentucky Blue Grass instead of one pound of each, but if the land is low in spots I always put in the red top grass. It is a very valuable soft and rich grass in such places.

Q. How many pounds of clover ?

A. Eight pounds of clover, two pounds of Alfalfa, two pounds of White Dutch, or ordinary White, as it is familiarly called, and one pound each of the common Red and Mammoth Red.

#### TO RECLAIM SAND DRIFTS.

Some rather interesting experiments with regard to grasses have been carried on lately that I would also like to mention. Along the Ottawa river and also along the St. Lawrence are various areas of sand land where the pine timber has been cut down and the wind has had an opportunity of drifting the sand soil, and at one place in particular, near Lachute, there is an area five miles long by one-half to a mile wide that is simply a desert. There is not a blade of grass growing on this sand, and with every wind it shifts from place to place. Not only is this tract useless, but it is spreading over the neighbouring good land, and it is a very serious matter for the farmers living near this tract. Efforts are now being made to see if something cannot be done to hold it down. It is only about forty years since this tract began to appear. As the pine was cut down and the land cultivated, the land got poorer and poorer and the wind got in and now these shifting sands have taken the place of arable lands. I believe it is not a hopeless experiment to recover that land again, because the farmers are all actively interested and some results of a hopeful nature are being obtained from the experiments which are now being tried by the Minister's order as well as by the Department of Agriculture of Quebec, in planting spruce trees. Many farmers there have planted as many as four or five hundred trees in the last spring. Some of the trees were not in the best condition or in the best position, but the farmers are learning every day and are doing a good deal. It is intended to plant the Awnless Brome grass, a free growing vigorous variety of fodder grass of excellent quality, among these trees, which will, I hope, in time recover this desert. We are working from the outside to the centre so as to gradually encroach on the sandy area and prevent it from spreading. Within the memory of people living in the district, as for instance, Dr. T. Christie, M.P., who has shown great interest in having the experiments instituted, this now useless tract of sand was covered with crops, and only the fact that the sand has accumulated in some places and moves so quickly when the wind blows prevents it being done now. Trees are being planted, grass is being grown, the farmers are working in unison, and I hope before long at any rate that some appreciable effects may be seen.

#### FLOODED LANDS.

Experiments are also being made with the object of making use of some alluvial flats on the Ottawa river that are flooded in spring. Vigorous grasses have been planted and better results than formerly have been obtained in getting back into useful grass some flats where the native grasses had been broken up, the whole of the surface

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soil was washed away and nothing was left but the sub-soil. By planting these valuable grasses I hope that some of these flats will be brought back into their old good condition, and in addition that the grasses used will be more valuable than the varieties which were originally there.

*By Mr. Wilson :*

Q. Has any effort been made at Prince Edward at the sand banks there to stop that sand from moving ?

A. I do not think there has, the elevation there was considered so high that it was thought almost hopeless, and I have never heard of anything being done.

Q. Could there not be some trees planted there ?

A. I think there might. There is a peculiarity of those sand banks but it is not a peculiarity after all if you come to consider it. There is always moisture very near the surface, the same as we find where there has been proper summer fallowing or cultivation practised ; by scraping away the dry sand from the top you can find moisture underneath. At Lachute we found moisture right underneath the surface only three or four inches down and the trees which grew on that sand are spruces and firs which we all know require a good deal of moisture. The reason why they grew was probably because of this moisture ; from the shifting of the surface of the sand it was kept dry and this kept the moisture in and had the same effect as the cultivation of the soil in dry seasons. The trees got all the moisture which they required.

Q. I think it might be very well to plant some trees there ?

A. I think so too. I have never been there myself ; that is, I have never been very close to the sand hills and never examined them closely, but I think they are of very much the same nature as these sand banks on the St. Lawrence and Ottawa, and those trees that have been planted and protected against the wind storms that drive the sand which actually cuts them have succeeded well. It is this sand which destroys them, it is not the heat of the sun, nor the lack of fertility in the soil, so much as that they are actually cut down by the sand which is carried by the wind and cuts like a knife.

*By Mr. Featherston :*

Q. Was the exhibition of weeds at Winnipeg a success ; I did not hear of any report upon that ?

A. It was a tremendous success ; although the exhibition was held in simply a shed which was put up, it was of very great service ; all the worst weeds of the province were shown there. It was in charge of Mr. McKellar and Mr. C. Braithwaite, particularly energetic, active men, who kept things running all the time and had fresh weeds brought in day by day. More than that, they introduced the idea of having the faded weeds kept side by side with the fresh ones, and the idea was original and a very wise one, for this reason : when a farmer picks a weed he does not generally stop to examine it there and then, but he takes it home and examines it afterwards. I have found that to be the case in my own experience. The farmer carries the weed home and does not stop to examine it, as a rule, when he picks it, but sees it afterwards in its faded condition ; and the wisdom of this idea was shown in the fact that there were more weeds actually recognized by farmers in the faded condition than there were of those weeds which were green and which were examined by the farmers in a green state. The success of this exhibition of weeds was shown by the large number of visitors to the tent who brought in weeds for report. During the three days this exhibition was open, there was a constant stream of farmers asking questions and bringing plants, asking information as to what they were. Many others said that if they had known this exhibit was to have been there they would have brought samples of weeds from their own farms in order to find out what they were.

It was instructive also to the officers of the department because they were able to find out from the questions asked and the specimens which were brought in just where and to what extent many of these weeds were distributed of which they had no know-

ledge before. The worst weeds were hung in a conspicuous place across the front of the building, and every weed that is known as a pest and injurious to the crops was represented.

Mr. Braithwaite spent three or four days before the exhibition in collecting specimens for inspection. Rev. W. A. Burman also did special work of value for the department, and the information which was given was very largely sought after and taken advantage of, and the Minister of Agriculture for Manitoba, I believe, has made arrangements for a repetition of the exhibition this year. A full report of this effort will be published by the Hon. Mr. Greenway.

*By Mr. Featherston :*

Q. What about the French weed, some people object to that name?

A. I do not wonder. As I told them in Manitoba a few years ago I do not see why this weed should not be called the English, Irish, Scotch or German weed as well as French. The first year I lectured on weeds for the Manitoba Government was just after the present government came into power; it was said, now, there is a French Canadian Premier here, we have the government botanist going up there to Manitoba and telling them that the Stink weed is not to be called French weed any more, but he has orders to call it by a new name. Of course, this was nonsense, but if there is anything in a name Stink weed is just the name for this plant, as any one can prove for himself by rubbing some in his hands and smelling it. Why it should be called "French weed" I do not know, and I do not wonder that any people object to have their national name applied to a plant which is simply a curse to the province, besides it is just as likely to have originally come from England or Germany as from France.

Q. Some of these people are very sensitive?

A. They are. It takes a very little thing sometimes to make people think something might be done another way and this is one of them. But this time these objections have reason on their side. French weed does not describe the plant accurately and Stink weed does.

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Having read the preceding transcript of my evidence, I find it correct.

JAMES FLETCHER,

*Entomologist and Botanist to the  
Dominion Experimental Farms.*

# Agriculture and Colonization.

## FERTILIZERS AND FOOD PRODUCTS.

COMMITTEE ROOM, No. 47,  
HOUSE OF COMMONS,  
OTTAWA, 15th June, 1899.

The Committee on Agriculture and Colonization met this morning at 10.45 a.m., Mr. Bain, the chairman, presiding.

At the request of the committee, Mr. FRANK T. SHUTT, M.A., chemist of the Experimental Farms, attended and made the following statement in reference to the work of the chemical division of the Experimental Farms.

MR. CHAIRMAN AND GENTLEMEN,—As I found it difficult on previous occasions, owing to the limited time at our disposal, to bring before you all the important features of our work for the past year, I have to-day departed from my usual custom and prepared a statement in writing. I think this will enable me to present the matter more concisely, and at the same time, more fully and need not in any way interfere with the custom of asking questions usual on such occasions. Of course I shall be very pleased to answer, to the best of my ability, any questions that may be asked, as we proceed.

*By Mr. Featherston:*

Q. In reading your address I suppose you would prefer to have the questions left until afterwards.

A. That is just as the committee chooses. I shall not deem it an interruption if members ask me questions at the time if it is more convenient for them.

It is my pleasure to be able to report that the work of the chemical division at the Experimental Farms has during the past year proceeded satisfactorily and afforded results of considerable value to Canadian farmers. This work is necessarily of a varied character, for chemical aid is needed in every branch of agriculture: our purposes, however, will be served to-day if we consider it according to the following classification.

1. Original investigations and research work. This includes experiments instituted by the chemical division and chemical work in connection with the experiments conducted by the horticultural, entomological and other divisions of the Central Experimental Farm, as well as at the branch farms. It is scarcely possible to give any typical example of this class of work, but I may cite as of greater importance the determination of the relative fertility of the virgin soils, and of the degree of availability of plant food in certain soils and fertilizers; ascertaining the effect of fermentation upon the elements of fertility in manures and the estimation of the comparative value of certain crops such as clover and of certain naturally occurring fertilizers such as marl, swamp muck, &c., for the improvement and enrichment of soils; the determination of the feeding value of crops and their products. To these classes of research may be added investigations covering the chemistry of insecticides, and fungicides. This is an important matter because the effectiveness and safety with which insecticides and fungicides can be used depend very largely upon their proper preparation; we have numerous instances where much damage has been done to foliage by the use of improperly prepared fungicides and insecticides. Investigations with dairy products, food preservatives, and investigations to ascertain the effect of certain foods on flesh, &c., also receive attention at our hands.

2. The examination of samples of an agricultural nature that have been sent in by farmers and those engaged in one or other of the various special branches of agriculture.

3. Correspondence, writing of reports and bulletins, and the delivery of addresses at agricultural, dairy and horticultural conventions.

#### 1.—ORIGINAL INVESTIGATIONS AND RESEARCH WORK.

This, as might be supposed, makes the first demand upon our time; other work must be taken up as opportunity permits. I shall endeavour to place before you, briefly, an account of the more important results obtained from investigations of this character during the past year.

#### THE PRESERVATION OF BARNYARD MANURE.

Our report for 1898, recently issued, contains a full account of the results obtained from a somewhat extensive investigation, commenced two years ago, to ascertain: (1) the relative value, weight for weight, of fresh and rotted manure; (2) the losses that occur during rotting under conditions of protection and exposure respectively; (3) the effect of rotting on the availability of the plant food in the manure, and (4) the effect of gypsum as an absorbent of ammonia in the manure heap.

As this work was approaching completion when I addressed the committee last year, I took the opportunity of bringing before you some of the chief results and the deductions that I was able to draw therefrom. It may not therefore be necessary to-day for me to speak of this investigation further than to draw your attention to two tables of data that I have specially prepared, setting forth (1) the weights of fertilizing constituents in the protected and exposed manures at different and stated periods throughout the year of rotting, and (2) the losses, calculated in percentages, of the various fertilizing constituents in the rotting of the manure under the two series of conditions. Table II is calculated from the data furnished in table I.

It will be remembered that the experiment we are now speaking of consisted in the rotting of manure composed of equal parts of horse and cow manure (*a*) in a well built shed with weather-proof sides and roof, and (*b*) in an open bin, the sides and floors of which were double boarded. The former we termed "protected," the latter "exposed." The manures were weighed and analyzed month by month for a year, and the following tables show the results in detail:—

TABLE No. 1.

WEIGHTS OF FERTILIZING CONSTITUENTS IN PROTECTED AND EXPOSED MANURES.

|                           | Fresh.          |         | At end of 3 mos. |         | At end of 6 mos. |         | At end of 9 mos. |         | At end of 12 mos |         |
|---------------------------|-----------------|---------|------------------|---------|------------------|---------|------------------|---------|------------------|---------|
|                           | Pro-<br>tected. | Exposed | Pro-<br>tected.  | Exposed | Pro-<br>tected.  | Exposed | Pro-<br>tected.  | Exposed | Pro-<br>tected.  | Exposed |
|                           | Lbs.            | Lbs.    | Lbs.             | Lbs.    | Lbs.             | Lbs.    | Lbs.             | Lbs.    | Lbs.             | Lbs.    |
| Manure. . . . .           | 8,000           | 8,000   | 2,980            | 3,903   | 2,308            | 4,124   | 2,224            | 4,189   | 2,185            | 3,838   |
| Organic matter. . . . .   | 1,938           | 1,938   | 880              | 791     | 803              | 652     | 760              | 648     | 770              | 607     |
| Nitrogen. . . . .         | 48              | 48      | 40               | 34      | 39               | 33      | 37               | 29      | 37               | 31      |
| Phosphoric acid . . . . . | 25              | 25      | 25               | 23      | 26               | 22      | 25               | 21      | 24               | 21      |
| Potash . . . . .          | 62              | 62      | 65               | 48      | 59               | 44      | 60               | 41      | 60               | 40      |

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## TABLE No. 2.

LOSS OF FERTILIZING CONSTITUENTS IN THE ROTTING OF MANURE.

|                                                  | At end of 3 mos. |         | At end of 6 mos. |         | At end of 9 mos. |         | At end of 12 mos. |         |
|--------------------------------------------------|------------------|---------|------------------|---------|------------------|---------|-------------------|---------|
|                                                  | Pro-<br>tected.  | Exposed | Pro-<br>tected.  | Exposed | Pro-<br>tected.  | Exposed | Pro-<br>tected.   | Exposed |
|                                                  | p. c.            | p. c.   | p. c.            | p. c.   | p. c.            | p. c.   | p. c.             | p. c.   |
| Loss of organic matter.....                      | 55               | 60      | 58               | 65      | 60               | 67      | 60                | 69      |
| "  nitrogen.....                                 | 17               | 29      | 19               | 30      | 23               | 40      | 23                | 40      |
| "  phosphoric acid.....                          | None.            | 8       | None.            | 12      | None.            | 16      | 4                 | 16      |
| "  potash.....                                   | None.            | 22      | 3                | 29      | 3                | 34      | 3                 | 36      |
| Loss in value per ton of original<br>manure..... | 20c.             | 64c.    | 27c.             | 80c.    | 36c.             | 90c.    | 36c.              | 95c.    |

Value of fresh manure \$2.61 per ton.

Without reading to you all the data presented in these tables, I think it may suffice if I make mention of some of the more important figures and explain the results that I have deduced from these figures.

Barnyard manure, from its beneficial effect upon the mechanical condition of the soil, and the fact that its application introduces certain bacterial organisms which perform a useful function in setting free inert plant food in the soil, has a value peculiarly its own. But barnyard manure is valued ordinarily according to the percentages of nitrogen, phosphoric acid and potash it contains. That is to say, that if we wish to make a comparative valuation of any pile of manure as contrasted with any quantity of a commercial fertilizer it is usual to estimate the amount of nitrogen, phosphoric acid and potash in that manure and assign to these elements the price which they have in the commercial fertilizer. However, as we know, barnyard manure has an additional value over and above the value of these elements of fertility. To these elements (nitrogen, phosphoric acid and potash) in my opinion we should add organic matter, for it is the constituent which by its decay adds humus to the soil. Humus, as we are aware, is not only the plant's storehouse which prevents undue waste of fertilizing elements, but the constituent that improves the water-holding or moisture-holding capacity of the soil and tends to regulate the soil's temperature, guarding against extremes in both directions.

Now table No. 1 shows the original weights of these constituents when the experiment was started; these are placed in the two first columns. The same amount of manure was experimented with under the protected as under exposed conditions, and as they were alike in composition, the weights of the elements of fertility in both cases were the same.

The first fact that I would draw your attention to is that in the protected manure there was practically no diminution throughout the whole period in the amount of potash and phosphoric acid, showing that there has been no leaching of these elements. The phosphoric acid we started out with practically remained the same—about twenty-five pounds—till the experiment was closed at the end of twelve months.

*By Mr. Featherston :*

Q. That is the original weight ?

A. Yes, twenty-five pounds; this is the original weight of phosphoric acid in these manures. The weights at the end of three months are to be found in the third and fourth columns: it will be noticed that at the end of this period there had practically no diminution in the amount of this element. The nitrogen and organic

matter, however, had suffered considerably by fermentation, thus the forty-eight pounds of nitrogen contained in the four tons rotted under protection, had been reduced to forty pounds in the first three months.

Q. How much manure at the outset?

A. We started with four tons in both cases.

Q. That is fresh manure, not rotted?

A. We commenced with fresh manure.

In regard to organic matter the manure at the outset contained 1,938 pounds and this was reduced in the protected manure in three months to 880 pounds, and the nitrogen from 48 pounds to 40 pounds. Now we will contrast that with the result obtained in the exposed manure. The initial amounts were originally the same. In the exposed manure the loss of organic matter and nitrogen was greater than that just cited; that is, the loss of nitrogen and organic matter was greater than in the protected manure. The organic matter, originally 1,938 pounds, was reduced in the exposed manure to 791 pounds; about 90 pounds more organic matter had been destroyed under these conditions than under the conditions of protection. With regard to nitrogen, 48 pounds has been reduced to 34 pounds.

Q. Well, what class of manure was that in the first place?

A. Equal parts of horse and cow manure, taken fresh and put on the pile.

Q. What was the food of the cattle?

A. That is rather hard to say; as we have so many feeding tests going on it would be practically impossible to give the data. Both horses and cattle are liberally fed both as to amount and quality. This was fairly rich manure. This is evident from the chemical analysis of it that we made.

*By Mr. McGregor:*

Q. It was general feed?

A. General good feed, but I should add that great care is taken to preserve liquid manure from waste by a generous use of litter and absorbents. This is a very important affair, more important than many farmers realize, for the liquid manure is the more valuable of the two.

*By Mr. Featherston:*

Q. Cattle fed on meal produce stronger manure?

A. Quite true. I presume, however, that if this manure had been of a poorer quality the loss, while it might not have been so great, would have been in the same ratio.

*By Mr. McMillan:*

Q. Was the manure taken right from the stable to the shed?

A. Yes, though it took us some two or three days to collect the desired amount, namely, eight tons. During that time incipient fermentation had commenced. We should have liked to have avoided that, but it was necessary to work on comparatively speaking, large quantities in order to get results from which to draw safe conclusions.

We have now seen that there was a greater waste of nitrogen and organic matter in the exposed manure than in that which was protected. I have in addition to draw your attention to a very serious loss in potash and a slight one in phosphoric acid in the exposed manure. We commenced with in the neighbourhood of 62 pounds of potash. In the exposed manure at the end of three months we found that that 62 pounds of potash had been reduced to 48 pounds. We also found that there had been some leaching of phosphoric acid; we started with 25 pounds and this had been reduced to 23 pounds, not a very serious loss, but sufficient to show there was a leaching away under these conditions of a certain quantity of this important element of plant food.

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*By Mr. Featherston :*

Q. But you had not practically any phosphoric acid or potash loss in the protected manure?

A. Quite so, that is what I wish to emphasize. This loss of potash in the exposed manure occurred in spite of the fact that the walls and floor of the bin were double boarded. So I think we may conclude it is impossible to prevent loss from leaching of potash, unless we put the manure in concrete pits or in pits containing a thick bed of some absorbents such as air-dried muck.

*By Mr. McMillan :*

Q. I see that in the exposed manure there was a loss of potash from 62 pounds to 48 pounds, but in the protected manure there was an increase from 62 pounds to 65 pounds; how do you explain that?

A. It was due perhaps to two causes; to errors of analysis and weighing, or perhaps to the fact that the fermentation of this manure had caused a certain quantity of potash, which was before unavailable (insoluble in the acid solvent) to become available, so that the acid brought it more readily into solution than before. I may be allowed to point out that a very small error in analysis when multiplied into four tons makes a considerable difference. This work was done with the greatest care, but the very circumstances of the case and nature of the material worked with prevented us obtaining absolute truth. However, the figures are put down as I obtained them, and they are such, in my opinion, as to carry conviction as to their general correctness and the conclusions that are to be drawn from them.

Q. Then your analysis could not have been correct at first because it should have shown all the potash?

A. Well, not necessarily incorrect. It is quite understandable that using the acid solvent at the strength we did (precisely the same strength as in analyses of soil)—it is quite possible that slightly more potash would be dissolved out of the rotted than out of the fresh manure. Incomplete sampling might also be a cause of this slight difference. However it may not be necessary to enter into a minute account of the factors which would affect the truth of the figure, for I feel sure that a consideration of them will be sufficient to convince you of their general correctness and of the practical lessons they teach.

We found that the loss in organic matter and nitrogen, in both manures, was more severe during the first month than subsequently. After the first three months there was but little further loss of these elements in the protected manure. In the exposed sample however, loss not only of nitrogen and organic matter but also of potash and phosphoric acid continued as long as the experiment lasted. I have already stated that there was practically no loss of potash and phosphoric acid from the protected manure. Tables will be found in my report for 1898 that trace the values of these manures month by month. The points I would at this juncture emphasize are, that there was no loss of potash and phosphoric acid and, after the first two or three months there was but little further loss of organic matter and nitrogen, from the protected sample; but when possible, as in the exposed sample, loss not only of nitrogen and organic matter but also of potash and phosphoric acid continued as long as the manure was exposed.

*By Mr. McGregor :*

Q. You say to put it on the land as soon as possible. If scattered on the ground would it not lose a great deal of strength before being ploughed in?

A. There might be loss due to several causes, under such conditions as you speak of. Loss from leaching, the floods in the spring carrying it off from the land before it could be absorbed would be the chief loss I imagine. This would occur more particularly on hill sides and poorly drained soils. I do not think, however, there is any material loss when the manure is put upon the field, spread out and ploughed under immediately. There would be a somewhat greater loss from manure in an active state of fermentation than from fresh manure, but from an experiment I made

some years ago we found the amount of such loss was very small, equal to about ten cents worth of nitrogen to the ton of manure. When you spread manure out thinly and it is at once dried by the atmosphere, fermentation is arrested and no further loss occurs. The rain that falls will dissolve much of its plant food out, but if the ground is absorbent it will not be lost. If the land is flooded, however, and much surface water is carried off, the loss in plant food of the most available kind will be considerable.

Table II gives similar information to Table I but in different form. It states the losses in percentages; thus comparing the two manures at the end of three months we find that the protected manure had lost 55 per cent of its organic matter and 17 per cent of its nitrogen, equivalent to a loss in value of 20 cents per ton; while the exposed manure during the same period had lost 60 per cent of its organic matter and 29 per cent of its nitrogen and, in addition, 8 per cent of its phosphoric acid and 22 per cent of its potash, equivalent to a loss in value of 64 cents per ton. We valued the manure at the outset at \$2.61 per ton; that is assigning to these three substances, nitrogen, phosphoric acid and potash the values which they receive in a commercial fertilizer.

Starting with manures in each case that contained plant food to the value of \$10.43, we found at the end of three months that the plant food in the protected manure was worth \$9.63 while that in the exposed manure was worth only \$7.86. In arriving at these values, it may be remarked, we have not assigned any greater values to those proportions of the phosphoric acid and potash which by fermentation had become more available. We have made it clear by this investigation that one of the beneficial effects of rotting is that certain constituents (and more especially the phosphoric acid) are rendered more available for absorption by growing crops. Were we to assign a greater value to these elements in the fermented manure than in the fresh manure, as I think we should be justified in doing, the difference I have referred to here between the values of the protected and the exposed manures would be greater than that shown by the figures just mentioned, and would be in favour of the protected manure.

I may close the consideration of this interesting subject by stating the deductions of practical value that I have been able to make from this investigation, a complete discussion of which is, as I have already said, to be found in my forthcoming report.

1. That fermentation or rotting of manure necessarily causes a greater or less loss of organic matter and nitrogen. The extent of this loss will depend upon the conditions under which the manure is rotted.

2. That the least loss of these two constituents, organic matter and nitrogen, occurred in the protected manure, the pile being kept moist and compact. The principle involved is that fermentation is controlled and to a great extent retarded by the exclusion of air.

3. That this loss of nitrogen was not altogether as is generally supposed, due to the production and volatilization of ammonia, but must in a large measure be due to the production and escape of gaseous nitrogen. It is commonly held that the loss of nitrogen from manure results, if not principally, very largely from the formation and escape of ammonia (which is a compound of nitrogen) but I have come to the conclusion from our work that there is a very large amount of nitrogen which is lost from manure in a free gaseous condition. The nitrogen which escapes in that way cannot be held or retained by gypsum or any absorbent of that kind, because the action of gypsum is to form a fixed compound with ammonia. It cannot combine with nitrogen but it will with ammonia.

4. That at no time during the rotting did we find in either manures any large or considerable amount of free ammonia, ammonium salts, nitrates or nitrites, forms of nitrogen that are more or less directly usable by crops. Rotting, however, breaks down and disintegrates the litter and coarser parts of the manure making it more uniform, and consequently allowing a more intimate mixing of the manure with the soil. It also no doubt hastens the formation of humus and available nitrogen compounds when the manure is subsequently in the soil. That is to say, it brings about the initial stage in the production of nitrates and nitrites. While there is very little

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immediate available nitrogen in fresh manure, there are nitrogen compounds in rotted manure that readily furnish nitrogen to growing crops.

5. That as regards potash we could not detect any appreciable or beneficial effect upon its availability by rotting the manure. We found in round numbers 85 per cent of the potash in fresh manure to be in an available condition. We cannot look therefore for any beneficial effect upon the potash in the manure by rotting. There is in this a very important and practical lesson, namely, that we have in the fresh manure potash practically as available as in the rotted manure. It teaches the necessity of well looking after the liquid manure. The potash is contained for the most part in the liquid manure.

6. That as regards phosphoric acid, rotting under the best conditions does improve its availability. At the outset 60 per cent of the total phosphoric acid was available and at the close of the experiment the percentage available had been increased to 75 per cent. So that rotting has a beneficial effect upon the condition of phosphoric acid.

*By Mr. McMillan :*

Q. You have not tried rotting manure in the case where it is kept tramped hard and firm by the animals and kept solid as against where it is left in the shed?

A. No, we have not. But it was not allowed to be kept loose in the shed in either case. After each month's turning we were careful to make it as compact and solid as possible with ordinary means.

Q. Was there any fermentation took place after three months?

A. Yes, but the fermentation practically ceased, that is to say, as far as the evolution of the heat was concerned, about the end of three months, but up to that it kept quite warm.

Q. And didn't it increase the heat when it was turned over?

A. Yes, it did for the first two or three months, not after.

Q. In turning it over you kept it damp?

A. Yes. Of course that outside or exposed was kept more or less always damp by the rain.

Q. But inside you kept it from mould?

A. Yes. It must be kept solid and damp if we are to have the most favourable conditions. I am convinced of that.

7. There was practically no loss of phosphoric acid and potash from the protected manure?

A. Practically no loss of these elements.

8. That the exposed manure lost about one-sixth of its phosphoric acid and somewhat more than one-third of its potash by leaching, in spite of the fact that it was on a fairly well-constructed board floor. That is a very important deduction.

9. That all the benefit to be derived from rotting results from or is caused by the changes during the first two months, practically speaking, of rotting, certainly within three months. The most marked changes are effected in the first month. A longer period than this gives, in my opinion, but little additional value to the manure and may lead to further loss. After a period of three months I cannot detect any appreciable effect upon the availability of the plant food in the manure, and after that period in some particulars certain losses continue to take place.

Upon the ordinary every day farm we find no special provision for or precautions taken in the preservation or rotting of manure. I am therefore led to conclude that the loss ordinarily suffered must be much greater than that from the exposed manure in our experiments, because, as I have said, we constructed a fairly well built bin with a double boarded floor and sides, and in spite of that there was one-third lost in the value of plant food as well as a large amount of organic matter.

If it is desired to rot the manure it seems to me that a concrete bin or cellar should be used, or in default of this a thick layer of air dried muck or earth rich in organic matter placed under the manure to absorb the liquid portions. It is important that the latter should be well looked after, for it is of more value than the solid portion; it contains not only the larger proportions of nitrogen and potash,

but these are present in more available forms for plant use, than contained in the solid portion. I therefore again emphasize that it is important we should pay attention to the preservation of the liquid portion. From what I know of the prevalent practice of this country the farmers preserve and put into the ground the solid portion but take little or no pains whatever to prevent the liquid portion of the manure from running away and wasting.

As far as practicable the manure during rotting should be kept compact and moist. These conditions are frequently obtained by allowing cattle to run over the manure and tramp it.

In this statement I have only set forth the chief results of our experiments; the principles have been enunciated and it remains for the individual farmer to apply them as best he may according to his circumstances and as far as his conditions and circumstances will allow him.

*By Mr. McGregor :*

Q. Do you think it would be well to put ashes in your compost heap ?

A. No, sir, not wood ashes, or indeed ashes of any kind. Wood ashes contain alkali, and that would have the effect of liberating the ammonia which would be lost.

Q. You would rather use it on the land ?

A. Yes, I would use wood ashes directly upon the land, but I would not mix them with manure as that might occasion loss of nitrogen.

Q. Lime would have the same effect ?

A. Yes.

Q. Nor salt, you would not use that ?

A. I see no object in using salt in that way. It would not have the same effect as I have named, but I fancy it would tend to leaching. Salt has not the power to fix escaping ammonia.

Q. Would it make the compost heap of manure more valuable ?

A. No, I do not think it would have any effect in that regard either one way or the other. Muriate of potash has, however, been recommended for that purpose, but I don't generally advise it.

Q. These are the losses I see there ?

A. Yes, on that table (Table No. 2) are given the losses in percentage of the amounts originally present.

Q. The losses at 3, 6 and 9 months.

A. In table No. 1 the weights of the various elements of fertility are given at the end of 3, 6, 9 and 12 months. From these data the losses in percentage (given in table 2) have been calculated.

*By Mr. Erb :*

Q. Before leaving this question of manures, have you ever conducted any experiments to show what loss, if any, takes place in fresh manure kept compact and preventing fermentation ?

A. No, we have not, chiefly because I do not believe it would be possible or at any rate practicable to preserve manure in such a condition. I do not think you could totally arrest fermentation without the use of some preventive such as formalin.

Q. Generally speaking, a great many farmers allow their cattle to run over the barnyard and they keep the manure compact and solid ?

A. I am afraid the majority of farmers do not take pains to keep the manure compact and protected from washing rains though, of course, there are some that do.

*By Mr. McGregor :*

Q. In barnyards where there is plenty of straw and the manure is kept in the cellar, what my friend says is the larger portion of that manure is thoroughly tramped and solid, and is not taken out until June or July and is then put upon the

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ground, and in that case it is not mildewed or moulded in any way, and that is the way in which we use it?

A. Such manure would be very rich, because the conditions named would be such as to prevent both excessive fermentation as well as leaching.

Q. You don't think there is any loss from leaching of the liquid manure in such a case?

A. There might be and there might not be. If the floor were water-tight and plenty of bedding used, there would be but little loss from leaching. The losses occur from two causes—fermentation and leaching; the loss of soluble matter by leaching is frequently the most serious. If you can prevent fermentation on the one hand and leaching on the other, you save all the fertilizing constituents of your manure.

*By Mr. McMillan:*

Q. I have seen a stable constructed so that the mangers at which the animals fed were so arranged that could be raised as the manure rose in the stalls. That building was deep enough to allow it to lie there till spring, and there was no fermentation?

A. There would be some fermentation, but, I believe, under such circumstances, the loss would be exceedingly small compared with that in manure loosely kept in the barnyard.

We know that manure is full of minute living organisms, and that liquid manure is a peculiarly unstable material; it is not surprising, therefore, that these organisms, which live upon the organic matter of the manure, should destroy the more soluble part of the manure (urine), provided conditions are favourable. Fermentation is the effect or result of these organisms living in the manure.

*By Mr. Featherston:*

Q. Your experiment on fermentation shows a loss along the line of that manure from the first?

A. You speak in regard to the exposed manure?

Q. All?

A. I say in certain elements. I must make a guarded answer, because I have pointed out that in the protected manure the losses were in organic matter and nitrogen and that there were none in phosphoric acid or potash but on the other hand there were losses in potash, phosphoric acid, nitrogen and organic matter in the exposed lot of manure. The extent of the losses will be regulated by the condition under which the rotting takes place.

Q. But can't you do better by using fresh manure at once upon the land rather than rotted?

A. That may be true for most soils but yet for certain soils and crops I think, there are advantages which make it advisable at times to use rotted manure rather than fresh manure. For instance I think that on light soils, it is often preferable. Also for crops which have only a short season of growth and which require their plant food to be supplied to them in a more or less immediately available condition; such is furnished them by rotted manure rather than fresh manure. The relative merits of fresh and rotted manure is a large question, which I shall be willing to take up, but I feel it should be answered fully if at all, as otherwise it might be misunderstood. We have to take into consideration not only the manure but the soil and the crop. My only endeavour to-day has been to show the nature of the changes which take place under various conditions of rotting. I will say this however, that if a farmer has not the means to carefully preserve his manure it would better to get into the soil as soon as possible. If his land is heavy, one in which clay predominated, and the matter of labour did not prevent him, it would be most economical to get the manure into the soil as soon as it is made. For light soils, producing crops with a short season of growth, partially rotted manure would in all probability be better. Corn and roots might be termed crops of a long season of growth, the cereals those with a short season of growth.

Q. In the event of seeding clover with grain you would be giving the benefit of the manurial content of the clover crop to the soil.

A. Yes.

*By Mr. Rogers :*

Q. Rotting manure is of benefit in killing bad weeds ?

A. Yes, that is one of the advantages, but unless the rotting is thorough, some of the weed seeds will escape destruction.

Q. Manure supplies a good deal of humus ?

A. Yes. I place great importance on humus. The more I look into the question of virgin soils, the more I find that their fertility is closely associated with the amount of humus present. The fertility of a soil depends largely upon the amount of humus in it. Where there is humus there I find nitrogen ; and, usually, where I find humus, there I find the right physical and mechanical conditions of the soil, conditions that, in times of drought, will bring a full, good crop to harvest.

*By Mr. McGregor :*

Q. You say that ashes are good in the compost heap ; would it not be good on the soil ?

A. Wood ashes are a very excellent source of potash. You can apply fifty to eighty bushels to the acre. I do not know a more economical way of supplying potash and also phosphoric acid to the soil. They contain about two per cent of phosphoric acid and five to six per cent potash. They make an excellent compost with swamp muck.

*By Mr. Erb :*

Q. One point is not clear to me. Your table shows that a loss in fertilizing elements took place in the exposed manure that was rotted. Have you any table to show the effect on exposed manure not rotted, because that is the common way of keeping manure in our district ?

A. No, I have no data of my own, but there would be a loss in liquid manure and also by the rain washing through the manure.

Q. Not necessarily, if you use lots of straw.

A. You suppose conditions under which it would be exposed to rain ?

Q. Yes.

A. Well, we understand that if liquid manure has a chance it will drain away and be lost.

Q. With us, all the manure which accumulates is left till a few weeks ago.

A. The loss would be in a large measure proportionate to the rain fall and the lay of the land.

Q. Well, you have no experiments to show the loss in that way, because this is a common practise.

A. No.

*By Mr. Gilmour :*

Q. How often did you weigh it ; every time you turned it ?

A. Yes.

Q. That is something we do not have ; that manure is changed very often, it is an extraordinary shrinkage in three months, from 8,000 pounds to 2,980.

A. The work was very carefully done, sir, and I can personally vouch for the weights.

*By Mr. McMillan :*

I will say this, as far as taking manure from the stable to the fields, we have practiced it for years. When we began we took a certain amount of manure rotted in the shed and also some from the heap and we found the same amount of good

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from both. Besides there was the amount of saving of labour by not having to cart it twice; that is when your land is well drained and not too hilly.

THE CHAIRMAN.—You don't find your manure, where the cattle are on it all the time, fermented, do you?

MR. McMILLAN.—No, but when cattle are on it all the time we take it right from the cattle to the field?

*By Mr. McGregor :*

Q. You advise that in every case possible the straw should be cut?

A. Yes. It increases the absorbent quality.

THE CHAIRMAN.—I think there is one thing we should all remember, and that is that these experiments were carried on with a view of showing the changes that take place in the manure pile and in manure that is under cover.

MR. SHUTT.—We have already considered instituting experiments which would include putting manure on the field in a heap and allowing it to remain there untouched until the end of the rotting period. I am afraid, however, there are difficulties in such an experiment that we shall not be able to overcome. Where we can control or measure the conditions we can make an experiment successfully, but where we cannot control conditions the results will not be so definite.

*By Mr. McGregor :*

Q. Where the experiments are carried on I claim there is more good if the conditions are such as we actually find and are not supposititious ones?

A. The conditions are different on every farm. There is no uniform method or practice throughout the country as far as I am aware. It is a somewhat mistaken idea to suppose that no fermentation ensues under such conditions as have been mentioned. In the barnyard, unless the manure is in a very thin layer, I am of opinion that considerable fermentation takes place.

*By Mr. McMillan :*

Q. In the barnyard?

A. Yes.

Q. We don't keep any in the open barnyard at all.

*By Mr. Erb :*

Q. That it does not ferment is proved I think by the fact that when you come to move the manure in the spring you sometimes find snow and ice under it.

A. I scarcely think that is sufficient proof, though of course fermentation is much retarded during the winter months.

### THE USE OF NITROGEN FOR ENCOURAGING THE GROWTH OF CLOVER.

For some years past, as you are doubtless aware, we have been advocating the more extensive growth of the legumes, clover, beans, peas, etc., and particularly clover, as a means not only of furnishing a rich fodder but also of improving the land by adding to its store of humus and nitrogen.

I shall not refer again in detail to the great importance I place upon humus as a soil constituent nor to the fact that the greater part of the nitrogen supplied to a soil when ploughing under clover (or even the clover roots) is a distinct addition to the soil's fertility, since the clover plant obtains the greater part of its nitrogen from the free nitrogen of the air, a source, as we know that is not utilizable by other farm crops.

In previous years I have explained the underlying principles which are involved in the absorption or assimilation of atmospheric nitrogen by clover. I have also stated the reasons why I consider clover one of the cheapest and best means for improving the condition of our soil. As a soil enricher we have shown both by

trials in the field as well as by careful analysis in the laboratory that clover is a fertilizer at once cheap and effective. If we supply the clover with a sufficiency of potash, phosphoric acid and lime, together with a fair condition of the soil, it will by the agency of certain microbes in the soil obtain its own nitrogen from the atmosphere. By furnishing potash and phosphoric acid and growing clover there will be little need to purchase for our soils nitrogen, the most expensive of all the elements of plant food. Moreover the organic matter of the decaying roots and foliage of the clover furnishes humus, mellowing the soil and making it more retentive of moisture and plant food, less subject to sudden changes of temperature and a more comfortable home for the myriads of microscopic organisms which during their life convert inert soil elements into food for growing crops.

It is only been during recent years that investigations have shown that the conversion of the inert plant food of the soil into available forms is due largely to the activity of these micro-organisms which exist in myriads in our soils. We now understand why and how the legumes, clover, peas, beans, etc., become enrichers rather than impoverishers of the soil in nitrogen. This latter is due to the activity of certain bacteria that reside in nodules that are found on the roots and rootlets of the legumes. They, in some way which we do not at present altogether understand, enable the clover to appropriate the free nitrogen of the air. These bacteria, I repeat, appropriate and absorb the free nitrogen of the air which is present between the particles of soil and passing it on to the host plant, the clover, the nitrogen is there converted into the tissues of root and stem and leaf. Without the aid of these bacteria, clover, like all other farm crops, can only use soil nitrogen. In other words without the assistance of these bacteria, the legumes can only take their nitrogen from soil in the form of nitrates in the same way as other farm crops.

#### NITRAGIN AS A FERTILIZER FOR LEGUMINOUS PLANTS.

With the aid of these bacteria, clover adds to the soil stores of nitrogen, not without them. Many soils contain these bacteria in sufficient numbers, but nevertheless there are soils that appear to be practically destitute of them. Last year I informed this committee that a preparation of these clover bacteria was being made and sold in Germany, and that we had used this preparation, known as nitragin, with good effect, increasing thereby the crop very considerably. I think last year I brought a bottle of this preparation (nitragin) to this committee and said that there were about seventeen apparently distinct nitragins made in Germany, each one being intended for a special member of the legume family. We have experimented with three, for clover, pease and horse beans.

*By Mr. McMillan :*

Q. Would it not be too costly for this use ?

A. The bottle which I showed last year contained sufficient when diluted for half an acre; it cost laid down here between 70 and 80 cents. There are two plans of using it, one the inoculation of the seed and the other the inoculation of the land. In my evidence of last year the details of these methods were given. We have been using this material under both methods for the last two or three years to ascertain its effect upon the crop of clover. During 1898 the third year's experiments were made, and the results corroborate those hitherto obtained, namely, that treatment of the seed with nitragin caused a marked increase in the weight of crops produced.

I shall only cite one of the experiments which I tried last year and which is still in force, giving you the data of last year's results and exhibiting a photograph which I took yesterday. These show most markedly the difference between the growth of the treated and untreated crops this year. For this experiment we selected a small area of practically pure sand. This soil—if it can be so called, because it was practically destitute of humus and nitrogen—we furnished with phosphoric acid and potash, supplied at the rate of superphosphate, 360 pounds

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per acre and muriate of potash 120 pounds to the acre. This application was made with the view of furnishing the clover with the mineral constituents which it required. Supplied with these, the clover, with the aid of the bacteria, was to get its own nitrogen. Upon this plot were then sown two rows some eight inches apart of clover seed that had been soaked in nitragin and, at a distance of two feet from these, two rows of untreated seed were sown. The crop from the inoculated seed was much more luxuriant than that of the untreated seed. In October, the plants in four running feet in each row were carefully taken up, the roots washed and the whole plants weighed. We found that the weight of the plants from the untreated seed was 16 ounces, and those from the inoculated seeds weighed 18½ ounces. This represents a gain of about 15 per cent which we must suppose was due to the fact of the inoculation of the seed and the beneficial action of the nitragin.

*By Mr. Erb:*

Q. Did you sprinkle or water that plot or trust to the natural rain fall?

A. I watered it at first; it is situated on a slope and I watered it when necessary, treating both sets of plants alike.

The remaining portions of the rows were left undug. The plants in both series survived the winter and the day before yesterday I photographed them *in situ*. On the left hand of the photograph you see the clover from the inoculated seed, on the right, the clover from the untreated seed. Nothing could give you a better idea of the great luxuriance of the growth from the inoculated seed as compared with that of the untreated seed. (*Vide plate 1.*) The results are truly remarkable. In a few weeks from the present date the plants in both series will be taken up, weighed and analysed.

It is scarcely possible to exaggerate the importance to agriculture of this modern achievement of science, and it will be to the interest of every farmer to inform himself how clover can be made to improve his soil, and how the growth of clover can be encouraged. All who can should seize this opportunity of seeing this experiment at the Central Farm. The results are of a most convincing nature.

*By Mr. McMillan:*

Q. But it will be necessary in all such cases that the land should be well undrained, so that it will be in a proper state of cultivation?—A. You are referring now to the leaching of manure and loss on undrained land, I presume?

Q. No, not so much to that as to the preservation of bacteria which go into the nodules, as they cannot work with the nodules in water?—A. Yes, drainage is important, especially if the soil is of a heavy nature. It is impossible to get a good crop of clover on land which is water soaked, that is, upon which and in which the water lies without draining away readily. From the results of this experiment I judge that with the use of nitragin a good crop of clover can be obtained on the poorest soil, provided phosphoric acid and potash are supplied. Of course moisture is necessary, one must have a favourable season, but I think we are justified in supposing that by providing the necessary mineral constituents, phosphoric acid and potash, as we have in this case, clover will thrive and finally turn out well on exceedingly light and sandy soils.

Q. What will be the cost per acre of treating the seed?

A. About \$1.50.

*By Mr. McGregor:*

Q. Can it be bought readily?

A. It cannot as yet be bought readily in this country. There are one or two difficulties in the way of its coming into general use at present. One is that it has to be used while still freshly made; it won't keep for any length of time. The manufacturers will not guarantee its fertility or rather vitality after some six

weeks. Another point is that it must not be exposed to the light, *i. e.* to strong sunlight, or to a temperature above that of the human body, about 100° Fah. If the temperature is above 100 it very much diminishes the activity of the germ.

Q. It could be made here, I suppose?

A. It could be made here. Any farmer, to a certain extent, without making it could obtain the same results by taking soil from a field that has grown a good crop of clover and sowing it over the poorer field. By such means he would inoculate the poorer soil with clover germs and obtain a good crop of clover as the result. The earth which comes from about the roots of the clover contains the germs and would serve to inoculate the poorer soil. Another plan would be to pour cold water over the earth (previously placed in a barrel) containing these germs and after allowing the soil to settle to pour off the supernatant water and soak in it the seed about to be sown.

*By Mr. Rogers:*

Q. A change of soil instead of a change of seed?

A. Having indicated the nature of our work in this matter, it will only be necessary for me to draw your attention to the following table which gives the amount of crop (both foliage and roots) and amount of nitrogen therein contained, in the chief experiments since 1894. It gives us information as to the weight of nitrogen we can supply to a soil per acre (1) by ploughing under the whole crop or (2) simply by allowing the roots of the clover to decay, feeding off the clover. I think we may safely say that 75 to 100 lbs. of nitrogen can be furnished per acre simply by sowing eight to ten lbs. of clover seed. This, it appears to me, is the cheapest source of nitrogen known.

In this connection it is important to remember that eight pounds of clover seed can be sown with the grain (oats or barley) without diminishing the yield of the latter, at least, so we have found on the Experimental Farm.

#### CLOVER AND GREEN MANURES.

A. Mammoth Red. B. Common Red.

| Numbers. | Kind. | Sown.       | Collected. | WEIGHT OF MATERIAL (Fresh) PER ACRE. |       |        |       |        |       | NITROGEN, PER ACRE. |        |        |
|----------|-------|-------------|------------|--------------------------------------|-------|--------|-------|--------|-------|---------------------|--------|--------|
|          |       |             |            | Stems and Leaves.                    |       | Roots. |       | Total. |       | Stems and Leaves.   | Roots. | Total. |
|          |       |             |            | Tons.                                | Lbs.  | Tons.  | Lbs.  | Tons.  | Lbs.  | Lbs.                | Lbs.   | Lbs.   |
| 1        | A     | April '94.. | May '95..  | 10                                   | 70    | 5      | 1,476 | 15     | 1,546 | 101                 | 49     | 150    |
| 2        | A     | " '93..     | " '95..    | 5                                    | 1,235 | 9      | 535   | 14     | 1,770 | 52                  | 61     | 111    |
| 3        | A     | July '96..  | Oct. '96.. | 6                                    | 1,310 | 3      | 1,260 | 10     | 570   | 82                  | 48     | 130    |
| 4        | B     | " '96..     | " '96..    | 4                                    | 1,779 | 2      | 1,445 | 7      | 1,224 | 70                  | 47     | 117    |
| 5        | A     | May '96..   | May '97..  | .....                                |       | .....  |       | 2      | 1,995 | .....               |        |        |
| 6        | B     | " '96..     | " '97..    | .....                                |       | .....  |       | 3      | 125   | .....               |        |        |
| 7        | A     | " '97..     | Oct. '97.. | 4                                    | 508   | 2      | 1,785 | 7      | 293   | *62                 | *35    | *97    |
| 8        | B     | " '97..     | " '97..    | 5                                    | 209   | 3      | 296   | 8      | 505   | *76                 | *54    | *130   |

Nos. 1 and 2, roots taken to a depth of four feet. Good spring growth when collected.

Nos. 3 and 4, sown as cover crop in orchard. Roots taken to a depth of two feet.

Nos. 5 and 6, dead stems, leaves and roots. Winter-killed.

\*Nos. 7 and 8, nitrogen estimated.

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## CANADIAN AND HUNGARIAN FLOURS.

In view of the present increased demand in England for hard wheats to mix with the home grown and softer wheats, it may be of interest if I bring before you the results of a comparative examination between Canadian best patents and the best grades of Hungarian flours, made a few months ago in our laboratories.

All our data point to the superiority of the Canadian flour for bread-making purposes; the percentages of albuminoids or protein—the most important part from a nutritive standpoint—are as follows:—

|                              |                 |
|------------------------------|-----------------|
| Canadian, best patents ..... | 12.59 per cent. |
| Hungarian, best grade .....  | 11.27 “         |

*By Mr. McGregor :*

Q. It makes a good deal of difference where you get that wheat from at first?

A. Undoubtedly. I am now comparing the best grades of Canadian and Hungarian flour. The analyses were made at the direction of the hon. Minister of Agriculture, who himself obtained the samples. It is, I believe, a comparison of the best grade flour from Canadian North-western wheat with what we may suppose to be the best grade Hungarian flour.

Q. That would be wheat from west of Winnipeg?

A. It was.

The determination of gluten, both wet and dry, is also in favour of Canadian flour, as follows:—

|                              | Wet Gluten. | Dry Gluten. |
|------------------------------|-------------|-------------|
| Canadian, best patents ..... | 34.22       | 12.33       |
| Hungarian, best grade .....  | 26.17       | 9.79        |

From these figures I conclude that, weight for weight, Canadian flour would yield more bread than the Hungarian flour. I dare say you are sufficiently conversant with the manner in which this determination is made, and its value, to understand the great superiority which the above data give to the Canadian flour.

Q. It depends to some extent upon what land this wheat was taken off. If you take land that has been used a long time, it means that the wheat will have more starch and less gluten?

A. We have not any data on record to show that the poorer land makes a wheat which is richer in starch and poorer in gluten; the variety of wheat and the climatic conditions generally undoubtedly are the factors that affect the percentage of gluten. Climatic and seasonal influences are most potent in their effect upon wheat.

*By Mr. Semple :*

Q. Have you made any comparison with fall wheat compared with the others?

A. We have not. But we are commencing, or rather we have commenced, a very extensive series of experiments to arrive at the relative values of certain of our Canadian wheats, as grown more particularly in the North-west. The work is not sufficiently far advanced at present for me to give any information. Fall wheats, as a class, contain less gluten, than spring wheat.

*By Mr. McGregor :*

Q. In the North-west they take out more bread to the pound than with the eastern flour?

A. Yes. The wet gluten was 34 per cent in the Canadian North-western flour, as against 26 per cent in the Hungarian. These data make the former more absorbent and more valuable for bread making. In respect to those qualities of gluten which are valuable in bread making, elasticity and firmness, the gluten from the Canadian flour was the more marked of the two.

*By Mr. Erb :*

Q. Is this Hungarian flour made from wheat grown in Hungary?

A. Yes. The flour was made in Hungary.

Q. Is there much export from there to Britain?

A. I cannot tell you as to quantity, but I know it is largely used in Great Britain for mixing with soft home grown flours.

*By Mr. Featherston :*

Q. Our wheat is better?

A. Yes, flour from Red Fife wheat grown in our North-west is richer in gluten and will make more bread, weight for weight.

#### FODDERS AND FEEDING STUFFS.

It is now my wish to bring to your attention some facts about fodders and feeding stuffs. First, in connection with the native grasses of Manitoba and the North-west Territories. During the season of 1898 we procured through the superintendents of the experimental farms of Manitoba and the North-west Territories samples of many native grasses, growing both upon uplands and sloughs, in order to ascertain their relative feeding value. We deemed this investigation of considerable importance, as frequently the native grasses must be depended upon as the chief supply of cattle food. The native hay cut from the uplands proved to consist of a mixture of grasses, comprising at least half a dozen species, together with various weeds, such as artimesia, Canada thistle, stink weed, heliopsis, wild rose, &c. The hay cut from the lowlands and sloughs consisted largely, sometimes wholly, of sedges. These sedges are characterized—they are not true grasses—by having a solid triangular stems and very rough-margined leaves. Sedges are usually considered as decidedly inferior to grasses as regards palatability and digestibility, though we have the testimony of many reliable and practical men in the North-west that animals not only eat such sedge hay with avidity, but keep in good condition throughout the winter. Our analyses go to show that in many particulars this native hay compares favourably with that of many cultivated grasses. We should probably find that the sedges, like grasses, deteriorate in feeding value as they ripen, and that the most nutritious, digestible and palatable hay is that from sedges which have been cut before reaching maturity. We find many of these sedges contain a large amount of nutriment, but not quite as good as native grasses. No doubt as a coarse fodder for cattle they are of value, especially when cut early.

*By Mr. Rogers :*

Q. I thought they were considered more nutritious than our cultivated grasses?

A. No, I should not like to say that sedge hay was equal to hay from the cultivated grasses.

*By the Chairman :*

Q. It grows in the sloughs?

A. And on low lands as well as the sloughs.

#### BROME GRASS.

In regard to Brome grass, a comparatively speaking newly introduced grass—the importance of which, both for meadow and pasture, has been brought before you on several occasions—we made last year a comparative study of its hay with that of Timothy, both having been grown in the same season on the Central Experimental Farm. This was done to make more complete our data respecting nutritive qualities of this grass. The analyses showed that the Brome grass from a feeding

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standpoint was somewhat the better of the two. I need not give the data in detail, as they will appear in my annual report, but will state that the albuminoids, the most important constituent of fodder, stand thus: Timothy hay 118·8 pounds per ton, and Brome grass hay 132·2 pounds per ton, showing that the Brome grass hay is somewhat the richer of the two.

### SOJA BEANS.

In the matter of Soja beans we have made a series of analyses of this fodder plant grown under varying conditions. In common with other legumes it was found to be rich in albuminoids, though in this respect not quite the equal of many other members of this family. The chief object in growing this plant was to obtain a fodder to put in the silo with corn. We have been using horse beans for siloing with corn for some years, but we find that the horse beans will not withstand drought. Unfortunately the Soja beans become hard and woody in the stalk before the corn is ready for the silo. It seems doubtful whether they will be largely grown for silo purposes for this reason. They fairly well withstand heat and drought, but the difficulty is that as the autumn advances the stems get very woody and fibrous.

### OAT FEEDS.

We have made some inquiry into the feeding values of certain oat feeds,—milling by-products. In the manufacture of oat meal and the preparation of breakfast foods there result many by-products of the oat. These find a ready sale among farmers and dairymen under various names—oat dust, oat feed, oat shorts, &c., and differ greatly in feeding value, according to the part of the grain which predominates and the presence or absence of mill sweepings. The greater the proportion of oat hulls the less will be the feeding value. The so-called oat dust, consisting chiefly of the hairs of the kernel, is also poor in nutritive qualities. Oat feed or oat shorts, however, may contain but a small proportion of these materials. Feeds under this name are usually prepared, or largely so, from the crushed broken and small grain and the shorts and bran of the oat form a valuable feeding stuff. Our analytical results make it apparent that a careful discrimination is necessary on the part of the purchaser. Only those having a clean, bright appearance and are heavy, close and fine can be considered as comparable in feeding value to our ordinary milling products. I bring this matter before you because I think it is wise to speak a word of warning to farmers and dairymen not to buy without first making a somewhat careful scrutiny of these feeds. It is not necessary to have an analysis in each case to form an opinion, but those which consist largely of the hairs of the kernel we must understand do not contain much digestible food material. There are, say, two per cent of digestible albuminoids in oat hulls where there would be 12 per cent in meal prepared from small and broken grain. The several samples which I have brought here this morning illustrate this point. I have here, for instance, one sample containing 17 per cent of protein, and here another containing 11·0 per cent. The first is worth half as much more as the second. Again, in this sample of oat dust there is contained a very small percentage of albuminoids; it cannot be regarded as a concentrated feed at all.

*By Mr. McGregor :*

Q. When feed is so cheap it does not pay to bother with them?—A. No, unfortunately, though, some people have taken a fancy to these foods and are feeding them very largely without using any discretion as to their quality.

*By Mr. Rogers :*

Q. It would be an incentive to grow heavy oats?—A. These are by-products in the manufacture of oatmeal. The hulls and hairs of the kernel are very poor and indigestible food.

By Mr. Featherston :

Q. Can you give an analysis of the different feeds as to their digestible matter?  
—A. Professor Henry, of Wisconsin, states their digestible nutrients, as follows:—

| Name of Feed.            | Dry Matter<br>in<br>100 Lbs. | Digestible Nutrients in 100 Lbs. |                 |                         |
|--------------------------|------------------------------|----------------------------------|-----------------|-------------------------|
|                          |                              | Protein.                         | Carbo-hydrates. | Fat<br>(Ether Extract). |
|                          | Lbs.                         | Lbs.                             | Lbs.            | Lbs.                    |
| Oats.....                | 89·0                         | 9·2                              | 47·3            | 4·2                     |
| Oatmeal.....             | 92·1                         | 11·5                             | 52·1            | 5·9                     |
| Oat feed or Shorts. .... | 92·3                         | 12·5                             | 46·9            | 2·8                     |
| Oat dust.....            | 93·5                         | 8·9                              | 38·4            | 5·1                     |
| Oat hulls.....           | 90·6                         | 1·3                              | 40·1            | ·6                      |

#### MOLASSES REFUSE FROM REFINING.

A product of the nature of molasses is obtained in the refining of sugar (especially that made from beets) from which the further extraction of crystalized sugar is unprofitable owing to the presence of certain saline and nitrogenous, (albuminous) materials. This molasses has been used on the European continent with good results either *per se* or mixed with various meals and used as a cake. In view of certain inquiries from correspondents who had been using this molasses in the maritime provinces and also from the fact that a company is being formed in Montreal to manufacture a cake from it using cornmeal and bran (intending to sell it to cattle exporters for use on ship board), we submitted to analysis two samples forwarded from Halifax. We found that this material would make a very valuable feed stuff, for it practically contained fifty per cent of sugar, the most assimilable of all the carbo-hydrates found in cattle feeds. Though not destitute of nitrogenous matter its use would have to be supplemented with a due proportion of some meal or concentrated mill product to make a balanced ration as well. A certain amount of coarse fodder also would be necessary. The function of sugar in the animal economy is as a source of energy, to maintain the vital heat and for the production of fat. Being soluble it enters at once the circulatory system and can be utilized. Animals take to this refuse readily and evince a great liking for it. No doubt it stimulates the appetite and probably increases the digestibility of the other constituents of the ration. This crude molasses contains about nine per cent of mineral matter about one half of which is potash. This element is a valuable plant food, and as it is eliminated by the animals through the kidneys, it behooves the farmer using this material to look well after the liquid manure.

By Mr. McGregor :

Q. Did you ever try sorghum? the product of sorghum?

A. No, sir.

Q. They grow a lot of it with us and make molasses from it and I was wondering if you had tried it for feeding.

A. No, sir.

# Agriculture and Colonization.

## THE PRESERVATION OF EGGS.

We have recently conducted a series of experiments in connection with preservatives for eggs. You will doubtless have noticed an account of "water glass" or silicate of soda as a preservative for eggs, going the rounds of the press for the past year. To ascertain its efficacy for this purpose as compared with ordinary lime water, Mr. Gilbert and I commenced a series of experiments last October, testing the eggs in March of the present year.

After six months' trial we failed to see that there was any additional benefit due to the water glass over the ordinary lime water, in other words, that the lime water and the solution of "water glass" were equally efficacious. Since the water glass is a caustic fluid and consequently more disagreeable to use than lime water there was nothing to recommend the former in preference to the latter. In both cases all the eggs were good, using the term according to its usual acceptation. We found on poaching the eggs (we think that is the best way to test them) that in all a peculiar flavour had been developed which I can only designate as slightly stale or musty. We came to the opinion that no preservative, at present known, will prevent the loss of that flavour which characterizes the fresh egg. However, we are continuing this work, and we have hope of greater success than in the past, more particularly with certain solutions containing glycerine.

*By Mr. McMillan :*

Q. I have seen an egg put in the pickle in March and taken out in September and you could not distinguish any smell and you could not detect any flavour.

A. Was that in lime water.

Q. I cannot say what it was. It was in Mr. G. D. Wilson's institution.

A. We used a number of solutions of various strengths. All the treated eggs looked beautifully fresh and even when broken it was exceedingly difficult to notice any difference compared with a fresh egg. Unless the eggs were submerged, a slight shrinkage of the contents had occurred. In those submerged in the lime water and water glass solutions, the air space, however, was not larger than in the fresh egg, showing little or no shrinkage. In the poached eggs from both preservatives we detected that slightly musty or stale flavour that I have spoken of.

*By Mr. Rogers :*

Q. In poaching did the egg flatten or rise up ?

A. It flattened more than the fresh egg.

*By Mr. McMillan :*

Q. Would those eggs boil without cracking ?

A. Some did but some did not. Those continuously kept in the lime water and the water glass for the most part did crack. All the eggs were strictly fresh when we started the experiment. This is an essential point. Another essential is that the eggs shall be completely submerged in the preservative liquid. A shrinkage of the contents in those not kept submerged occurred. As far as our experiment went, we believe the best way was to keep them in lime water all the time.

*By Mr. Erb :*

Q. Will the eggs sink of their own weight in that liquid—water glass ?

A. Yes, sir, eggs sink in a ten per cent solution. That is the strength we used. The following statement gives our results concisely.

### EXPERIMENTS WITH EGG PRESERVATIVES.

The liquids employed were (1) a saturated solution of lime-water, and, (2) a ten per cent solution of "water glass" (Sodium silicate).

The eggs were treated during the first week of October, 1898, and tested 22nd March, 1899. Those eggs which were not kept throughout this term in either of the preservatives, together with the untreated eggs, were placed in a rack within a drawer in the laboratory. The eggs in the solutions were also in the laboratory, and consequently all were at a temperature of about 70 degrees F. throughout the winter. The examination consisted of noting the appearance on breaking and the colour, odour, taste, &c., after poaching.

#### TREATMENT AND RESULTS.

*No. 1. Untreated.*—The yolk was stuck to the side of the shell and was much shrunken, having lost its globular form;

The "white" had taken on a slightly yellow tint, which was more pronounced on boiling.

The "air space" was very large, occupying about one-third of the shell, showing shrinkage from evaporation.

There were no signs of decay and the eggs might be pronounced as free from odour and apparently good.

On boiling, a faint "stale" odour and taste was developed.

*No. 2. Kept under lime-water 2 days* and then put in rack in drawer:

The yolk was not stuck to the shell and was more globular than in the untreated, though not so globular as that in a fresh egg.

The "white" was similar to that in the untreated.

The "air space" was only about one-half the size of that in the untreated, showing less shrinkage.

Apparently quite good, but developing a slight "stale" odour and flavour on boiling.

*No. 3.—Kept under lime-water 7 days* and then placed in rack:

Apparently quite good; somewhat less shrinkage, perhaps, of the yolk than in No. 2, but in all other particulars giving practically the same results.

*No. 4.—Kept in lime-water continuously* throughout period of testing:

Apparently quite good, but the "white", as before, turning slightly yellow and a faint stale odour developing on boiling.

Yolk almost, or quite, globular; "air space" no larger than in fresh egg.

*No. 5.—Kept in silicate of soda 24 hours* and then placed in rack:

Apparently quite good; the "white" had taken on a faint yellow tinge. Yolk, slightly stuck to shell and shrunken; "air space", larger than in Nos. 2 and 3.

On boiling, the "white" became slightly yellower and the "stale" odour before mentioned was developed.

*No. 6.—Kept in silicate of soda 3 days* and then placed in rack:

Apparently good, but yolk slightly stuck to shell; In all respects very similar to No. 5.

*No. 7.—Kept in silicate of soda 7 days* and then placed in rack:

Apparently good, but yolk stuck to shell; "air space" somewhat similar to Nos. 5 and 6.

On boiling, was similar to Nos. 5 and 6 as to colour and odour. Shell did not break on boiling.

*No. 8.—Kept in silicate of soda continuously* throughout testing period:

Apparently quite good and no shrinkage; "air space" not larger than in fresh eggs. Yolk, globular.

On boiling, the "white", as before, assumed a faint yellowish tinge and the egg had a slight "stale" or musty flavour. Shell broke on boiling, but not so as to allow contents to escape.

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## CONCLUSIONS.

1. In no instance, either of treated or untreated eggs, were any "bad" eggs found.

2. In all cases where the eggs were not kept covered throughout the period of the test with the preservative solution, shrinkage of the contents had taken place, as shown by the larger air space, the less globular form of the yolk, and in many instances by the adherence of the yolk to the shell. The eggs treated for seven days and less with lime-water showed somewhat less shrinkage than those treated a similar length of time with silicate of soda.

3. It would appear that lime-water and "water glass" used continuously, are equally efficacious in preventing shrinkage. They may also be said to give practically the same results as regards both external and internal appearance, flavour, &c., of the eggs preserved. Since water glass (silicate of soda) is more costly and more disagreeable to use than lime-water, we could not, from the present results, recommend the former as the better preservative.

4. The albumen or "white" in all the preserved eggs was very faintly yellow (though not to the same degree in all eggs), the tint becoming deeper on boiling.

5. No offensive odour was to be perceived from any of the eggs when broken, but in all instances a faint but peculiar musty or stale odour and flavour developed on poaching.

6. It is probable that no preservative will prevent the loss of flavour possessed by the fresh egg, but those which wholly exclude the air (and thus at the same time prevent shrinkage from evaporation) will be the most successful. Continuous submergence is evidently better than treatment for a few days.

It is, of course, essential that eggs to be preserved should be perfectly fresh when treated.

The experiments are being continued, and further results will be issued as obtained.

## AN INVESTIGATION INTO THE CAUSE OF SOFT PORK.

Another branch of our original research was an enquiry into the cause of soft pork. I do not think it is necessary for me to dwell upon the importance of this work, because, as you are doubtless aware, there is a very large quantity of this very undesirable product at the pork packing establishments to-day. It is a low priced material and it does not pay to export it. My "preliminary report" to the Honourable Minister of Agriculture on this subject containing work done in the laboratory since February of the present year is as follows:—

### COMPOSITION AND PROPERTIES OF THE FAT IN "FIRM" AND "SOFT" PORK.

It has become a matter of great importance to Canadian farmers and those directly interested in the bacon export trade, to learn the cause or causes which produce 'soft' or 'tender' pork, since such pork sells at a much lower price than 'firm' pork, both in the home and the English markets. With the view of furnishing useful information to pork producers, and, if possible, of solving this admittedly difficult problem, the chemical composition and physical character of the fat in these two classes of pork have been studied, it being considered that the results of such an examination would form a valuable basis or standard for reference in making further experiments. These latter would consist chiefly of feeding tests under various conditions (age, breed, exercise, etc.), and the analysis, chemical and physical, of the resulting pork.

On 1st February we received from The Wm. Davies Co., Limited., Toronto, two Wiltshire sides; the one marked 'firm,' and reported on as of excellent quality; the other marked 'soft,' and stated as of very inferior quality. The former weighed forty-six pounds and a half; the latter, forty-four pounds.

Both were frozen when received, but, nevertheless, there was a most marked difference in the relative hardness of the two sides. As the sides thawed (at the

temperature of the laboratory, about 70° F.) this difference, which was ascertained or measured by the resistance of the fatty portions to pressure by the fingers, became still more pronounced. This was further evidenced (February 2nd), by raising the ham by lifting as the sides lay on the table; the 'firm' remained fairly straight; whereas, the 'soft' doubled over. The relative softness is also shown in the accompanying photographs, taken 2nd February, at 3 p.m., and 3rd February, at 10 a.m. They illustrate the amount of 'drag' caused by the weight of the sides similarly suspended by hooks. The extent of the 'drag' in the 'soft' side is much the greater.

The samples of the fat for examination were obtained by: (1) first cutting the sides (a) immediately in front of the thigh joint (socket of the femur in the pelvic arch), and (b) immediately in front of the first rib, and then taking the fatty tissue at each of these sections. Those taken at (a) are designated in the following tables as "Ham", those at (b) as "Shoulder" (see photo). The precaution of confining the place or area from which the fat was taken was made necessary from the fact that certain authorities stated that the fat varied considerably in composition, etc., according to its position in the animal. Care was exercised in the preparation of the sample for analysis, to dissect out and reject all muscular tissue, blood vessels, etc.

Though the "Soft" side was somewhat the lighter of the two, its proportion of adipose tissue (fat) to muscle (lean) was the greater (*vide Plate II*).

In determining the composition of the fat of the two sides, the following estimations were made: water, nitrogen (from which the amount of tissue-other-than-fat was calculated), fat (which was obtained by difference) and the amounts of olein and palmitin and stearin. The amount of salt present was also determined. Table I sets forth the results obtained:—

TABLE I.

COMPOSITION OF FATTY TISSUE IN "FIRM" AND "SOFT" BACON.

| Constituent.                                              | FIRM. |           | SOFT. |           |
|-----------------------------------------------------------|-------|-----------|-------|-----------|
|                                                           | Ham.  | Shoulder. | Ham.  | Shoulder. |
|                                                           | p. c. | p. c.     | p. c. | p. c.     |
| Water.....                                                | 15.56 | 6.53      | 12.50 | 2.67      |
| Salt.....                                                 | 2.73  | 1.12      | 1.84  | .48       |
| Nitrogen, N <sub>2</sub> .....                            | .504  | .285      | .243  | .142      |
| Fibre, N <sub>2</sub> x 6.25 (tissue other than fat)..... | 3.15  | 1.78      | 1.52  | .89       |
| Fat by difference.....                                    | 78.56 | 90.57     | 84.27 | 95.96     |
| Olein in bacon.....                                       | 50.05 | 58.33     | 66.37 | 76.94     |
| Palmitin and stearin in bacon.....                        | 28.51 | 32.24     | 17.90 | 19.02     |

From the foregoing data we may notice several very important differences in the composition of the bacons. These differences are discussed in the following paragraphs:

1. It is to be observed that the percentage of water in the fatty tissue of the "firm" is greater than in the fatty tissue of the corresponding part of the "soft" bacon.

2. Also, that the percentage of tissue other than fat, that is, of a nitrogenous nature, was also greater in the "firm" than in the "soft." This falls into line with the results stated in the preceding paragraph, since the water for the most part is contained in or held by the nitrogenous tissue. I conclude from this fact that the walls of the cells containing the fat proper are thicker in the "firm" than in the "soft" or "tender" bacon.

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3. Further, it is to be noticed that the amounts of salt present are also larger in the "firm" than in the "soft" bacon. This is accounted for by the assumption that the salt, like the water, is held by the nitrogenous tissue to a greater extent than in the fat.

4. The percentages of fat are, from a consideration of the foregoing statements, necessarily greater in the "soft" than in the "firm" bacon.

5. The fat proper consists of olein, fluid at ordinary temperature, and palmitin and stearin, solid at ordinary temperature.

The data show that the percentage of olein is much greater in the "soft" than in the "firm" bacon, while as a natural consequence the percentages of palmitin and stearin are greater in the "firm" than in the "soft" bacon. These facts afford the cause of the greater softness in the "soft" or "tender" bacon.

### COMPOSITION OF THE FAT.

In order to obtain a fuller knowledge of the composition of the fat proper in the "firm" and the "soft" bacons, the fatty tissue was rendered and the pure fat filtered off. The analysis of these fats furnished the data in Table II.

TABLE II.

COMPOSITION OF FAT FROM "FIRM" AND "SOFT" BACON.

| Constituent.                                     | FIRM.    |           | SOFT.    |           |
|--------------------------------------------------|----------|-----------|----------|-----------|
|                                                  | Ham.     | Shoulder. | Ham.     | Shoulder. |
|                                                  | p. c.    | p. c.     | p. c.    | p. c.     |
| Olein (calculated) . . . . .                     | 63.71    | 64.40     | 79.95    | 80.18     |
| Palmitin and stearin . . . . .                   | 36.29    | 35.60     | 20.05    | 19.82     |
| Ratio of palmitin and stearin to olein . . . . . | 1 : 1.76 | 1 : 1.80  | 1 : 3.99 | 1 : 4.02  |

These figures show very clearly that the fat of the "soft" bacon contain much larger percentages of olein than that of the "firm" bacon, with a corresponding decrease of palmitin and stearin.

They also make evident that no great differences in the composition of the fat taken from the ham and from the shoulder of the "firm" bacon exist, and that the same statement regarding the fat of the ham and shoulder of the "soft" bacon also holds true.

### PHYSICAL AND CHEMICAL CONSTANTS OF FAT FROM "FIRM" AND "SOFT" BACON.

Table III. sets forth certain determinations that were made upon the pure, filtered fat. These are of considerable importance, since, though of a strictly scientific character, they allow us to make deductions easily understood regarding the nature of the fats.

TABLE III.

PHYSICAL AND CHEMICAL CONSTANTS OF FAT FROM "FIRM" AND "SOFT" BACON.

|                                 | FIRM.   |           | SOFT.   |           |
|---------------------------------|---------|-----------|---------|-----------|
|                                 | Ham.    | Shoulder. | Ham.    | Shoulder. |
| Melting point . . . . .         | 37·6°C. | 37·75°C.  | 27·4°C. | 28·2°C.   |
| Spec. Gravity, at 96°C. . . . . | ·8668   | ·8659     | ·8678   | ·8740     |
| " " 105°F. . . . .              | ·9009   | ·8980     | ·8970   | ·8988     |
| Sapon. equivalent . . . . .     | 285·3   | 282·3     | 287·3   | 286·0     |
| Reichert No . . . . .           | ·408    | ·714      | ·408    | ·663      |
| Iodine absorbed . . . . .       | 55·3    | 55·9      | 69·4    | 69·6      |

1. The melting point of the fat from the "soft" bacon is practically 10° centigrade lower than that of the "firm" bacon.

2. The specific gravities in both series are so close that it is not possible to use this constant as a means of differentiation or for deducing therefrom any information respecting the relative composition of the fats.

3. The saponification equivalent likewise appears to be of little value in the diagnosis.

4. The Reichert number shows the practical absence of volatile fatty acids in both series, though there is an indication of larger traces of the presence of such in the shoulder fat than in that of the ham.

5. The "iodine absorbed" is of great value in this investigation. From it may be calculated the percentage of olein or liquid fat present in a fat. The data here presented clearly demonstrate the larger amount of olein in the "soft" fat, a fact that gives the explanation for the greater softness or tenderness of the "soft" bacon.

We have every reason to be encouraged by the results of this investigation which you will admit has by no means been an easy one. It is a problem which yet requires much careful work before it can be finally solved. Having now the chemical and physical data that allows us to distinguish between the fat of the "firm" and of the "tender pork," it now remains to institute a series of experiments, feeding pigs with various kinds of foods and keeping them under different conditions, such as, with and without exercise, and submitting the pork produced to analysis. These pigs should be killed and analyzed at different periods of growth. In some such way as that the factors causing this "tenderness" will be eliminated; at least, I hope so. Among the facts brought out by this preliminary investigation, the chief is the larger proportion of olein—a fat fluid at ordinary temperatures, in the "soft" pork. Whether this is due, wholly or in part, to the character of the feed, we cannot as yet say. Probably there are several factors. It may be in part an inherited quality. I should not be at all surprised to find that it is. Again it may be caused, in part, by lack of sufficient exercise or too heavy feeding before pigs have attained their growth.

## EXPERIMENTAL RATIONS FOR HOGS.

Associated with Mr. Grisdale, I am now at work on a much more extensive investigation of a similar character. Mr. Grisdale (Agriculturist of the Farm), is now feeding a large number of pigs, according to a scheme we have drawn up. These pigs will be slaughtered and analyzed from time to time to ascertain what effect the various foods and conditions have had upon the pigs.

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*By Mr. Featherston :*

Q. Do you consider the "firm" pig to be a healthier animal than the other, is not that right?

A. I am not prepared to say that, though it is possible that "soft" fat betokens an abnormal condition.

We have established a basis for reference and we have begun a further investigation of a very extensive character, feeding nearly 200 pigs. When the work is completed I trust we shall be able to give to our farmers and pork raisers such information as will enable them to avoid the production of soft pork.

We start this experiment with weaned pigs. They will be analysed at all stages of growth until they reach maturity, or rather the weight the pork packers desire them. By this means we shall be able to discover if this olein that I have referred to is developed at any particular time in the pig's life or is there from the first. If we find the very young pigs just off the mother's milk with this soft fat, we may conclude that it is an inherited quality. All the pigs to be experimented with are Tamworths or Tamworth grades.

*By Mr. McMillan :*

Q. Were the pigs that you are experimenting with bought from outside or were they produced on the farm?

A. Some few were littered on the farm, but most of them were bought outside. Some of them came from this district and some of them from Essex and the west, so we have pigs representing both east and west. The reason locality was introduced, was, that some consider soft pork is due more or less to the district in which the pigs are bred and reared. As many factors as possible have been taken into consideration in arranging or settling upon this scheme or this experiment.

*By Mr. Featherstone :*

Q. You have them ready for slaughtering now, have you?

A. The work has just begun. It cannot be completed for six or eight months yet. We shall slaughter them from time to time.

Q. I thought you said you were going to kill some next week?

A. Yes, we are going to kill four of them only, and analyse them; others will be killed at various stages of growth.

### SAMPLES RECEIVED FOR EXAMINATION FROM FARMERS.

Having now brought before you some of the more important results obtained last year in the branch of original research, I wish to say a word or two with regard to the other classes of work I have been engaged on, and more particularly with regard to samples sent in by farmers for examination. In the following tables I have arranged according to their nature and locality the samples received during the years 1898 and 1899, respectively:—

SAMPLES RECEIVED FROM 31st MAY, 1898, TO 1st JUNE, 1899.

|                                                                        | B. C.     | N.W.T.    | Man.      | Ont.       | Que.      | N.B.      | N. S.     | P. E. I.  | Total.     |
|------------------------------------------------------------------------|-----------|-----------|-----------|------------|-----------|-----------|-----------|-----------|------------|
| Soils .....                                                            | 3         | 2         | 3         | 3          | 12        | 1         | 5         | .....     | 29         |
| Mucks, mud and marl...                                                 | 1         | 1         | 1         | 5          | 2         | 8         | 5         | 7         | 30         |
| Manures and fertilizers ..                                             | 2         | .....     | .....     | 11         | 2         | 4         | 7         | 1         | 27         |
| Forage plants and fodders ..                                           | 1         | 30        | 19        | 21         | 3         | 2         | 10        | 5         | 91         |
| Well waters .....                                                      | 2         | 6         | 10        | 57         | 10        | 4         | 5         | 6         | 100        |
| Miscellaneous, including dairy products, fungicides and insecticides.. | 3         | 6         | 1         | 23         | 6         | 1         | 2         | 6         | 48         |
| <b>Total .....</b>                                                     | <b>12</b> | <b>45</b> | <b>34</b> | <b>120</b> | <b>35</b> | <b>20</b> | <b>34</b> | <b>25</b> | <b>325</b> |

## SAMPLES RECEIVED FROM 31ST MAY, 1897, TO 1ST JUNE, 1898.

|                                                                                | B. C. | N. W. T. | Man.  | Ont. | Que.  | N. B. | N. S. | P. E. I. | Total. |
|--------------------------------------------------------------------------------|-------|----------|-------|------|-------|-------|-------|----------|--------|
| Soils .....                                                                    | 5     | .....    | 3     | 9    | 10    | 5     | 3     | 4        | 39     |
| Mucks, mud and marl...                                                         | 5     | .....    | 1     | 7    | 6     | 9     | 12    | 17       | 57     |
| Manures and fertilizers...                                                     | 4     | 1        | ..... | 3    | ..... | 2     | 7     | 3        | 20     |
| Forage plants and fodders                                                      | 18    | 1        | ..... | 16   | ..... | 1     | 5     | 2        | 43     |
| Well waters .....                                                              | 2     | 3        | 4     | 34   | 23    | 2     | 3     | 18       | 89     |
| Miscellaneous, including<br>dairy products, fungi-<br>cides and insecticides.. | 2     | 3        | 1     | 6    | 17    | ..... | 7     | 3        | 39     |
| Total .. .....                                                                 | 36    | 8        | 9     | 75   | 56    | 19    | 37    | 47       | 287    |

Last year, that is to say up to the 1st of June of the present month, we received 325 samples for examination; the year before, for the same period, we received 287 samples. These consist chiefly of soils, naturally recurring fertilizers including muck, mud and marl, manures and fertilizers, forage plants and fodders, well waters, and miscellaneous including dairy products, fungicides and insecticides.

*By the Chairman :*

**Q.** You have apparently a little of everything ?

**A.** Yes, we get something of everything relating to agriculture, or nearly so.

It is scarcely necessary to say, perhaps, that only those samples which we consider fall within our province to examine, are analyzed.

There is constantly on hand a large number of samples awaiting attention, as of course it is work that can only be taken up as time permits.

Many of the results of these analyses are inserted in the annual report of the chemical division for the reason that they furnish useful information to our readers. Thus many of our reports on soils are of sufficient importance to merit publication, for they contain suggestions regarding treatment and improvement which will be of value to those possessing soils similar in character. The data regarding various natural fertilizers occurring in Canada, obtained from samples forwarded to farmers, are also for the most part published since they serve to make known to others the presence of materials of fertilizing value which can often be obtained at little or no expense.

*By Mr. McMillan :*

**Q.** Before you leave the matter of soft pork, has a case come under your notice of a lot of hogs, we will suppose a litter of hogs all brought up together and made ready for the market, all being fed together and kept together, and some bacon being soft and other being hard on the same treatment, the same breed and the same feeding ?

**A.** Indeed, no; I must confess I have not. Although I have read a considerable amount on this subject, I have never seen any account of that case. There are many and conflicting theories abroad as to the cause of soft pork. It may be due to the breed or to the feed or to both. I don't wish to be understood as speaking definitely, because we really as yet don't know anything as facts, but I am of the opinion, it is only an opinion, that it is not due to any one cause. Probably it was at first induced by feed, and that after a number of years the quality became such that it was acquired either through the mother's milk or they inherited the soft fat when born. Soft and firm pork are, I understand, to be found in all breeds.

*By Mr. Featherston :*

**Q.** The Swine Dealers' Association in the west are conducting experiments now and Mr. ——— and Mr. Hodson, the Secretary of the Association, told me the

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other day they found there is a good deal in the breed, and they are afraid it is going to be quite a question.

*By Mr. McMillan:*

Q. As far as I can see there is a good deal in allowing the pigs to get plenty of exercise and to be kept thriving all the time?

A. I certainly think exercise is necessary to keep them in good health, though I could not say that lack of it caused "softness."

### WELL WATERS FROM FARM HOMESTEADS.

The work on waters from farm wells, creameries and cheese factories has been continued; we analyzed in the neighbourhood of 100 samples last year. It will be unnecessary for me to emphasize to-day the value of this part of our work, since on several occasions in past years I have dwelt at some length upon the danger to health, stock and dairy products from a polluted water supply.

All farmers and dairymen can obtain an analysis of their well water free of expense, provided they follow certain instructions as to collection that we issue and prepay express charges.

The examination of samples sent in by farmers has been the means of extending a helping hand to the intelligent farmer. It has gained the sympathy and co-operation of our people in the work of this branch of the experimental farm system, a very important matter and convinced them of the practical aid to be obtained through chemistry.

### CORRESPONDENCE.

The experimental farm is now and has been for some time recognized throughout the Dominion as the bureau from which information can be obtained for the asking on agricultural matters. Letters addressed to us as you know need no postage, but it is not this fact altogether I feel sure that has caused the yearly increase in the number of our correspondents. It is rather due to the fact that it becomes more widely known year by year that information of a helpful and reliable character can be obtained gratis. The letters for the most part contain inquiries respecting fertilizers, cattle foods, soils, the chemistry of dairy products, insecticides and fungicides and allied subjects. Many of them require a certain amount of research and analytical work before they can be answered and it will therefore be obvious that a considerable portion of my time is occupied in this branch of our work. For the year ending last of June, 1899, we received 1,309 letters and dispatched 1,510.

### BULLETIN ON FARM YARD MANURE.

A bulletin on farm yard manure (No. 31, Central Farm Series) was written and issued last December and was distributed to those on our mailing lists during the earlier months of the present year. It treats of this important subject from all the practical aspects of the question, and no doubt will be found of value for reference by our farmers. From the tenor of the letters acknowledging its receipt we have every reason to conclude that it is not only filling a long felt want but that it will have a good effect upon the negligent and wasteful practices in connection with the preservation of barn yard manure, practices which, I am sorry to say, have been altogether too common in the past.

### ADDRESSES AT CONVENTIONS.

Addresses have been delivered at some of the more important agricultural conventions in Ontario, New Brunswick, and Nova Scotia since last I appeared before your committee.

## TUBERCULIN.

The tuberculin furnished by the department of agriculture to veterinary surgeons throughout the Dominion is prepared and sent out by us. This necessarily has encroached upon our time, for the quantity now used by the government inspectors is over 10,000 doses per annum. It is important work, however, and we are consequently making arrangements to carry it out carefully and at the same time in such a way that the chemical work proper of the farms may not be interfered with.

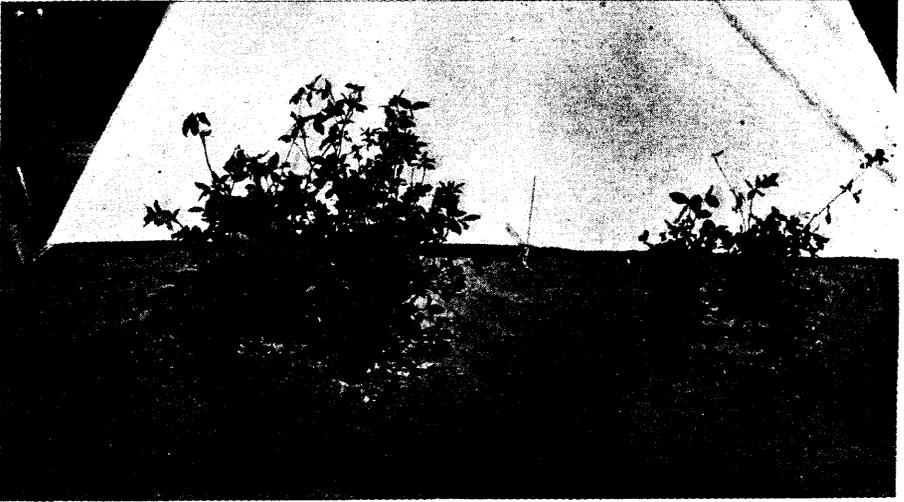
## NEW LABORATORIES.

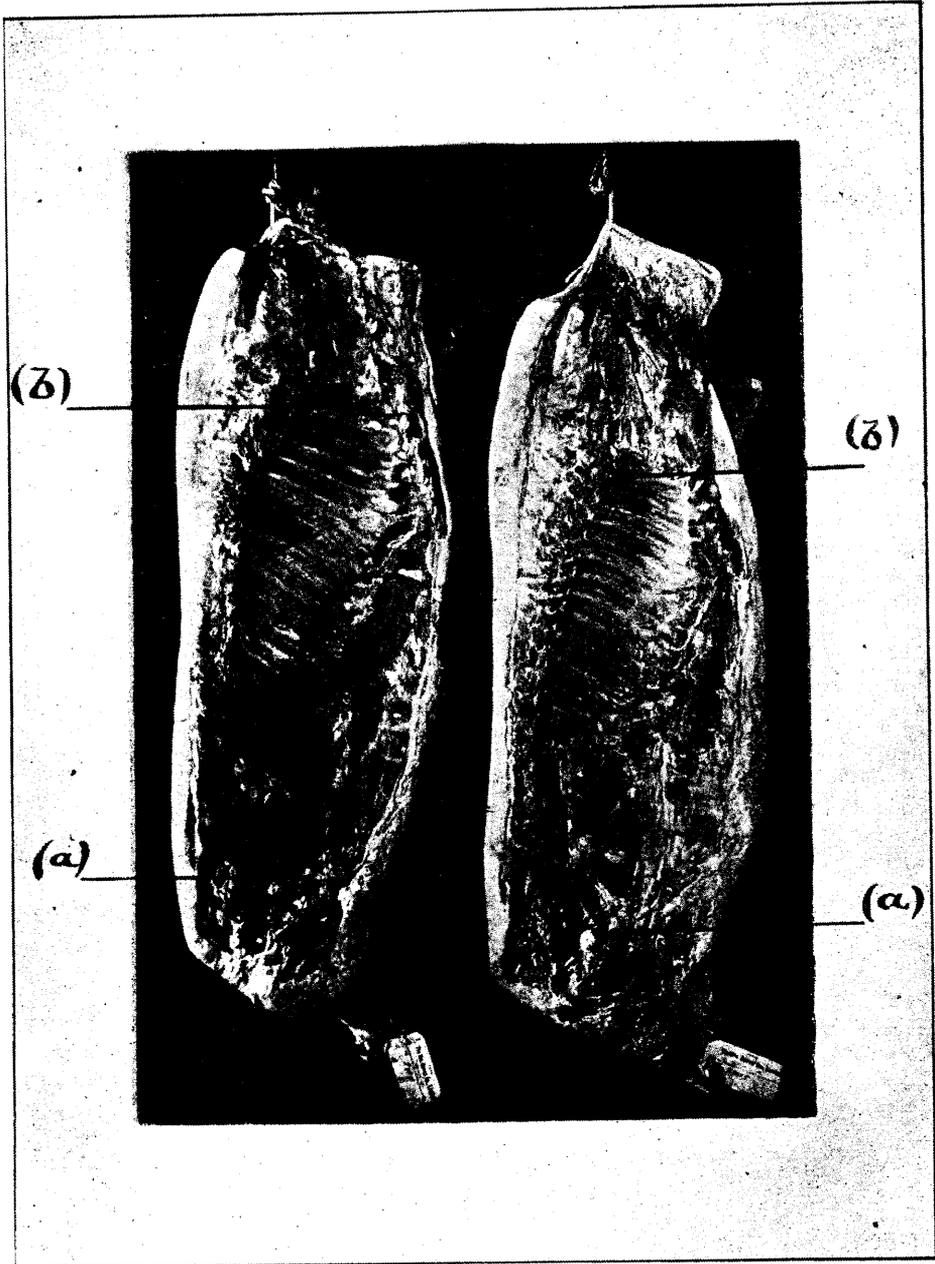
I am glad to report that a new and substantial building, devoted entirely to chemical work, has been constructed at the Central Farm. It comprises two laboratories in addition to offices and weighing rooms on the first floor, storage and sample rooms in the basement, and a suite of three rooms in the attic, two of which will be used for grinding and drying of samples and the third for photographic purposes. The building is now being fitted up and equipped with the necessary laboratory appliances, and we confidently expect to be in a position to move in within a month or two. Since the fire that occurred in 1896 we have been seriously incommoded. The new laboratories will enable us to accomplish more work and with greater convenience than heretofore.

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Having read over the preceding transcript of my evidence I find it correct.

FRANK T. SHUTT,  
*Chemist to the Dominion Experimental Farms.*





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## ORCHARD AND FOREST TREE CULTURE.

COMMITTEE ROOM No. 46,  
HOUSE OF COMMONS,  
Tuesday, 20th June, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10:45 o'clock, a.m., Mr. Bain, Chairman, presiding.

Mr. W. T. MACCOUN, being present at the request of the committee, made the following statement:—

MR. CHAIRMAN AND GENTLEMAN,—Last year when I came before you it was shortly after my appointment to the position of horticulturist at the Central Experimental Farm, and it was your pleasure at that time that I should speak only of the work of which I had been in charge during previous years, but this morning I should like, if it is agreeable to you, to give you some idea of the work which is going on in all branches of my department, but would deal especially with that part of the work relating to apples, particularly hardy varieties, which are so necessary in growing fruit successfully in eastern Ontario and Quebec.

*By Mr. Cochrane:*

Q. Eastern Ontario; won't your remarks apply to all Ontario?

A. I shall be very glad to answer questions relating to apple growing in any part of Ontario, but as there has been less said about fruit growing in Eastern Ontario and Quebec, I thought it well to speak of that this morning.

Before beginning my address I should like to compare the extent of my department with what it was when in charge of the former horticulturist. The late horticulturist had charge of the fruits, vegetables and tobacco only, at the Experimental Farm, which were grown on an area of about 50 acres. In addition to these 50 acres the present horticulturist has charge of the forest belts, covering an area of about 21 acres, the arboretum, comprising 65 acres, and is also responsible, under the direction of Dr. Saunders, for the appearance of the ornamental grounds, covering an area of about 20 acres. So that the former horticulturist had charge of about 50 acres, whereas the department covers to-day about 150 acres, as a result of which the work has naturally increased considerably.

*By Mr. Wilson:*

Q. Have you any increased help?—A. I have a few more labourers but no more skilled help.

### TREE PLANTING FOR SHELTER.

Before taking up the horticultural department proper, that is, that relating to fruit and vegetables, I should like to give you some reasons why the other branches of the work are supposed to aid and interest the farming community of Canada. Taking the forest belts, which cover an area of about 21 acres, the objects in planting these were to find out how long it would take trees to reach a certain height; the rapidity of growth of each variety; the proper distance apart to plant to get the best results; and the value of trees as wind-breaks for crops grown in the vicinity of them. During each year the heights of a large number of trees in this

belt are taken, and the data obtained are published from time to time. This will be valuable for reference when the time comes to re-forest parts of Ontario, and I think that time is not far distant. It has also been found that much depends on the way in which trees are planted and the proportion of thick and thin foliaged kinds there are in the belts. For instance, if a farmer plants a few acres of ash, expecting to reap a large crop in 25 or 30 years, it is likely he will have to expend a great amount of labour to bring these to perfection, because the ash is a thin-foliage tree. By mixing some thick-foliaged trees, such as box elder, maple, or other sorts, planted as a cover crop for the ground to prevent the growth of weeds and to obtain proper forest conditions, he will be able to get the best conditions in the shortest time at the least expense. These are a few of the objects and advantages of the forest belt.

#### THE ARBORETUM.

In the arboretum there are being tested as many varieties of trees, shrubs and flowers as possible, the object being to find out which species and varieties are hardy in this section of the country; to offer a field for study to botanists and students; to interest lovers of plants throughout Canada, because amongst farmers as amongst other classes there is a great love of trees, shrubs and flowers. It is also hoped that it will lead to an increased love for trees, shrubs and flowers. We all know that there are many farmers who have no trees or flowers about their homes. There are large excursions to the Central Experimental Farm this month, as in previous years and, it is expected that the impressions made on the farmers by seeing the trees, shrubs and flowers about the farm will induce them to do some planting on their own farms, by doing which, in my judgment, they would make their sons and daughters more contented with farm life, as their places would then become more homelike.

Now, to give you some idea of the number of species and varieties of trees, shrubs, flowers, fruits and vegetables, under my charge in 1898, I shall give a list of them, so that you may understand what a large amount of work there is in even becoming acquainted with them, because it is expected, when farmers write to us or when any one asks personally, that we should be able to give them all the information possible. There were growing last year in the horticultural department, 653 varieties of apples, 69 varieties of pears, 130 varieties of plums, and 50 varieties of cherries, making a total of 902 varieties of large fruits. Then there were 169 varieties of grapes, 80 varieties of currants, 128 varieties of raspberries, 154 varieties of gooseberries, and 290 varieties of strawberries, making in all 821 varieties of small fruits. Of vegetables we had nearly 1,000 varieties; tobacco, 35 varieties; ornamental trees and shrubs, about 2,700 species and varieties, and of perennial flowers 1,200, making a grand total of about 6,658 species and varieties. I am trying as quickly as possible to become acquainted with all of these 6,658 species and varieties, but it will take some time to do so. The number of fruits and vegetables tested will, however, probably decrease as the poorer sorts are discarded.

#### FRUIT GROWING AT THE CENTRAL FARM.

In testing fruits at the farm, there are several objects in view, and I shall speak briefly of each of them. First, there is the testing of varieties to determine their hardiness, productiveness, keeping qualities of the fruit, freedom from blight, scab, and other diseases, and insect pests. Then, particular attention is paid to spraying, the cultivation of orchards, grafting,—a specialty being made of top grafting—recording the blossoming dates of fruits, and keeping records of the yields of trees.

#### VARIETIES OF APPLES.

Now, with regard to varieties. As was said before, there are 653 varieties on the place. Out of that 653 varieties there are not more than twenty or twenty-five which I would like to recommend to any fruit grower in this section of the country.

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Some of the others are hardy, but they are unfit for commercial purposes. During the past eleven years a fairly good idea has been obtained of the hardiness and productiveness of the different varieties, their keeping qualities, and also of their freedom from blight.

### GRAFTING.

At the farm a special study is now being made of top-grafting apples. It has been found that some of the best varieties of apples in western Ontario will not succeed here; not always because the branches are winter-killed, but because the trunk sun-scalds, and because the trees are root-killed in the winter. It is our endeavour, by top-grafting these tender varieties on hardy stocks, to get them to succeed in this district. When the orchard was planted in 1888, several trees of Northern Spy were set out. None of these are living to-day. They have all been killed out by the winter. In 1891, the Northern Spy was top-grafted on the Wealthy apple. This tree produced a fairly good crop of apples last year. The top is very vigorous and there is every indication that if the tree that they were grafted on had been as vigorous a grower as the Northern Spy, the latter would succeed very well, but it was top-grafted on the Wealthy. The Wealthy is not a rapid growing tree and the result is it is getting top heavy and probably will break off before many years are over. What we are trying to discover is the best stock for these tender varieties, and it is hoped that in a few years it will be possible to advise farmers to top-graft Northern Spy, Baldwin, and Ontario, for instance, on certain varieties, with the probability that good results will follow. Particular attention is being paid to this work which was begun by Prof. John Craig, late horticulturist, who planted the trees for top-grafting on.

*By Mr. Featherston:*

Q. What varieties of trees did he plant for bases?—A. Gideon, McMahan White, Haas and Hibernial.

Q. Not the snow apple? I think they are the finest you can get?

A. The Fameuse or snow apple does not succeed as well as some others at the Experimental Farm, although it does very well in more sheltered parts of this vicinity, but the farm is much exposed. Though the trees are doing well, they do not look as thrifty as those iron clad trees I have mentioned. An important thing to avoid is the top-grafting of the tender varieties on stocks that do not grow as quickly as they do. The Wealthy is not a rapid grower nor a large tree and if you top-graft the Northern Spy, which is a very vigorous grower, on it, in a few years it will become top heavy, so what is desired is to find a tree that will make about the same growth as the variety which is grafted on it, will be perfectly hardy, and free of sun-scald.

### SEEDLING FRUITS.

Again speaking of varieties, I might mention that it is our intention to pay special attention to the production of seedling varieties of fruits. This branch of the work has not been carried on very extensively in the past except with the Russian seedlings, and they have not been a success, because the apples are not an improvement on most of the Russian kinds, but my idea is to select the seeds of the best hardy apples grown at the Experimental Farm and plant them. For example, last year we sowed seed of Fameuse, MacIntosh Red, Northern Spy, Winter St. Lawrence and several others. It is hoped that we may be able to plant about 2,000 young seedling trees. I think it is at the Experimental Farms where new varieties should be originated. The best varieties of apples to-day are from chance seedlings, and it seems to me that if a systematic planting of seedlings were carried on it is very likely that some good varieties would be obtained. The great want of Eastern Ontario and Quebec is an apple that will be equal in flavour, colour, and shipping

qualities to the Northern Spy, Baldwin, King and Ontario. There is not such an apple in Eastern Ontario and Quebec.

*By Mr. Pettet :*

Q. The Ben Davis does well, does it not?

A. It does well, but it has not the quality. We have not an apple that has the flavour and shipping qualities of some of the best winter apples. The Ben Davis does well, it is a good, hardy, and productive variety. It is hoped that by using the seeds of these early winter apples and some late apples like the Northern Spy, the Delaware Red Winter and the Lawver, some seedlings will be obtained that will be improved in quality, perfectly hardy, and good shippers. We have two hardy winter apples at the Experimental Farm at present which I consider ideal apples in appearance, and keeping qualities for shipping to Great Britain.

That apple is the Lawver. It has been kept in my cellar during the winter, where there has been several degrees of frost. It is in perfect condition and would keep until September if kept cool.

This other apple is a rather bad specimen of the Delaware Red Winter. The tree seems a little hardier than the Lawver. The Lawver has lived at the Experimental Farm for 11 years. It is not very healthy, but I think will pull through. The Delaware Red Winter was planted in 1890 and is perfectly healthy. This apple would be in as good condition or better than the other apple which I have produced but that it got more frozen and for that reason is not quite so firm.

Q. They were frozen in the cellar and then thawed out afterwards?

A. Yes, they were thawed out afterwards.

Q. How long since they have been thawed out?

A. They have been thawed out I suppose since the 1st of April.

Q. They are keeping quite well?

A. I have an apple like that which has been lying on my desk I suppose for eight or nine weeks, and is not much more shrivelled than that one is.

Q. What is the quality of that apple?

A. It is a little better than the Ben Davis. It is not of good quality, but at this time of the year any one would be very glad to get them.

Q. Why did you allow them to freeze?

A. Because I could not keep the frost out of my cellar.

Q. That was the reason. You had no other special reason.

A. There was no special purpose.

Q. How much frost was there?

A. There were at least three or four degrees of frost in the cellar.

*By Mr. Rogers :*

Q. Do you consider that the frost affects the flavour of the apples?

A. Oh, yes, certainly.

Q. And were these apples exposed to the air?

A. The Lawver apple was in a paper bag with four others. The Delaware Red Winter has been exposed to the air all winter, it has been lying on a table in the cellar. I may say that we had one of those Delaware Red Winter apples which was wrapped in tissue paper in the fall of 1896, and it was shown in Montreal in February, 1899. The apple simply shrivelled up, it did not rot. I have this spring been crossing the Delaware Red Winter apple with the McIntosh Red and Fameuse, in the hope of getting some of the flavour of the McIntosh Red and Fameuse into it and still keeping in the cross-bred sorts the keeping qualities of the Delaware Red Winter. There is one disadvantage in the Lawver and Delaware Red Winter apples. They are not heavy bearers and that is the great disadvantage I see in them.

*By the Chairman :*

Q. That is a very serious one, too?

A. That is a very serious one of course. I do not recommend them for general planting on this account.

## Agriculture and Colonization.

*By Mr. Hurley :*

Q. Have you saved the Ben Davis until this time of year?

A. Yes, I have some Ben Davis apples under exactly the same conditions as these but they are considerably shrivelled. You could eat them but they are not in the condition these are.

*By Mr. Rogers :*

Q. Their flavour is not as good?

A. The trees on which these were grown came from Illinois. These two apples, I may say, have been regarded as synonyms by several horticulturists, and they are very much alike. The seeds are very nearly alike but the character of the flesh is quite different, and the flavour is quite different also. The basin of the Delaware Red Winter is deeper than that of the Lawver. An apple of the appearance and keeping qualities of these with better quality is my conception of the apple that is required for shipping to Great Britain.

*By the Chairman :*

Q. That is of very good colour and size?

A. Of very good colour and size.

*By Mr. Featherston :*

Q. It would be all right if you could get the tree to bear well?

A. Yes, and get some quality in it.

*By the Chairman :*

Q. I suppose they would be good for export if you want a bright coloured apple?

A. Yes, for shipping to Great Britain they are required about that size. Larger apples, however, sell well.

### SPRAYING.

Particular attention is being paid to spraying at the experimental farm, because it is thought that unless the farmers spray now-a-days they cannot make fruit growing a success. I have seen enough examples of the good results of spraying throughout the country to convince me of the benefits of it. We are spraying thoroughly at the experimental farms and advise spraying whenever opportunity occurs. Different mixtures and solutions are also being tried for different kinds of fruit, so that we shall be able to tell the farmer which are the best to use

*By the Chairman :*

Q. For preserving the fruits?

A. No, I mean for preventing fungous diseases and the depredations of insects.

### BLOSSOMING OF FRUITS.

Work is also being done by the horticultural department which I think will be valued more in a few years than it is now. This work was begun by Prof. Craig, the late horticulturist. Seeing the great importance of it, it has been continued. This work is the recording, by fruit growers in different parts of the Dominion, the dates of blossoming of different fruits. The records are sent to the Experimental Farm for compilation. This has been carried on now for five years. The reason for this work is that horticulturists have found that by placing paper bags over the blossoms of certain varieties of apples and other fruits, thus excluding wind and

insects, the fruit will not set, or if it does there is not a full crop of it. They found by these experiments what varieties of apples and other fruits would set fruit without the aid of wind or bees to carry pollen from other varieties, and by planting these kinds alternately with the other varieties in the orchard there would be better crops on those varieties that will not set fruit well by themselves. The work we are carrying on is to determine the average dates of blooming of the different sorts and what varieties bloom at the same time, as it is also important in planting an orchard to have apples which bloom at the same time, because if you have, for instance, the Northern Spy, which blooms late, and some other varieties which bloom early, the bloom of these would be almost fallen before the Northern Spy opens its buds, and would be of no value for fertilizing. So it is necessary to mix the varieties in such a way that the kinds you wish to have crossed will be in bloom at the same time. It has been found that the Northern Spy growing by itself without any other apple trees in the vicinity will not produce a paying crop for the reason that it is an apple that is self sterile. This work is thus enabling us to find out which varieties to plant together.

*By Mr. Fraser :*

- Q. Would you advise planting the whole orchard at the same time?  
A. Not necessarily.

*By Mr. Featherston :*

- Q. You think the Spy will not fertilize?  
A. No.

*By Mr. Cochrane :*

- Q. I don't know about that. A neighbour of mine has an orchard of Spys and they fertilize themselves.  
A. Perhaps your orchard is near his place, and your trees might fertilize his.  
Q. About a quarter of a mile away.  
A. Even a quarter of a mile away, the bees fly as far as that I think.  
Q. You will find considerable difference in the times of blossoming?  
A. Yes, but it is the comparative dates of blossoming of different varieties that we are determining, so that if a farmer writes to us, we can tell him, when he is planting an orchard the kinds to plant which bloom at the same time.

*By Mr. Pettet :*

- Q. Did you try whitewashing instead of spraying. Some farmers are using whitewash?  
A. In my judgment the only value of whitewashing when it is usually applied is, that very probably it will help to destroy the fungous germs on the trees, and also some of the insects which are lodged there. But I do not think the effects of whitewashing would be nearly as beneficial as spraying the trunks, with the Bordeaux mixture, for instance.

*By Mr. Cochrane :*

- Q. Have you ever tried doing the trees over with dry ashes when they are moist, throwing it all over the trees?  
A. I have heard that is very beneficial, but we have found that spraying is so effective and so easily done by means of the spray pump, that we have adopted this method at the farm. I have been told that it is well to throw ashes over the trees.

#### EXPERIMENTS WITH WHITEWASH.

In regard to whitewashing, I may say that we tried some experiments at the farm last winter with whitewashing to prevent the swelling of buds. Perhaps some

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of you have read of experiments which have been made in the western states, in Missouri for instance, to prevent the swelling of peach buds, so that when alternate freezing and thawing occurs the buds will be kept in a dormant condition and not be affected by the changes of temperature. The theory of this is, that a white substance reflects the rays of the sun more than a darker one, and it has been found that a considerable difference in temperature has been caused by having a white substance on the trees. We have tried this on the farm and found that the buds did not swell as quickly as where the trees were not whitewashed, but it is a question whether it is practical to use this to advantage, as it requires a great many sprayings to keep the whitewash on the trees as the rain washes it off, and unless you keep the whitewash on the trees and keep the branches white it is of no value. Experiments in whitewashing the trunks of the trees are also being conducted at the Experimental Farm. It is an old custom, but farmers have done it I think without knowing exactly why they did it. At the farm we are troubled with sun-scald on the south sides of the trees. This is caused in March, by the sun shining on the south side of the trees and thawing out the tissues on that side. Then at night the temperature may drop ten or fifteen degrees below freezing and the tissues break. This thawing and freezing destroys the tissues through which the sap flows and consequently there is no growth in spring, and the tree dies on that side. Sometimes the injury is so great that all the tree dies. Last winter we applied the theory for the prevention of the swelling of buds; to the prevention of sun-scald. By keeping the trunk pure white at that time of the year, the lowering of the temperature caused by the reflection of the suns rays may be sufficient to prevent sun-scald. A few years' test should demonstrate whether this will succeed or not.

*By Mr. Rogers :*

Q. Do you whitewash on one side only ?

A. We have whitewashed the trunk all around, but it is only on one side where the sunscald is likely to occur. In Minnesota they are using a tree protector which is a slab of wood fastened around the tree with wire, which protects the trees from the sun and prevents mice getting at them in the winter. Some of these have been procured and will be used at the Experimental Farm. They only cost two cents each.

*By Mr. Wilson :*

Q. How long are they ?

A. Two and a half or three feet long.

Q. And you get them for two cents apiece ?

A. For two cents.

*By Mr. Featherston :*

Q. They are just like a shaving from a basket factory ?

A. Yes, something like a basket shaving.

### THE APPLE ORCHARD.

I have tried to give you some idea of the work we are carrying on at the farm and would like to tell you our experience as to the best way of planting and caring for orchards in this part of the country and Quebec. It has been found at the farm and elsewhere that unless the land is well drained where apple trees are planted they will not succeed. Apple trees, like almost everything else, require land well drained. If they have wet feet they seem to get consumption and die soon. So it is important to get land that is well drained. It is also important to get some of the best land on the farm for apples. A good many people think, perhaps, it is a waste of good land using the best for an orchard—that is those who do not make fruit growing a speciality—but I believe it is important to use one of the best pieces of

land on the farm, because no matter how much manure is put on the land it is not the same as having soil naturally fertile. That natural fertility is usually to be found in a clay loam which does not bake. It is necessary to have a soil which does not bake, as trees will not, as a rule, succeed in that kind of soil. Excellent results are also obtained from good sandy loam soil.

Q. Did you not say that clay land was not good for apples?

A. That is, clay that bakes. I consider good clay loam that you can keep loose is best for orchards, but heavy land that bakes is not.

*By Mr. McMillan:*

Q. With us orchards do well on heavy land, but it is all under-drained and kept in sod all the time, and of course it is generally mulched in the fall of the year?

A. Yes; but you see the difficulty is this, that perhaps the majority of farmers would not treat the land in the proper manner, and if we were to recommend the planting of orchards on clay loam without the stipulation that it should be clay loam that would not bake easily, the best results might not follow.

*By Mr. Fraser (Lambton):*

Q. Would not mulching overcome baking?

A. Yes, to a large extent.

Q. What do you use for a mulch?

A. As Mr. McMillan says, manure is the best mulch.

Q. Is sawdust any good?

A. Yes, almost anything of a loose character that will cover over the surface of the soil is good.

*By Mr. McMillan:*

Q. Sawdust will make a good mulch mixed with manure?

A. Yes.

*By Mr. Rogers:*

Q. Has the quality of the soil anything to do with the quality of the apples, as in clay soil?

A. I could not tell from my knowledge. I think you will find apples of excellent quality have been got from both kinds of soil.

*By Mr. Cochrane:*

Q. We have as fine orchards as there are in our section on very light ground?

A. Excellent results can be had on light sandy soil.

It has been found advisable in eastern Ontario and Quebec, to plant trees on a northern slope on account of sun-scald. By planting them on a northern slope they are not so exposed to south winds and the action of the sun, which cause so much injury in early spring.

*By Mr. Wilson:*

Q. You say a northern slope is better for an orchard than a southern exposure?

A. Yes, for apples.

Q. I always understood the reverse?

A. You see with us in Eastern Ontario it is very important to get a good covering of snow and it is also important to prevent the sun-scald; these are two important factors, a good covering of snow to prevent root killing and something to prevent sun-scald in spring.

Q. Does it affect orchards in winter if the snow goes off early?

A. Yes.

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*By Mr. Rogers :*

Q. A southern slope encourages early budding ?

A. Yes, and if the blossoms come out early they are more liable to be affected by changes of temperature.

*By Mr. Wilson :*

Q. Does that apply to Eastern Ontario only or to all Ontario ?

A. It is the general impression all through Ontario that a northern slope is best. Opinions are divided as regards peaches, but I think the majority favour a northern slope.

*By Mr. Cochrane :*

Q. There is not so much difference in the time of blossoming in our district. I have an orchard on the northern slope and I find the trees there all grow together even with the rest.

A. Before planting the trees we believe it is very important to give the land as thorough a preparation as you would for a root crop, because it is of the utmost importance to get the young trees started properly. It is just as with live stock, if you do not give the young animals a good start they remain stunted, and so it is with trees, if they do not get a proper start they get stunted. In many places in Ontario trees are planted in poorly prepared soil; the sod forms about them; they become prematurely old; they are stunted and sickly looking; and you cannot get a paying crop from them. The young trees should be encouraged to grow as much as possible during the first few years, and in order to do this the soil must be kept cultivated. After the tree comes into full bearing it is not so important, although it still is important in many cases.

*By Mr. Cochrane :*

Q. As regards the cultivating of young trees, there is no doubt about the benefit of it. As an illustration of that, I got a dozen young trees and I set eight of them out in a row on the east side of a little orchard and put four of them on the south side of a wire fence and there has never been any grass allowed to grow there. Of course they have not always been kept harrowed around, but the trees have been thoroughly cultivated, and there is no man in the room that would possibly believe that those trees are out of the same bunch. The others were not cultivated only the grass has been kept from the trees for perhaps about four feet, either way. But you would not think they were the same kind of trees.

*By Mr. McMillan :*

Q. Do you not think that when the trees grow rapidly to the end of the year that they are more liable to be killed by the sun in the spring ?

A. If you cultivate until late in the autumn so as to encourage growth through the whole season then you are likely to get them killed. We have always advocated stopping cultivating not later than the middle of July so as not to encourage late growth, and that the wood may become well ripened.

*By Mr. Cochrane :*

Q. Do you put a green crop around the trees to keep down the weeds ?

A. The method we adopt at the Experimental Farm is different from what is recommended for most orchards. We have a light sandy loam soil with plenty of moisture in it. Clover is sown in the spring. Before sowing it, a crop of clover is ploughed under. The clover sown in the spring is allowed to grow through the summer, but may require cutting once or twice, the clover being left to rot where it falls. It grows enough before winter to make a good cover crop, holding the snow and protecting the roots of the trees. The following year the clover is allowed to

grow again. It is cut several times through the summer, the crop being left in the orchard to rot. The following spring it is ploughed under and the land re-sown with clover. This seems the best method to adopt with soil such as that at the Experimental Farm.

*By M. Cochrane :*

Q. How can you cultivate your trees and have a clover crop on the land ?

A. Our trees are ten years old.

Q. I was talking in respect to the cultivation, and you advise stopping cultivation after a certain time. Are you not troubled with weeds ?

A. I did not quite understand you. I was giving our method and will now give the method we recommend for soils that are heavier than ours. Our idea at the Experimental Farm is to improve the soil as rapidly as possible and when it gets better I may adopt the method generally recommended. The plan we recommend is to cultivate until the middle of July and then seed down with red clover, twelve pounds to the acre. By autumn a fine cover crop is procured which is left the following spring until about the third week of May and then ploughed under. The soil is then cultivated until the middle of July and then re-sown with clover.

Q. Do you use scarlet clover ?

A. That is not hardy with us.

*By Mr. Pettet :*

Q. You don't think it is important to cultivate after the orchard obtains a certain age ?

A. I do think it is important. If I had an orchard I would certainly keep it cultivated.

*By Mr. Cochrane :*

Q. We find in our section, we have been cultivating a big orchard, that when the fruit begins to bear down the limbs you cannot cultivate it, and then if there is not some green crop we find the weeds come and interfere with the roots of the trees ?

A. Yes.

*By Mr. Pettet :*

Q. Have you tried buckwheat as a cover crop ?

A. Buckwheat exhausts the soil rather than improves it and would kill out in winter.

*By Mr. Cochrane :*

Q. Have you tried pease ?

A. A crop of clover planted the preceding year was ploughed under and the land reseeded with pease.

*By Mr. Featherston :*

Q. At what time ?

A. It was ploughed under about the 1st June. The land was reseeded with pease, the pease were ploughed under and the land reseeded with clover, and a cover crop was formed by winter. That was two crops of green fodder ploughed under last year. The land was very poor.

*By Mr. Pettet :*

Q. Do you approve of having pigs in the orchard ?

A. Not unless you can keep them from destroying the trees.

## Agriculture and Colonization.

*By Mr. McMillan :*

Q. If you can keep the pigs from injuring the trees don't you consider it good ?

A. If you have no small trees, I do.

*By Mr. Cochrane :*

Q. You think they often kill the trees ?

A. I do.

Q. In an orchard of bearing fruit trees about six inches in diameter we allowed the hogs in. In an orchard of a half acre they killed half a dozen trees.

MR. McMILLAN—We find that the codling moth is not half so thick in an orchard where the pigs are allowed as in some others.

*By Mr. Erb :*

Q. Do you consider that when you cease cultivating the orchard that the growth of the tree stops.

A. It does not stop at once. By stopping the cultivation you do not encourage the growth to go on. I consider it very important to cultivate old orchards when it is possible to do so. But if a man has had his old orchard under sod and some one says to him "start cultivating your orchard" he has to be very careful in doing it. I knew a man in Montreal who was advised to start cultivating an old orchard he had and he ploughed it in the fall. The result was he had a lot of trees killed. One has to be very careful unless he adopts this system from the beginning. If you are going to plough the land I would say plough it in the spring.

*By Mr. Pettet :*

Q. You don't recommend fall ploughing ?

A. No.

Q. I understand in the Annapolis valley they leave their orchards in sod for years ?

A. Some of them do. Most of them, I think, cultivate. There they plough in the fall as their trees are not often injured by winter.

*By Mr. Wilson :*

Q. Don't they raise the best apples in Canada ?

A. I saw their apples last winter and whereas their apples are certainly very fine, most of them seemed to me coarser and lacking the fine flavour our apples have.

Q. How do you mean the flavour ?

A. For instance. I tasted the Wagener there which is a fine flavoured apple in Ontario and I did not consider the quality as good. Other examples might also be given.

Q. Can you give any reason for the difference ?

A. No I cannot, unless it is in the climate.

*By the Chairman :*

Q. Did you test their Gravensteins ?

A. I did in the autumn. I tested some from the lot sent to the Omaha exposition and they were very fine.

Q. I think they pride themselves on it ?

A. It is very fine and has a very high flavour.

*By Mr. Cochrane :*

Q. How about bearing ?

A. It is a heavy bearer.

*By Mr. Wilson :*

Q. I understood the Annapolis Valley apples were the best in Canada?

A. The Annapolis Valley people have a reputation for the Gravensteins and it is grown to perfection there, and they are wise in boasting of it.

Q. Do they only grow small quantities?

A. Oh no, they grow large quantities.

Q. That is the staple?

A. Yes that is the staple fall apple.

*By the Chairman :*

Q. They have several specialties?

A. Yes.

#### MAINTENANCE OF FERTILITY.

*By Mr. Featherston :*

Q. Do you consider that it is possible when you have the land in your orchard in a prepared condition, to keep the land in the orchard up properly without using manure, by putting on crops the same as you are talking about now, namely, pease, clover, or anything. Do you think it is possible to keep the land in a proper state of fertility in this way?

A. I had in my notes here a heading "Maintenance of Fertility," and I might perhaps speak for a few moments on it.

Q. That is an important subject with us, because the orchards are getting so large that there is no manure for the rest of the farm after they are manured?

A. If the trees are planted in good soil, and properly cultivated when young and there are no other crops taken off them they do not require, in my judgment, any manure till they come to bearing, but if crops are taken off during these first few years, which is usually the case, there should be as much fertilizer put on, as is taken off by the crops.

*By Mr. Cochrane :*

Q. We will take an orchard in good land, a young orchard that is just commencing bearing. Now from that stage on can that orchard be kept in a proper state of fertility to produce a good crop of apples without cultivation?

A. No, sir, in most cases, it cannot, economically. And I would advise the application of barn-yard manure and also ashes in addition to the clover. If you adopt the plan of ploughing in clover every year you do not require as much manure but if you do not it is well to apply manure at least every third year. I would put on about 50 to 75 bushels of ashes or if you cannot get ashes, kainit or muriate of potash is good; also superphosphate if not much wood ashes are used.

Q. How much ashes?

A. Fifty or 75 bushels per acre every three years.

*By Mr. Pettet :*

Q. When you say manure you don't mean to put it on the roots of the trees.

A. No, scatter it broadcast.

*By Mr. Cochrane :*

Q. Why?

A. You can understand from what was said a while ago that when the trees get into full bearing the feeding roots are some distance from the trunk.

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Q. You don't think it is better to put it up around the trees.

A. No, in the middle of the rows.

Q. The reason I asked that is in order to have it officially stated. I say it should be put in the middle of the rows. I have in my mind's eye one orchard where the man every time he puts any manure on his trees has put it down around the trees.

A. I do not think that is right.

*By Mr. McMillan :*

Q. In an old orchard where it is pretty well spread do you think it is well to put the manure on the surface or to plough it in. My opinion is that in an old orchard the roots are spread and the fine roots that get the nourishment for the trees are near the surface and when you plough you cut off these roots. I believe in mulching the orchard putting the manure right on the surface. We have an orchard, we have owned the farm on which it is situated since 1870. We never plough the orchard and it continues to yield yet, but it is manured regularly.

A. Yes.

Q. I don't understand the amount of ashes you named. How much would you put around a tree bearing two or three barrels of apples; what would you consider a fair dressing for a tree like that?

A. About a bushel and a half.

*By Mr. Pettet :*

Q. Do you put it around the tree or sow it broadcast?

A. It should be spread broadcast. It is required some distance from the tree.

*By Mr. Cochrane :*

Q. What is your opinion of lime?

A. Lime helps to liberate the plant food already in the soil, besides furnishing nourishment to the trees. Most soils have sufficient lime, but if they have not, wood ashes will supply all that is necessary at the same time furnishing potash.

Q. Isn't there a great deal of lime in the apple?

A. Not very much in the apple itself, more in the trunk, branches and leaves.

Mr. COCHRANE.—I am only asking you this because there is a gentleman named Symmons, a wealthy apple dealer, one of the first men that took an interest in the apple industry, and he is wealthy and has a farm and is trying experiments with it by putting lime on the land, his theory being that although ashes and barn-yard manure are good, yet lime is required to be put around the tree because there is a great deal of lime in the composition of the apple itself.

Mr. McMILLAN.—Is it a heavy clay soil?

Mr. COCHRANE.—No, it is what we call a clay loam.

The CHAIRMAN.—Is there any limestone in it or is it granite formation?

Mr. COCHRANE.—There may be a little limestone in it.

Mr. MACOUN.—I may say that as a rule there is enough lime in the soil. It is very seldom that the soil used for an orchard is lacking in lime. Of course the quantity of lime usually depends much on the formation of the soil.

*By Mr. Featherston :*

Q. I found that around the mountains in our district the apples are better than on the other land?

A. Indeed.

*By Mr. Cochrane :*

Q. Have you done anything in salt for fruit?

A. I do not think it is necessary.

Q. It is not a manure in itself?

A. No.

SPRAYING.

*By Mr. Cochrane :*

Q. Have you been treating the subject of spraying in connection with the worms on the trees?

Q. I did not go into details regarding the spraying.

Q. That is a very important subject and there is a difference of opinion among us. I would like to get yours. They have been adopting spraying where I live to a considerable extent and there was quite a discussion when I was up among the neighbours with reference to whether spraying would kill these worms. Some of my neighbours took the ground that you cannot kill these worms. It appears there are two distinct species, one that cover themselves with a web and nest on the trees and another which does not take that precaution. They travel and when they come to an orchard they leave it as if fire had gone over it. If you hit the tree they will drop down on the ground on a web and then it appears they cut loose and do not go back by the web but up the trunk of the tree and they are being very destructive and the question among my neighbours is why did not spraying kill these worms when they were eating the foliage of the tree?

A. I think we were as much, or almost as much, troubled with caterpillars at the Experimental Farm this spring as in any other part of the country, but any member of parliament who comes out to the Experimental Farm will not find many trees which have been stripped by caterpillars. I think the reason of this is that we took them in time. When the caterpillars get to be a large size it is very much more difficult to kill them than it is shortly after they are hatched. At the Experimental Farm we watch carefully for the hatching season, and shortly after they are hatched we spray the trees. That is, when they start to feed, we start to spray. There is no doubt that you can kill them by spraying at that time and that very quickly. But if you wait until they get almost full grown it takes longer to kill them.

Q. Have you been troubled with these species of caterpillars with a web?

A. Yes; it is the tent caterpillar, the other is the forest tent caterpillar which does not make a web. The forest tent caterpillar is that which has been stripping the forests near Ottawa.

Q. They don't seem to be as bad on the maples?

A. No, this spring they seem to have gone for the poplars more than other forest trees.

Q. Where do they hatch?

A. This year the eggs of both kinds were on the apple trees; they form little rings of eggs on the stems.

Q. Is there any difference between the eggs of the two kinds?

A. The forest tent caterpillar's eggs are in clusters cut off abruptly at each end. The tent caterpillars eggs are in clusters which slope off gradually at each end. You cannot make any mistake between the two. A good plan is to have the boys go through the orchard in the winter and climb up the trees and take them off. It is wonderful how many can be destroyed in that way.

Q. It is getting to be a great trouble in our district?

A. Yes, but you can get rid of them if you take the matter in hand early, but you have to take them in time and fight them persistently.

*By Mr. Cochrane :*

Q. There is one kind that does not go into the nests at all. They crawl up on the trees more or less around each other. I can't see when they eat the foliage, why you cannot put the Paris green on strong enough to kill them, or are you afraid of killing the foliage?

A. Yes.

## Agriculture and Colonization.

Q. The wild cherry tree all over the country is, I believe, a breeding ground for caterpillars?

*By Mr. McMillan :*

Q. The last day I was out at the farm I saw a large number of them just as I went into the gate. There was a lot of maple trees there and every maple tree had a little bunch of caterpillars on it.

A. We must have missed them, and I will take a look at them when I get back. But I do not think you saw many of them.

Q. Just inside the gate there are four or five maple trees and they are all on them?

A. I will look after them as soon as I get back.

*By Mr. Cochrane :*

Q. I notice that when driving back from Campbellford I found that the white oaks, white ash, and basswood trees were more affected than anything else. I didn't see that the maples were affected at all, but the white oak and white ash and basswood. Will that kill them because the leaves are stripped off?

A. No, I think not. It will weaken them, but it will not kill them the first year. If they keep stripping off the foliage every year, however, the trees will, probably, soon die.

*By Mr. Featherston :*

Q. Have you lost any plum trees, owing to the caterpillars?

A. We lost some plum trees, but that was by winter killing.

Q. Ours are all going except the large green gage trees?

A. Dr. Fletcher and myself prepared a spraying calendar which was sent to about 5,000 fruit growers and others, and will be mailed to any one who applies for it. With the permission of the committee I should like to incorporate this calendar in my evidence.

*By Mr. Cochrane :*

Q. It is very important. There is one point I would like to ask you about and that is if you experimented and found the solutions were as strong as the trees could bear in connection with these caterpillars. You talk of killing them by spraying or by taking the nests out, which do you mean?

A. The principal means we used to kill the caterpillars in our apple orchard this year was spraying. They were nearly all killed by spraying.

*By Mr. Featherston :*

Q. All these caterpillars were killed by spraying, do you say?

A. Yes, nearly all; there were a few of them taken off by hand, but the most of them were killed by spraying.

Q. And your solution was the single thing that killed them?

A. Yes.

Q. How many times did you spray?

A. We sprayed about three times, while we found the caterpillars were at work; but at the same time Bordeaux mixture was applied with the Paris green so as to prevent and destroy fungus diseases.

*By Mr. Cochrane :*

Q. I can tell you this; there is a spraying station at Colborne and I think my sons sprayed the orchards according to directions there, and the spraying did not kill the caterpillars there.

A. As I said before; we recommend four ounces of Paris green to 40 gallons of water; that seems a small amount but there is this to be taken into consideration, that this is given with the supposition that the trees will be sprayed at the proper time. If these caterpillars are not sprayed till later, then four ounces will not kill them as quickly as is desirable and rain may come before it takes effect and wash it off the trees. A larger proportion of Paris green can be used without injury, but on some fruits it would burn the leaves, and it is better where more than four ounces to forty gallons are used to mix lime with the water.

*By Mr. Pettet :*

Q. I never heard any complaints in Prince Edward County?

A. If trees are sprayed in time this mixture is strong enough, but as I said, when it is delayed the poison is not strong enough.

PRUNING TREES.

Just a very few words more, in regard to the pruning of trees at the time of planting, and the best method of heading the trees. A low head is best for this part of the country. The fruit growers of western Ontario go in for a high trunk, four feet or more, but we recommend a very low trunk of about two feet in length. A good many of the trees on the farm are more than that, but those we are propagating we try to make low. By this method it is thought that the trees get more protection and are able to bear the crop better and are not so much influenced by winds. We are recommending this method to fruit growers, and even in western Ontario I think it would be a better practice than at present adopted.

*By Mr. Wilson :*

Q. This would make the trees small and they would bear less?

A. You will get the trees large enough.

*By Mr. Cochrane :*

Q. The trouble we find is that they are not high enough to get in to cultivate?

A. When the trees get large the feeding roots are not near them, they are away out.

Q. You will have to go near the tree to cultivate the soil and with low heads you cannot do this?

A. The branches come down near the ground, but the feeding roots are out between the rows and you can cultivate without having to go under the trees.

Q. Now, that is only a theory; have you any practical results which induce you to recommend that?

A. We have found at the Central Experimental Farm that trees planted for ten years, which have low trunks, are succeeding better than the others.

*By Mr. Featherston :*

Q. There is an orchard near the Grand Trunk line between Toronto and Hamilton which is 20 years old, and now I think it is the finest orchard I know; the trees are branched out within two feet of the ground?

A. Yes, that is what is recommended.

Mr. COCHRANE.—Were they branching out or running up?

Mr. FEATHERSTON.—Branching up.

Mr. COCHRANE.—Tapering up in pyramidal forms?

Mr. FEATHERSTON.—Yes.

*By Mr Cochrane :*

Q. Is that your experience here, Professor?

A. Yellow Transparent is a pyramidal tree.

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Q. How about the Tallman Sweet ?

A. They will branch down.

Q. How would it be if you left Tallman Sweet two feet up and they branched down, you could not get around at all ?

A. Certainly you could.

Q. I mean you could not get under the tree ?

A. No, you could not, but I think when a tree gets as old as that the roots are far enough out to make that unnecessary.

*By Mr. Featherston :*

Q. That is the feeding roots ?

A. Yes. They are near the centre of the rows, and you do not need to go under the trees, and then you can spray and get at the caterpillars much easier.

*By Mr. McMillan :*

Q. It is not so easy to keep an orchard from growing ; we have some very tall trees ?

Q. In our part of the country the trees do not make such a vigorous growth as in some other parts of Ontario and in the Annapolis Valley, for instance, where they get very large trees.

*By Mr. Pettet :*

Q. What time of the year would you advise pruning ?

A. March or April would be the best time, taking everything into consideration.

Q. March and April ?

A. March and April is when one has the most time for that sort of thing.

*By Mr. Cochrane :*

Q. We are not concerned about when the farmer has most time, but when is the best time of the year ?

A. I believe, having the knowledge of experiments carried on during every month of the year in the United States to determine the best time to prune and to a certain extent from experience at the farm, that it does not matter very much what month of the year you prune in, as far as the effect on the health of the tree is concerned ; but one advantage in pruning in the spring or early summer, is that the wounds will heal over to a certain extent by autumn, as where the wound is not painted or covered with some substance to exclude air, rot is more liable to start around the wound, if the tree is pruned after the growth ceases as there is no growth about the wound until the following spring.

Q. Does not that apply to a certain extent if the pruning is done in March ?

A. The growth starts in about six weeks.

Q. I have a neighbour that satisfied himself in that regard. On the same tree and under the same conditions he cut off two limbs just about the same size, one in March and one in June, and he said that with the same conditions as far as he knew the one he cut off in June did much better as far as healing was concerned.

A. I consider that the best time to prune is when the trees are growing thriftily, but time is money to the farmer, and we have found that very good results will follow by pruning in March. Of course if a man has plenty of time in June when the trees are growing they will heal up better.

## LIST OF BEST HARDY APPLES.

The following is a list of the hardiest and best apples for districts where the winter is somewhat like that at Ottawa :—

| Summer.                                           | Fall and Early Winter.                                                       | Winter.                                                                 |
|---------------------------------------------------|------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| Yellow Transparent,<br>Red Astrachan,<br>Duchess. | Wealthy,<br>McIntosh Red,<br>Fameuse,<br>Wolf River,<br>Winter St. Lawrence. | Scott's Winter,<br>Canada Red,<br>Golden Russet,<br>Gano,<br>Ben Davis. |

*By Mr. Cochrane :*

- Q. What is Gano?  
 A. Gano is a seedling of Ben Davis.  
 Q. Yes, I know, but have you tested that?  
 A. Yes.  
 Q. It bears all right, but about the flavour?  
 A. The flavour is no better than Ben Davis, but it is better in colour, and is quite hardy.

*By Mr. Pettet :*

- Q. You never recommend Northern Spy ?  
 A. I am in hopes by this top grafting already spoken of to get the Northern Spy to succeed here.

*By Mr. Wilson :*

- Q. What about the Spitzenberg, it is a beautiful apple ?  
 A. Yes, but it is not so generally known as it once was. Baldwins, Ben Davis, Northern Spy and Ontario are four of the best paying apples in Ontario, where they can be grown successfully.

*By Mr. Featherston :*

- Q. Is Ontario a heavy bearer ?  
 A. Yes.  
 Q. Is it like the Northern Spy ?  
 A. Somewhat like the Spy, but much earlier in coming into bearing.

*By Mr. McMillan :*

Q. In our part of the country Baldwin, Spy, and Greening are grown, but Spy and Greening do not grow half the apples. Though the trees grow well, the fruit does not do well. The Baldwin is the best with us. We had a tree that we took five barrels off.

A. That is a very good yield. If there is nothing else that the members wish me to bring before the committee, I shall consider my address closed.

*By Mr. Rogers :*

- Q. Have you any way of getting trees to bear well every year, like Tetofsky ?  
 A. Trees can be brought to bear nearly every year, not heavily, but fairly, by thinning the fruit. That is, supposing you have a heavy crop this year, thin the fruit when the apples are small, shortly after they are set, and you will be liable to get another crop the following year, but that is not always the case.

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*By Mr. Hodgins :*

Q. Would you advise pruning or just nipping off the buds ?

A. I would not thin, until you know what crop you have got, because you often have a fine show of blossoms and a small crop of fruit.

Q. How would you thin them ?

A. Pick off at least half of them after they have set.

*By Mr. Fraser (Lambton) :*

Q. The professor spoke about the difference between the varieties of trees and their fertilizing instincts. I think the interests of fruit growing generally would be promoted if he would give a formula for the planting of an orchard of say 1,000 trees. Supposing a farmer were planting five varieties, how many of each should he plant ?

A. Of course that would all depend upon the purpose for which he would plant, whether it was for export or for the local market. There are so many different varieties and the requirements for the export and local market vary very materially.

*By Mr. Cochrane :*

Q. We do not want any apple trees at all for the summer market in our district. We don't pretend to plant any trees of that kind at all.

A. I may say that I agree with the members who have spoken about the wisdom of not planting summer varieties in any section of the fruit-growing districts of Ontario and Quebec. From what I have learned and seen, I believe that the country is simply overstocked with summer fruits. We have a large number of very hardy varieties of summer fruits and one reason why the people planted them was, that they are hardy and bear early, the result being that when there is a big crop there is very little profit in them, whereas if they had a large number of winter apples, or apples they could export with profit, it would be all right. The number of trees of summer varieties, such as Yellow Transparent and Duchess, that would be planted in an orchard should be limited to a few, except in certain cases, as all that is really required of this kind is for home consumption, as the fruit-growers who have large numbers of these trees already planted can supply the market. Therefore, I would advise planting the kinds suitable for export.

*By Mr. Rogers :*

Q. The Maiden's Blush is a very well known apple with us.

A. It is not hardy here.

Q. We have kept them until April.

A. The tree is not hardy here.

Mr. McMILLAN.—The question is, what variety you would plant if you were setting out an orchard ?

*By Mr. Fraser :*

Q. I think I understood you to say that the different varieties blossom at different times, and that it is necessary in setting out an orchard to select the varieties which will prove valuable in fertilizing each other, and what I would like to know is if you were planting an orchard of 1,000 trees of say five varieties, what varieties you would plant in order to bring about the best results in regard to fertilizing and volume of crop ?

A. I should plant different varieties in this district than in other sections of the country.

Q. I am speaking of western Ontario where I live myself in the county of Lambton, which is a very good county for fruit.

Q. Ontario, Baldwin, Ben Davis, Cranberry Pippin, Roxbury Russet and Blenheim Orange are all good varieties to plant, but certain varieties do better in certain

districts, and it would be unwise to recommend only a limited number of varieties. The best method is to find out what varieties are doing best in a district and plant them, taking into consideration their relative dates of blooming and self sterility or fertility.

Q. You would recommend then, probably, those varieties, only, in the same orchard?

A. The apples I have named are those which bring the best prices and are the most profitable. It seems to me that if any man is going into fruit growing for profit he should plant the apples which will give him the best crops and the best prices and not grow a large number of varieties, because, as a gentleman stated in giving evidence here not long ago, when one sends his fruit to the British market he can do better if he has a large number of barrels of the same kind of apples than if he has a few barrels of each of many kinds.

*By Mr. Pettet :*

Q. The Ben Davis is the most profitable in Canada to-day, is it not?

A. One of the most profitable.

Mr. McMILLAN.—But does it find as good a market in England as the others. The appearance of the apple is good but the quality of the apple is not as good.

*By Mr. Fraser :*

Q. You would not recommend planting a thousand trees of one variety; you believe in mixing them?

A. Yes, I believe in mixing them.

*By Mr. Featherston :*

Q. I find I would not be without my Duchess apples where I live, near Toronto. I think the Duchess tree is worth any other two.

A. You probably have a good market in the city, with special customers.

Mr. PETTET.—We can't sell them at all.

Mr. FEATHERSTON.—We sold all of them we had last year at about two dollars a barrel.

Mr. COCHRANE.—You can get lots of them lying on the ground around our parts.

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Having read over the preceding transcript of my evidence, I find it correct.

W. T. MACOUN,  
*Horticulturist.*

# Agriculture and Colonization.

## POULTRY RAISING FOR PROFIT.

COMMITTEE ROOM 46,  
HOUSE OF COMMONS,  
22nd June, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 o'clock a.m., the Chairman, Mr. BAIN, presiding.

Mr. A. G. GILBERT, being requested by the committee gave the following evidence:—

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE:—Allow me to express my pleasure in again meeting you. I intend this morning, with your permission to speak, and speak very briefly, of—

Poultry development;

Experiments to show the difference in the laying of eggs in winter by pullets and old hens;

Experimental work in connection with the fattening of chickens and perhaps a few words, if time will permit, on artificial incubation.

### DEVELOPMENT OF POULTRY PRODUCTIONS.

In regard to the poultry development, I will read a few extracts from letters received from persons in different parts of the country, and I do so because two or three years ago a member of this committee requested me to give, whenever the occasion arose, instances of poultry development in any shape or form. First I will read a letter from a clergyman in Hantsport, N.S., in which he says:—“Really stirred up by your lecture at Grand Pré and desirous of giving some of my parish boys an object lesson, I started on 1st January, this year with twenty-five hens and a cockerel, nineteen were barred Plymouth Rocks, nearly pure, two Black Langshans, pure and four mongrels. When outing time came they had a yard ninety feet square with plenty of grass and clover. Their quarters were warm, but too cramped. Their rations mostly along your line, and kept their pen fairly clean. I give you my account to 30th September, as follows:—

Account with twenty-five hens from 1st January to 30th September, nine months, 1898.

### INCOME.

|                                                     |         |
|-----------------------------------------------------|---------|
| 2,500 eggs at 15c. per doz. (a very low price)..... | \$31 25 |
| 52 chicks at 50c. per pair .....                    | 13 00   |
| Poultry sold .....                                  | 15 60   |
|                                                     | <hr/>   |
|                                                     | \$59 85 |

Without going into particulars, he makes \$59.85. The cost of food, etc., was \$26.94, making out of his first attempt a profit of \$32.21 out of thirty-nine hens. He says that he began to kill off his hens on 1st July, and by 15th September, had but six left. His best month was March with 460 eggs. “Had I been attempting business,” he says, “I should have easily realized thirty cents each for my chicks and

much more on my eggs by higher price for hatches. I regard the whole affair financially as the minimum of success."

*By Mr. McMillan:*

Q. Does he say what he got for his eggs by the dozen?

A. Yes, fifteen cents a dozen at one time. I do not give the particulars, but they are on a very low scale.

*By Mr. Wilson:*

Q. He could not have had any eggs in the winter to sell.

A. No, sir, but perhaps it is just as well to take the calculation under the most unfavourable circumstances.

*By Mr. Featherston:*

Q. That is the average sales.

A. Yes, from 1st January to 30th September, the average price was 15 cents a dozen for his eggs.

The next letter is from Mr. H. Strong of Dutch Village, Halifax. He wrote me some two or three years ago and I told him how to proceed. I received the following letter from him last fall:—"I am just finishing another poultry house 15 x 45 and expect to winter about 350 or 375 hens this winter. I have a fine lot of early pullets. I am determined to make a success of this enterprise and any assistance you can give me I will appreciate very much. Although I raised so many chicks this season I ran short for my customers and had to go to the country and buy up 200 to pull me through. I have the cream of the city trade; I have the best customers in the city. I inclose you a copy of a circular I sent out from time to time with good results. Then one customer tells another and so on. And now I am refusing orders nearly every day. But next year I will be in a position to handle them all. I am doing away with all breeds but Silver and White Wyandottes and Barred Plymouth Rocks." I advised him to breed all the chickens he possibly could, of the larger breeds, and so raise a superior quality of poultry flesh. To go into the city and find out the customers anxious to buy a superior article and for which they were willing to pay a superior price, and, you see, he has made a very great success of his venture.

The next is from a member of a firm in Annapolis, N.S., who are starting in the poultry business on rather an extensive scale. He says:—"We have made a start in the poultry business on a somewhat extensive scale for this part of the country. We intend raising broilers and roasters for the nearby city markets and possibly for the Boston market. We do not intend doing any egg business. We have erected two buildings each 50 feet by 30 feet." After describing the buildings he says, "In each pen we keep fifteen hens and one cock, using all fertile eggs for hatching. In the other building we have a room 18 feet by 30 feet, along one side of which we propose having 5 four hundred egg Prairie State incubators and on the other side four 4-section floor brooders, heated by the hot water system. We also have a room for work room, store room, etc., 12 x 38 and an office, etc., 12 x 12." He asks, "First. Do you see any reason why a plant of this kind should not be a success if attended to?"

"Second. Can you specify any particular system of feeding peculiarly adapted to this climate that should assure a reasonably large number of fertile eggs?"

"Third. Can you also specify any system of raising and feeding brooder chicks that is specially adapted to this climate?"

I need not tell you I furnished him with all the information in my power, and I hope by this time the firm is in a fair way to success.

The next is from near Yarmouth, N.S., and explains itself. "I am a very poor man. I do not know how to feed scientifically and I have to take what I can get and make the best results I can." His poultry netted him in one year, including chickens sold for table use a profit of \$27.98 out of 31 birds.

## Agriculture and Colonization.

Another Nova Scotia letter, it is from Mr. W. H. Woodworth, of Berwick, who says, "I have sold last season and this 1,200 birds. I reared about 700 and bought the rest. I think the two years' work will net \$200 profit."

I now come to Ontario: I will read a letter from a farmer, Mr. James Laidlaw, of Guelph. I should explain that when at the meeting of the Ontario Poultry Association, in Guelph, I delivered an address. Afterwards Mr. Laidlaw asked if I could put him in the way of getting the high prices for winter eggs that I had mentioned. I told him to send a sample crate to Mr. Walter Paul, family grocer of Montreal, and that I would also write. He said he would do so and let me know the result. He says in his letter: "As you advised me I sent a sample consignment of six (6) dozen to Mr. Walter Paul, of Montreal, on Friday last, and last night I received a reply. He was very highly pleased with the sample of eggs, but said that the market had dropped very rapidly of late. Of this I was aware from watching quotations in the newspapers. He allowed me 30 cents per dozen for them and is willing to take more, although he said he cannot guarantee more than 25 cents for them. I am going to send him a thirty dozen case this week." Mr. Laidlaw states that he is very much obliged to me for having put him on the right track and so opening up a winter business for him, which certainly was the important point.

The next is from Mr. A. S. McBean, a well-known farmer of Lancaster, Ont. He says: "It is a little over a year since I first wrote you in connection with starting my poultry yards, and I have much pleasure in telling you that as far as I have gone I have been very successful. The information you gave me regarding the merits of the different breeds and the valuable pointers on poultry house construction has enabled me to show a model, small sized poultry yard, containing birds second to none in this section of the country. Although I have been away for my health the most of the year, still I am pleased with the success of my venture. During the early part of the winter and up to the middle of February I got 40 cents per dozen for my eggs. To the middle of March, 35 cents, and now, 31st March, 25 cents per dozen. Of course we are only shipping a small number now, as we are disposing of a number for hatching and are setting some ourselves. I intend getting a 200 egg incubator, and from what I can learn the Prairie State seems to lead. Would you please let me know your experience with this machine?" From the foregoing we infer that he is going in for the raising of chickens on rather an extensive scale. I will now read an extract from a letter received from a gentleman at White River, Ontario, addressed to Dr. Saunders. The writer says: "The advantage I gained from the report of your poultry director makes me very desirous of obtaining more information. The winter up in this section has been the coldest for years. The mean temperature of January and February represented three below zero, while March was only four above zero. Despite this fact your poultry manager will be rather surprised to learn that I have had Leghorn pullets laying since the 24th of December last year, which pullets were hatched the preceding May by incubator. I have no artificial heat in my houses which are built of logs and are banked up to the roof with earth like root houses. By the end of January I had twenty pullets laying and received from them for that month fifteen dozen of eggs. I think this is very fair considering climatic conditions." And so it is. The point is that White Leghorns in that cold region did remarkably well, I mention this because there is a general impression abroad that White Leghorns are not a suitable breed for cold winter portions of the Dominion. Mr. Bedford, our superintendent at the Experimental Farm at Brandon, informed me that he had found the barred Plymouth Rocks better winter layers. But a gentleman, whose name I forget, told me that his White Leghorns in the North-west gave the best results in a similarly constructed house to that described in the letter I have just read.

I shall next read a letter from Mr. T. D. Lowery, of Trenton, Ontario. He writes: "I have closed all accounts for the year and with a small flock, 45 hens. All feed was bought on the market and at a very high price, I find my fowls have netted me \$1.57 each. No fancy prices received for eggs or stock, everything being

sold on a glutted market. For good results I have to thank you and the reliable Poultry Journal. I trust the fattening station will not pass Trenton as there are a number interested in the cramming process here."

Here is a letter from a farmer in Glen Buell, to show the demand for thorough-bred eggs by farmers. He says: "I have only five Rock hens out of eggs got from you for two seasons. I bought a cockerel this spring, west, and hardly have an egg to set from them myself yet, as others want them faster than they are laid."

In connection with your novel experimental work in feeding, we carried on an experiment last winter, in accordance with the desire expressed by some members of the committee last year, to find out the difference in the number of eggs laid in winter by pullets and old hens. I may state that I laboured under the disadvantage that I had to use hens for hatchers and my pullets, as a result, were hatched at different times of the year. Had I an incubator I might have had all the pullets of the same age, and obtained in consequence a more exact and satisfactory experiment. But at any rate, I will state what I have learned, and I have learned some very useful results that I hope will be interesting to the country. A choice was made of eight White Leghorn pullets, eight Black Minorcas, eight Langshans, eight Barred Plymouth Rocks, eight White Plymouth Rocks, and eight Brown Leghorn pullets.

At the same time there was chosen of hens over two years of age, thirteen White Leghorns, seven Black Minorcas, ten Barred Plymouth Rocks, nine coloured Dorkings and eight White Plymouth Rocks. Some of these were two years old, some were three years and others between three and four years. But it was all the better for experimenting that the hens should be as old as I could get them. The pullets numbered forty-eight, the old hens forty-seven, the one year old hens twenty-two, being eleven White Leghorns and eleven Barred Plymouth Rocks, all I had of that age. The result of the egg laying was as follows:—From 1st December to 31st May the eight White Leghorns laid 538 eggs. They were hatched 11th of June, eight Black Minorcas laid 428 eggs, they were hatched on 9th and 26th of May. The eight Langshans laid 298 eggs, they were hatched the 15th and 16th of May and some later. The eight Barred Plymouth Rocks laid 648 eggs, they were hatched 30th of April and 24th of May. The eight White Plymouth Rocks laid 526 eggs, they were hatched on 25th of April and 9th of May, and the eight Brown Leghorns laid 481 eggs, the latter were hatched 17th May. The above shows that the pullets laid 2,919 eggs in the six months of high prices. The thirteen White Leghorns (two years and over) laid 503 eggs.

The seven Black Minorcas laid 436 eggs; the ten Barred Plymouth Rocks 489; the nine coloured Dorkings 312, and the eight White Plymouth Rocks 324—a total for the forty-seven hens of 2,064 eggs. The eleven White Leghorn year-old hens laid 556 eggs, and the eleven Barred Plymouth Rocks 522, making a total of 1,078 for the twenty-two.

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EGGS LAID in Six Months by Old Hens, Yearling Hens and Pullets, as follows :—

| Number.                          | —                               | December. | January. | February. | March. | April. | May. | Total for six months. | Remarks.                             |
|----------------------------------|---------------------------------|-----------|----------|-----------|--------|--------|------|-----------------------|--------------------------------------|
| <i>Pullets.</i>                  |                                 |           |          |           |        |        |      |                       |                                      |
| 8                                | White Leghorns . . . . .        | 41        | 106      | 90        | 84     | 98     | 119  | 538                   | Hatched 11th June.                   |
| 8                                | Black Minorcas . . . . .        | 25        | 39       | 102       | 77     | 91     | 94   | 428                   | " 9th and 26th May.                  |
| 8                                | Langshans . . . . .             | 4         | 35       | 42        | 55     | 62     | 100  | 298                   | " 15th and 16th May, and some later. |
| 8                                | Barred Plymouth Rocks . . . . . | 91        | 119      | 88        | 131    | 116    | 103  | 648                   | " 30th April and 24th May.           |
| 8                                | White " . . . . .               | 23        | 106      | 101       | 117    | 105    | 74   | 526                   | " 25th April and 9th May.            |
| 8                                | Brown Leghorns . . . . .        | 18        | 81       | 77        | 104    | 87     | 114  | 481                   | " 17th May.                          |
| 48                               |                                 | 202       | 486      | 500       | 568    | 559    | 604  | 2,919                 |                                      |
| <i>Hens, two years and over.</i> |                                 |           |          |           |        |        |      |                       |                                      |
| 13                               | White Leghorns . . . . .        | 40        | 50       | 32        | 91     | 130    | 160  | 503                   |                                      |
| 7                                | Black Minorcas . . . . .        | 49        | 40       | 47        | 84     | 96     | 120  | 436                   |                                      |
| 10                               | Barred Plymouth Rocks . . . . . | 54        | 63       | 58        | 109    | 114    | 91   | 489                   |                                      |
| 9                                | Coloured Dorkings . . . . .     | 76        | 46       | 65        | 48     | 51     | 26   | 312                   |                                      |
| 8                                | White Plymouth Rocks . . . . .  | 15        | 18       | 45        | 77     | 80     | 89   | 324                   |                                      |
| 47                               |                                 | 234       | 217      | 247       | 409    | 471    | 486  | 2,064                 |                                      |
| <i>Hens, one year old.</i>       |                                 |           |          |           |        |        |      |                       |                                      |
| 11                               | White Leghorns . . . . .        | 83        | 38       | 83        | 106    | 131    | 115  | 556                   |                                      |
| 11                               | Barred Plymouth Rocks . . . . . | 72        | 49       | 72        | 135    | 111    | 83   | 522                   |                                      |
| 22                               |                                 | 155       | 87       | 155       | 241    | 242    | 198  | 1,078                 |                                      |

I have here a table showing the daily record of the eggs laid by the pullets during December, January and February, the months of high prices. I will not read the particulars, but if the chairman and the members of the committee will allow me I will put it in evidence :— *Vide table p. 224.*

DAILY RECORD of eggs laid by the pullets during December, January and February, when eggs were of most value.

|                                | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | Total |    |
|--------------------------------|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|----|
| <b>8 White Leghorns—</b>       |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |
| December.....                  | 2 | 3 | 4 | 3 | 5 | 1 | 1 | 1 | 1 | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 2  | 1  | 2  | 3  | 3  | 4  | 2  | 3  | 3  | 4     | 41 |
| January.....                   | 3 | 4 | 2 | 5 | 1 | 3 | 5 | 2 | 4 | 4  | 2  | 6  | 2  | 3  | 4  | 3  | 2  | 6  | 1  | 3  | 3  | 3  | 3  | 3  | 3  | 3  | 3  | 4  | 4  | 3  | 3  | 106   |    |
| February.....                  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 90    |    |
| <b>8 B. Minorca pullets—</b>   |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |
| December.....                  | 2 | 1 | 1 | 1 | 2 | 1 | 3 | 2 | 1 | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 2  | 3  | 3  | 25 |       |    |
| January.....                   | 2 | 2 | 1 | 3 | 4 | 2 | 4 | 5 | 4 | 5  | 5  | 3  | 5  | 4  | 3  | 4  | 1  | 5  | 4  | 4  | 6  | 3  | 5  | 4  | 4  | 3  | 4  | 3  | 1  | 2  | 1  | 39    |    |
| February.....                  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 102   |    |
| <b>8 Langshan pullets—</b>     |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |
| December.....                  | 1 | 2 | 1 | 3 | 1 | 3 | 1 | 1 | 3 | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 4     |    |
| January.....                   | 1 | 2 | 1 | 3 | 1 | 1 | 3 | 1 | 2 | 1  | 1  | 3  | 2  | 1  | 2  | 2  | 2  | 2  | 1  | 2  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 1  | 2  | 1  | 2  | 1     | 35 |
| February.....                  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 42    |    |
| <b>8 Barred P. R. pullets—</b> |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |
| December.....                  | 4 | 3 | 5 | 4 | 4 | 4 | 3 | 5 | 3 | 5  | 4  | 4  | 3  | 2  | 3  | 4  | 3  | 4  | 3  | 4  | 5  | 3  | 4  | 4  | 4  | 4  | 3  | 5  | 4  | 3  | 4  | 91    |    |
| January.....                   | 3 | 4 | 3 | 3 | 3 | 3 | 2 | 5 | 2 | 3  | 2  | 4  | 2  | 3  | 4  | 4  | 3  | 4  | 3  | 4  | 2  | 1  | 2  | 3  | 3  | 3  | 4  | 5  | 4  | 3  | 4  | 119   |    |
| February.....                  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 88    |    |
| <b>8 White P. R. pullets—</b>  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |
| December.....                  | 1 | 3 | 3 | 2 | 4 | 3 | 2 | 3 | 4 | 5  | 4  | 3  | 4  | 2  | 4  | 2  | 4  | 2  | 4  | 3  | 3  | 3  | 2  | 3  | 3  | 3  | 3  | 3  | 3  | 3  | 3  | 25    |    |
| January.....                   | 6 | 3 | 5 | 4 | 2 | 3 | 6 | 4 | 5 | 4  | 3  | 4  | 3  | 4  | 4  | 2  | 4  | 2  | 4  | 3  | 3  | 3  | 2  | 3  | 3  | 3  | 3  | 4  | 4  | 3  | 4  | 106   |    |
| February.....                  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 101   |    |
| <b>8 Brown Leghorns—</b>       |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |    |
| December.....                  | 1 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 4  | 1  | 2  | 3  | 4  | 1  | 2  | 3  | 3  | 4  | 2  | 2  | 5  | 2  | 3  | 4  | 3  | 3  | 2  | 2  | 2  | 18 |       |    |
| January.....                   | 4 | 2 | 3 | 2 | 1 | 4 | 2 | 4 | 3 | 1  | 5  | 1  | 5  | 1  | 1  | 3  | 2  | 3  | 3  | 2  | 1  | 3  | 5  | 2  | 3  | 4  | 3  | 3  | 3  | 3  | 3  | 81    |    |
| February.....                  |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 77    |    |
| <b>Total</b>                   |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 237   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 25    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 39    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 102   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 166   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 4     |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 85    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 42    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 81    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 91    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 119   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 88    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 298   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 25    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 106   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 101   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 232   |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 18    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 81    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 77    |    |
|                                |   |   |   |   |   |   |   |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 176   |    |

## Agriculture and Colonization.

### PRODUCTION OF EGGS BY DIFFERENT BREEDS, IN A GIVEN PERIOD.

*By the Chairman :*

Q. You might state now the net results.

A. The result of the laying during the three months of the highest prices as follows:—The eight White Leghorns laid 237 eggs; the eight Black Minorcas, 166; the eight Lang-shans, 81 eggs; the eight Barred Plymouth Rocks, 298 eggs; the eight White Plymouth Rocks, 232 eggs; and the eight Brown Leghorns, 176 eggs; a total for the forty-eight pullets of 1,188 eggs. One point I wish to draw attention to is this, that during the period mentioned frequently the eight Leghorns, the eight Barred Plymouth Rocks, and the eight White Plymouth Rocks laid sometimes five and six eggs per day. That is very good laying during the mid-winter season. We contend that fifty per cent of eggs in winter, when the prices are high, is as much as we can count on. But here, by proper food, care and housing we had frequently five eggs a day, on some days six, and on several days seven eggs from eight pullets, which is remarkably good laying.

### GOOD LAYERS.

To turn again to the first table there are certain deductions from these experiments that I think worthy of putting on record, in order that they should go to the farmers throughout the country from the committee. The early hatched Barred Plymouth Rocks laid most eggs when prices were highest, showing the benefit of having the pullets out early. The forty-eight pullets laid during the six months 855 more eggs than forty-seven hens two years old and over, but the eggs laid by the hens were larger than those from the pullets as shown by the eggs I have here with me. (Samples produced).

For example here is the egg of an Andalusian hen and here is the pullet's egg. There is an impression abroad, and that impression is perhaps warranted so long as eggs are not sold by weight, that it does not matter what the size of the eggs are so long as we get them in numbers. But I have always contended that the eggs of the older hens although smaller in number are larger in size and the specimens I have with me show that I am right. There is a considerable difference between these two eggs, as you see. The Andalusian hens are excellent layers.

*By Mr. Featherston :*

Q. Have you weighed a dozen of each of these?

A. I have. Andalusian eggs sometimes give six to the pound and at most times seven to the pound.

Q. Pullets, what do their eggs run?

A. About nine to the pound.

Q. Were the conditions the same as to feed, care and treatment?

A. They were. Here is the egg of the Leghorn hen and the Leghorn pullet. There is a marked difference. The difference perhaps is not quite so marked in the case of the Barred Plymouth Rock hen and pullet. There is this point to remember that the longer a hen lays in winter the smaller the egg is at the end of the season. These eggs were taken yesterday from our hen rack. The egg of the Plymouth Rock hen is not exactly as large as the egg would be at the commencement of the winter laying, say in November or December.

Q. Does the colour of the egg make any difference?

A. There is a preference for the dark egg in some localities, I may say in most localities.

*By Mr. Henderson :*

Q. Is it not a fact that in England the brown egg is preferred?

A. Yes, in the London market. In the Boston market the brown eggs will fetch two cents a dozen more. If you notice there is a great difference in the size of the eggs and when eggs are sold by weight, which I hope will soon be the case, it will be of importance to have large eggs.

*By Mr. Moore :*

Q. Do you think the large egg has as good flavour as the smaller one ?

A. A good deal depends on how the hens are fed. I have heard that there is a difference in flavour and in the quality of the egg, but I have come to the conclusion, from a long experience, that a great deal depends upon the rations upon which the hens are fed.

Q. If they are fed upon the same food you think the flavour will be the same ?

A. I think so, in most cases.

*By Mr. McGregor :*

Q. Do you use artificial heat in the hen house in winter ?

A. We have stoves in our hen houses, and I think stove heat is not beneficial. If the house is well constructed there should be no necessity for artificial heat in the winter time.

To return to our comparison between the laying of old hens and pullets we have another deduction, viz.: eight Barred Plymouth Rock pullets laid 361 eggs more than ten Barred and eight White Plymouth two-year-old hens. From twenty four pullets of the Spanish family, namely eight White Leghorns, eight Black Minorcas and eight Brown Leghorns the production was greater by 508 eggs than from twenty old Leghorn and Minorca hens of the same family during the same period. But the eggs of the hens were much larger. The eggs of the Brown Leghorns were very small. There was very little difference in the number of eggs laid by the yearlings and the two-year-old hens of the White Leghorns and Barred Plymouth Rock.

Seven three-year-old Black Minorca hens laid seventy-five more eggs than eight pullets of the same breed showing that there is some reason for the contention that hens of the Spanish family are good layers for three years at least.

*By an honourable Member :*

Q. What was the number ?

A. Seven three-year-old Black Minorca hens laid seventy-five more eggs than eight pullets of the same breed, during the same time.

Barred Plymouth Rock pullets were the earliest layers, they also showed the quickest development and laid the most eggs. The first pullet to lay was a Barred Plymouth Rock on the 7th November, 1898. This pullet was hatched in April.

#### COST OF FEEDING.

As to the cost of production in food we are trying to make it, in the case of pullets, ten cents a day and the same for the old hens. You may remember that experiments were conducted at your instigation two years ago by me, and it will be within the recollection of this committee that the cost of feeding fifty hens was ten cents per diem, and we tried to bring the ration down to the same price per diem in the case of forty-eight pullets.

*By Mr. Henderson :*

Q. Just at this point you told us last year that you had reduced the amount of food and had obtained better results by the reduction. Were there better results this time ?

A. Yes.

Q. You also expressed the opinion then that you did not think you had yet arrived at the minimum supply of food and the maximum of production in your experiments. Have you anything further to say on that point ?

A. I may say that we are all the time trying to reduce the quantity of food and the cost of the ration. If I can get the food which will give me the same number of eggs at less expense that is what I am trying to find. We have got the ration down to as low cost as we possibly can at the present time, but last year I was charged

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a cent and a quarter per pound for wheat and the year before I was only charged a cent, so that my ration last year was actually cheaper by five cents per diem than the year before, but the increase in the price made it about the same cost.

*By Mr. McMillan :*

Q. I will just say here that I would like to know if you have made any experiments of this sort. Have you weighed the eggs of the different breeds of pullets and old hens so that you can give us information as to the weight of the eggs as well as the number produced and the quantity of food it required to produce them ?

A. I have not done so in this case, but it can easily be done.

### ARTIFICIAL INCUBATION.

*By Mr. McGregor :*

Q. Do you like incubators ?

A. Yes.

Q. Have you tried them ?

A. Yes.

Q. And found them a success ?

A. Yes.

Q. And would you advise farmers to try them ?

A. Yes. With your permission I will show you by reading a letter how farmers are becoming more and more interested in artificial incubation, and how farmers have in many cases bought incubators and used them with great success.

Q. What is about the cost of a fair incubator ?

A. From \$16 to \$25.

Q. How many eggs would they take ?

A. The small incubator which costs \$15 to \$16 in Toronto, will hold sixty eggs. An 100 egg incubator will cost \$18 to \$22. They range from that capacity to 400 eggs, and higher prices.

*By Mr. Featherston :*

Q. Are the chickens from the incubator as strong as from the hens ?

A. Yes, they are.

Q. And do they seem to do as well ?

A. Yes. I have a letter here from a farmer near Montreal who says his incubator chickens are outstripping the other chickens. That is the general opinion of those who have tried both the natural and artificial methods of incubation.

*By Mr. McNeill :*

Q. How are the chickens attended to after leaving the incubator ?

A. We put them in the "foster mother" or "brooder," which is another little house, heated by hot air, where we keep the temperature for the first two or three days at 90 degrees, gradually lowering it to 80 and less as the chickens increase in size.

### CHOICE OF BREEDS FOR PROFIT.

*By Mr. Semple :*

Q. What variety do you consider the best to keep on the farm in order to make a profit ?

A. Without any doubt the Barred Plymouth Rock. The Wyandottes are a good second and when you can get a good laying strain the light Brahmas. Some first crosses from these breeds do remarkably well, but the farmer will make no mistake in making a choice of the Barred Plymouth Rock as a good winter layer and a rapid flesh former. I can speak with no uncertain sound upon that point.

Q. What kind of Wyandottes are the best ?

A. There is no great difference. I prefer the White because they are a little blockier and plumper, and look, perhaps on that account, better for the table when dressed. I am not positive but that they are as good a fowl as the farmers can have.

*By Mr. Bell, Pictou :*

Q. Where do the Andalusians come in ?

A. They are an excellent fowl for egg laying. I have Andalusians that laid eggs in winter, which went six and seven to the pound, but they are nowhere as a market fowl. They are simply an egg producing machine, as are the White Leg-horns and Black Minorcas.

#### WHAT TO FEED AND HOW TO FEED IT.

*By Mr. McGregor :*

Q. Have you anything to say for the general information of the farmers as to the feeding and care of fowl along the usual lines? Have you got any hints to throw out before leaving the subject ?

A. Yes, sir; our experimental work has proved that two rations per day will do much better than three.

*By Mr. McNeill :*

Q. Winter or summer ?

A. Winter or summer, particularly in the former season, when the fowls are artificially housed and fed.

*By Mr. McGregor :*

Q. You go in for mixed foods ?

A. Yes, but to take the place of the noon ration vegetables must be kept before the fowls all the time, as well as grit and oyster shells. These points have been described in my reports at length. We want to use in the morning as much of the farm waste as possible in shape of mash, and that is a matter of some importance to farmers. If you have plenty of vegetables, grit and oyster shells before the hens all the time our experience so far shows that they will do more egg-laying than if fed with grain at noon. It is necessary to their well being that laying stock should eat a quantity of green food. It is also an important factor in winter egg production. Grit and bone are important factors also. The fowls would not likely eat so heartily of green food and grit if they are fed on grain at noon. The afternoon ration should be fed early and thrown into the litter on the floor, so as to induce the hens to scratch for it. It is also a good plan after feeding the morning ration to throw a few hand-fuls of grain into the pens, so as to excite the fowl to scratch for it and so get the necessary exercise. There are three important factors in the winter feeding of fowls, viz.: Meat in some shape or form, green stuff and exercise.

Q. Do you feed the meat raw or cooked ?

A. I prefer to cook it.

Q. Is your mash mixed with warm water ?

A. Yes.

*By Mr. Featherston :*

Q. Have you used green clover for green food ?

A. We use lawn clippings, dried and put away in summer and steamed when we want them in winter. They come out almost as green as new grass, and the hens eat it with avidity. We feed it sometimes at 11 o'clock a.m. In fact we feed as much green food as possible.

Q. Where do you keep your lawn clippings; you get them off the lawn ?

A. Yes. We put them upstairs after thoroughly drying them and store them for winter use.

## Agriculture and Colonization.

*By Mr. Sproule :*

Q. Did you try cutting clover and feeding it to the hens ?

A. Yes, we have tried cutting and mixing it in the mash, and good it is, too.

*By Mr. Featherston :*

Q. Do you use mangels ?

A. Yes, we have mangels before the fowls all the time, and find them one of the cheapest and most wholesome forms of vegetable food. We use all the unmarketable vegetables and grains we can. We try to do nothing but what the farmers can.

*By Mr. McGregor :*

Q. Do you use milk ?

A. Yes, sometimes.

Q. Mixed with the mash ?

A. Yes.

*By Mr. Featherston :*

Q. Is there a possibility of the fowl getting too much to lay well ?

A. Yes. The rations must be carefully fed. You will find one pound of mash to fifteen hens ; or one pound of cut green bone to fifteen hens, and a little grain thrown on the floor immediately afterwards to keep them in exercise a good morning ration. No noon ration ; but have plenty of vegetables, grit and oyster shells before the fowls. With the lawn clippings steamed and an afternoon ration of sound grain the fowls will not get too fat if fed in the proportions I have named.

*By Mr. McMillan :*

Q. Instead of grit could you not use ground granite ?

A. That would do.

*By Mr. Henderson :*

Q. What do you suggest instead of oyster shells where they cannot be obtained ?

A. A good substitute is old mortar or lime in some shape. Clover supplies lime in small quantities, and bone in the shape of beef's head, sheep's heads all broken up are beneficial forms in which lime can be given.

*By Mr. McNeill :*

Q. How much feed do you give to fifteen hens ?

A. One pound of mash, one of cut green bone.

Q. How often is it fed ?

A. Three times a week for the mash, and cut bone in the same proportion other three mornings.

Q. One pound of mash ?

A. Yes.

Q. But you spoke about cut green bone ?

A. Yes, in the proportion of one pound to fifteen hens.

Q. In place of the mash ?

A. Yes.

Q. Do you use any clover ?

A. Yes, sometimes in the mash, but lawn clippings are better.

Q. And you keep vegetables before the fowls all the time ?

A. Yes, and we try to keep them in exercise by scattering a few handfuls of grain in the litter on the floor. Our object is to keep the fowls in exercise from morning till they go to roost. The idea is to make the hens fill their crops gradually and in the natural way. Such treatment and food prevent vicious habits, such as eating the egg and feather picking.

*By Mr. Sproule :*

Q. But where you give mangels or turnips you cannot keep it before them all the time without warmth to keep them from freezing ?

A. If your hen house is properly built, as nearly all poultry breeders build now, the animal warmth of the fowls will give quite enough heat.

*By Mr. McMillan :*

Q. Do you hang cabbage up ?

A. Yes, from two and a half to three feet in the case of heavy birds. With light breeds two and a half feet from the floor.

*By Mr. Bell, Pictou :*

Q. You mean that the lower end of the cabbage is three feet from the floor ?

A. Yes. It is hung up by the stalk. That is one way of exercising the layers and a good one, too. Sometimes we hang up a piece of tough meat, which I am sorry to say, is not very hard to get here.

PERCENTAGE FROM INCUBATION,—FERTILIZATION OF EGGS.

*By Mr. Erb :*

Q. A short time ago you referred to the breeding of chickens in an incubator ?

A. Yes.

Q. You have experimented in that direction ?

A. A little.

Q. And your experiments have been successful ?

A. Yes. Would you allow that to remain over for a few minutes; I have some data of our own experience and from the experience of farmers that I think would be interesting to you.

Q. How many well-developed chickens do you consider to be a successful hatch from 100 eggs ?

A. Sixty per cent; 75 per cent is an excellent result. I think the average results are 55 per cent.

Q. The reason I ask this question is that I read in your report last year that in one experiment you had one chicken, in a second two chickens, and next 25 chickens out of 100 eggs.

A. But that was with one incubator. There have been great improvements made recently in incubators, and they are now run with a degree of certainty that was unknown even last year. We had an incubator last year and it was not a success.

Q. Can you tell me the name of that machine ?

A. It was a Prairie State incubator. Let me explain my method of trying an incubator. I have a man who assists me, a practical farmer, for he has a farm of 200 acres in Cumberland which he worked. I say to him "I am going to hand you over an incubator to operate, I wish you to handle it as a farmer would." I carefully read him the instructions and see that he understands them and how to operate the machine. I see that the instructions are carried out. With the machine we have this year we got out sixty chickens from ninety eggs. It is the Cyphas incubator, which is made by Mr. C. Cyphas, who is a leading authority on artificial incubation.

Q. Did you have the same man use this as the other ?

A. Yes; I should have mentioned that. I simply placed it in his hands and told him to see what he could do with it. I happened to be at the institute meeting in North Hastings for two or three days at the critical period, from the 18th to the 21st day, and he got sixty chickens out of ninety eggs.

*By Mr. Henderson :*

Q. Was that early in the season, before the snow went off ?

A. No, we did not get the incubator till spring. I may say that spring eggs hatched badly all over the country this year.

## Agriculture and Colonization.

Q. Do you think there is anything in the theory that thunder kills the chicks in the eggs?

A. No.

*By Mr. Sproule :*

Q. Would there be anything in your eggs not being properly fertilized?

A. Yes, sir; that is probably the main cause of poor results. The general complaint throughout the country last spring was small hatches, and the probable cause was that the eggs are not properly fertilized, owing perhaps to the late and cold spring.

*By Mr. McGregor :*

Q. What is the best incubator, and how is it heated?

A. I found the Cyphas gave the best results. Hot air is used to heat it with. At this point will you let me read a letter from a gentleman in Sussex, New Brunswick. Among the questions asked me by this gentleman, when addressing a meeting in Sussex, was, which was the best incubator? I recommended him the Cyphas, and this is what he says: "I have hatched out by the Cyphas incubator, a 220 egg machine, 162 chickens. This is the first experience. The chicks are now two weeks old, and what I want to know is how I can guard against disease?"

*By the Chairman :*

Q. What is the date of his letter?

A. June 12th, 1899.

*By Mr. Erb :*

Q. What are the results of your own personal experience in the use of incubators?

A. Well, as I have said we tried our incubators as a farmer would try them. We had a Prairie State last year and the Cyphas this year. The most we could get from the one was 40 per cent, and this year out of the other, the Cyphas, we got 66 per cent, and here is a man (whose letter I have just read you) who, at the first time of trying, gets 162 chickens out of 220 eggs with the Cyphas.

*By Mr. Henderson :*

Q. Why didn't he get more, what was the cause of it, eggs not fertilized?

A. I presume partly from that cause. Perhaps in some cases the germs were weaker than in others. His stock may have been old or may have been over fed. There are a great many conditions which would affect the germs.

*By Dr. Sproule :*

Q. Have you no particular food that you could feed for the purpose of increasing the fertilization?

A. We found the less breeding stock are fed, so as not to prevent egg laying, the better. We keep the male birds by themselves, because we found that when the males are allowed with the hens which are being stimulated to lay in the winter, they (the males) become over fed and are often ruined for breeders. In many cases they die before spring from fatty degeneration of the liver or other result of overfeeding.

*By Mr. McNeill :*

Q. Do you think from your experience that an incubator is a better hatcher than the old hen?

A. We have not enough data to tell decidedly, but, so far as results obtained from the Cyphas incubator show, it is a more comfortable and economical way of

raising chickens than by the old hen. I am shaping so that by next year, if I am alive, I will be able to submit some further information upon this point.

Q. Where is this incubator made?

A. In Wayland, New York State, there are two or three incubators made in Canada which are good. Mr. Baldwin, of Toronto, hatched out 100 chickens from 100 eggs by incubator.

Q. What incubator did he use?

A. It is a Toronto incubator, made in Toronto. Mr. Yule, of Aurora, Ont., hatched ninety-six chickens out of 100 eggs with the same machine. The Safety incubator made by Mr. J. E. Meyer, of Kossuth, is another good machine.

*By Mr. McGregor :*

Q. Is there any way of testing by examination the fertile eggs?

A. Yes. An egg tester comes with each machine with instructions how to use it. About the sixth day the eggs are tested and all the clear ones removed, leaving only those that show any cloudiness or appearance of development, on the eleventh day they are tested again when the condition of development is more pronounced and it is easier to detect the good or bad eggs.

*By Mr. Semple :*

Q. How long does it take to hatch them in the incubator?

A. The new laid eggs will hatch in an incubator on the night of the twentieth day. The same as under a hen.

*By Mr. McMillan :*

Q. Are not the eggs from hens which have their liberty running around the farm better for hatching than those from chickens that are kept penned up?

A. Undoubtedly. The eggs from hens running at large are certainly more apt to be fertile than those from hens which are confined to limited quarters or that lay well in winter and lead an artificial life, and very certain to be so, where there is no exercise.

*By Mr. Henderson :*

Q. You think that is the reason why the late eggs are more likely to prove fertile than the winter eggs?

A. I do. We have been endeavouring and I may say have been successful in our efforts to get our hens to lay in the winter time. We have got 568 eggs in November and 1,500 in December, when the prices were from twenty-five to thirty-five cents a dozen. We tried to get our eggs then because they are higher in price. But we had to have our laying stock in proper condition.

*By Mr. Moore :*

Q. You cannot tell whether an egg is fertilized or not until you examine it?

A. No, only when it has been under the hen or in the incubator six or seven days. Some experts can tell at the end of the fourth day.

#### THE FATTENING OF CHICKENS.

During the months of October and November of last year an interesting experiment was conducted in the poultry department of the Experimental Farm in the fattening of thirty-six chickens composed of the following breeds, viz. :—

Eight barn-yard chickens which were purchased from a neighbouring farmer at forty cents per pair. Their average weight was three pounds each, and they were perhaps a little better than the ordinary scrub so often found on the market.

## Agriculture and Colonization.

Four cockerels of the Light Brahma Buff Cochin, first cross bought from a farmer at fifty cents each. They were fine large birds weighing respectively six pounds thirteen ounces, six pounds nine and a half ounces, five pounds ten ounces and six pounds three ounces. They were probably hatched about the same time as the first named group but were nearly double their weight, going to show that the nearer the large thoroughbred flesh forming types the crosses are, the better the birds.

The remaining fowls consisted of Barred and White Plymouth Rocks, Light Brahmas, Silver Laced and White Wyandottes and four White Indian Game White Java crosses. The birds were from our poultry department and were fine specimens some of the Plymouth Rocks and Light Brahmas weighing six and six and a half pounds each.

The chickens which were divided into nine groups of four each were placed in suitable fattening pens with narrow trough in front in an upper compartment of the main poultry building. They were fed morning, noon and afternoon with regularity on rations composed of:

Two parts finely ground oat meal.

One part finely ground barley meal.

One part ordinary ground corn meal.

After the fifteenth day beef suet, in proportion of one ounce to the group, was added to the ration.

The whole was mixed with sweet milk made hot. Of these rations the birds were fed all they could eat. No forcing machines were used.

Full particulars of the experiment are given in my report recently placed in your hands, and which I trust will be found equally interesting and instructive. I need not repeat all the details but the following will show the weights of certain chickens before and after fattening.

Group two was composed of four barn-yard chickens which went into the fattening pen on 31st of October weighing 14 pounds 5 ounces, and at the end of five weeks weighed 20 pounds 8½ ounces, showing a gain in that period, 6 pounds 3½ ounces.

Group No. 8 was composed of four Barred Plymouth Rock chickens weighing 23 pounds 12 ounces, when they went into the pen. At the end of five weeks they weighed 30 pounds 4 ounces, making a gain in that period of 6 pounds 8 ounces.

The barn-yard chickens were apparently of the same age as the Plymouth Rocks (May chickens). The barn-yard chickens consumed during the five weeks food to the amount of 36 pounds and ¾ of an ounce, and the Plymouth Rocks consumed during the same period 37 pounds 1½ ounces, showing that the Plymouth Rocks consumed one pound and three-quarters of an ounce more food.

Valuing all the grain food at one cent per pound the average cost of one pound of flesh increase in both cases was seven cents. The above shows that the Barred Plymouth Rocks both before and after the fattening were much the heavier fowl.

Four White Plymouth Rocks weighed at the end of five weeks thirty pounds and a half an ounce.

Most satisfactory results were obtained from the four chickens of the Light Brahma Buff Cochin cross. They weighed on going into the fattening pen 25 pounds 3½ ounces, and after five weeks they weighed 33 pounds 6½ ounces, being a total gain of eight pounds three ounces, and the consumption of food during that period was 39 pounds 7¼ ounces. I estimate the cost of production per pound in that case at about six cents.

In connection with the foregoing there are certain points which make themselves evident, and which are important enough to warrant my bringing them to your notice and to let it go out to the country.

1. In poultry fattening it is very much a question of breeds.

2. If the rapid flesh forming breeds such as the Plymouth Rock, Wyandottes, Brahmas and Cochins are kept by the farmers of the country and are properly cared for and properly fed for three or four weeks previous to being killed, no "forcing" or "cramming" process by machine will be necessary to produce the superior quality and quantity of flesh desired for export to English markets or for home consumption.

3. That the ordinary barn-yard chicken does not make as satisfactory a market fowl as the Barred Plymouth Rock or other thoroughbreds. For instance we find a barn-yard fowl No. 8 in our experiment weighing four pounds six ounces while Nos. 25 and 26 Barred Plymouth Rocks of same age and with same treatment weighed nine pounds and seven pounds respectively. The Barred Plymouth Rocks showing more than double the weight of the scrub. A very important difference.

*By Mr. McMillan :*

Q. Were the birds put away from the other chickens?

A. Each bird was in a small pen by itself, isolated entirely.

4. The aim should be to choose such foods and adopt such treatment that flesh will be made rather than fat. Experience has shown that birds penned up in limited quarters and fed all they can eat without opportunity to exercise are inclined to put on fat rather than flesh.

It is quite possible that in the case of scrubs or ordinary barn-yard non-descripts, to be found in such numbers on the markets, that the "forcing machine" or "crammer" may be used to good effect, but our advice to the farmer is to abandon the scrubs, which experience has shown to be neither good egg producers nor heavy weight market fowls, and to take to those thoroughbreds which are good winter layers and rapid flesh formers. Our farmers want fowls that are good winter layers and heavy flesh makers and they can have them in the Barred Plymouth Rock, Wyandotte and Light Brahma. It is genuine matter for congratulation that our instruction and advice are being widely acted upon, as the letters I have read go to prove. It has been my aim, since coming to my present position, by both pen and voice to bring the fact prominently before the farmers of the country that it costs no more to produce the good winter egg laying, thoroughbred hens or rapid flesh making thoroughbred cockerels than it does to rear the non-descript, which is in most cases a poor layer and equally unsatisfactory as a market chicken.

5. Our experimental work proves my contention to be correct. The fact stands prominently before the farmers of the country that if we are to capture the British market with a superior quality of poultry, and we can undoubtedly do so, it must be done with thoroughbreds and not scrubs.

While on this subject of flesh *versus* fat, I beg to read part of my evidence before your committee in 1896 on the subject of proper feeding of poultry by the farmer, which will show you that the feeding of poultry so as to obtain flesh rather than fat is one that I have been studying and agitating for many years past. The extract reads:—"It may not matter so much to the man who is selling what he has his weight in, but it is a matter of some moment to the purchaser whether he gets his weight in flesh or fat. Fat would be so much waste. It is important to ascertain, if possible, which are flesh rather than fat producing rations."

In connection with this subject I may say that I had a long conversation with a gentleman Prof. Robertson sent to me, Mr. Crane, an English expert in the rearing, killing and dressing of poultry for the London market. He said that the fowls fattened by cramming machines were not so much sought for in London as formerly, that the birds now most asked for are hand-fed Surrey fowls of large proportions and carrying as much flesh as possible. The following extract from an article on "Specially Fattened Poultry" by Mr. A. F. Hunter, a practical poultry breeder on a large scale and the editor of *Farm-Poultry* of Boston, one of the leading poultry journals in America, will be interesting at this point. I may say that Mr. Hunter spent many months in England, France and Belgium the year before last studying the fattening of poultry in the different countries named. Mr. Hunter says:—

"For our American markets we are of the opinion that the half-fatted fowl is the best, for the reason the bird that has been finished off by the cramming process is very rich, the flesh being quite equal to that of the capon; indeed it is too rich for most palates, and would only be used where a small slice of fatted fowl (or capon) was served as one course of an eight or ten course dinner. If the ordinary family sat down to roast-fatted fowl, that fowl being the principal dish, as is the joint of beef



little forcing, if any, is necessary in the case of thoroughbred Plymouth Rocks, Wyandottes, &c., and it is for experiment yet to decide whether the gain, if not in all, at any rate in many cases is not in fat rather than in flesh.

I should like to say something before I close on artificial incubation, but as that subject has been gone into pretty thoroughly, perhaps, it is only necessary for me to say a very few words.

*By Mr. Henderson :*

Q. Before you leave this branch I do not think you took in my question regarding the experiment in feeding. You said last year you had reduced the ration one-third and that then you had reached the minimum ration or the maximum egg product. I desire to know with regard to eggs whether you have further reduced the ration and increased the product?

A. We have not reduced the ration to any appreciable extent.

*By Mr. McGregor :*

Q. Do you let the chickens out daily?

A. Yes, the chickens are penned up with the mother hen and allowed to run.

Q. I mean your laying hens in fall and winter. Do they run out?

A. Yes, they run out. After we break up the breeding hens we put the male birds in a separate building and let all the hens run in the fields and in rear of poultry buildings.

*By Mr. Rogers :*

Q. The increase in weight was seven or eight pounds?

A. Yes.

Q. What is the average price received for the fowl?

A. That would depend on where the fowl was sold. A good pair of fowls, of the description I have read, sold in the market here for \$1 a pair.

*By Mr. McGregor :*

Q. The great advantage would be that you improve what you have?

A. Yes. A chicken that is thin is worth only five or six cents a pound, whereas a fat chicken is worth ten cents a pound. The fattening experiment was conducted with a view of gaining a superior quality of flesh to send to the English market of high prices.

Q. Is the cost per pound based on the increased weight you gained while feeding?

A. Yes, on the increased weight. The gain seems to be much the same in all breeds, perhaps it may vary a little in some cases.

*By Mr. McMillan :*

Q. What is your experience with regard to the crossing of thoroughbreds: do you think it is an advantage?

A. I think so in certain cases, but there should be some method in crossing. You should cross a breed with large breast development with a breed that is lacking in that respect. The same with other points. There should be a method in order to obtain satisfactory results.

Q. Can you tell me if a farmer has limited accommodation for one or two kinds of fowls only, is it better to keep a fowl like the Plymouth Rock, which is a fairly good layer and flesh former, or would it be better to keep another line for egg laying?

A. I think that the best plan for our farmers to pursue would be to keep a breed which will make good winter layers for the winter market, particularly if he is near to a city, and a breed which is also a good flesh maker for the market. The best kinds for the purpose are the Plymouth Rock, the Brahma, or the Wyandotte.

## Agriculture and Colonization.

Q. Which of these do you recommend for egg producing—the Leghorns or the Minorcas?

A. I would prefer the White Leghorns, in any case, as layers. They are not only our best layers, but lay the largest egg.

*By Mr. Sproule :*

Q. How are the Black Spanish for layers?

A. They are very good, but I think the White Leghorn is better.

Q. I thought the Black Spanish laid a larger egg than the Leghorn?

A. The difference is very slight. And now, gentlemen, I would like to close, but before doing so—

The CHAIRMAN.—Do not hurry.

Mr. MCGREGOR.—I do not think there is any department of the farm more important than that of poultry.

*By Mr. Henderson :*

Q. Would you give me the best suggestion you can to prevent the hens from eating their eggs? They are sometimes addicted to it?

A. I have successfully cured our hens of eating their eggs by supplying them with the food, the lack of which we thought was the cause of the vicious habit. We found that idleness, lack of exercise in winter, lack of animal food in some shape, of green food, the non-supply of all the little essentials so necessary to the successful producing of eggs in winter, were the prime causes.

Q. Keep them in good health?

A. Imitate the natural conditions as much as possible. The hen when outside supplies herself with all that goes to make the egg and the shell, with grit to grind up her food and what is required to keep herself in good health. In other words, I try to imitate in the artificial treatment of the hen the natural conditions, and the nearer I come to it the greater is our success.

*By Mr. Rogers :*

Q. The only way—one way to cure them from eating their egg is to?

A. Cut her head off? That is the most effective. Another method is to cut the lower mandible. But there are nests made now by which it is possible to detect the egg eater.

Q. Knitted nests?

A. Some may be, but I mean a nest in which the hen goes in to lay and she is kept there till released.

*By Mr. McNeill :*

Q. So that if she eats her egg you will find it out?

A. Yes. There is also a nest made in which the egg after being laid disappears, so that the hen cannot eat it, but they have never been very effective. In some cases the hens have avoided them and laid on the floor.

Q. Do I understand you to say that they cut off part of the lower mandible?

A. Yes. So that they cannot close the beak.

Q. Won't that prevent them eating grain?

A. No, it does not.

Q. Would not that interfere with the feeding?

A. No, you would not cut it to such an extent. As a rule egg eaters first peck at the egg. An evident object is to get hard shells which will make as much resistance as possible. I do not think it matters whether the upper or lower mandible is cut.

## BROODING HOUSES WITH ARTIFICIAL INCUBATION,—MARKET PRICES.

Permit me now for a moment or two to call your attention to the subject of the artificial hatching and rearing of chickens by incubator, and brooder, or in brooding houses, and which is becoming so much in vogue, as some of the letters I read at first go to show. To the specialist incubators and brooding houses are indispensable. The farmer may be slowly, but he is surely realizing the necessity of having his chickens out as early as possible, and at the same time. The chief complaint of the farmer is that he cannot get early pullets, so as to have early layers, because his hens do not sit early. No doubt the principal cause is due to his hens not laying in winter, but with an incubator and fertile eggs—which he certainly ought to have in March or April—he should be able to bring out all the chickens he will require in one or two batches. Incubators are now made to operate simply with no trouble and almost with a certainty. The following letters will prove my statement. Mr. Kinnear, of Sussex, N.B., whom I quoted before, says in a letter: “Would you be kind enough to tell me at what age chicks are subject to the disease called gapes and the remedy therefor. I have hatched out of a Cyphas incubator (220 egg machine) 162 chickens, now two weeks old, and I want to know what to guard against in the way of disease.” I have been told by Mr. Evans, of Kingsey, Que., that he hatched 55 of 120 eggs by incubator. His first time, which is very good. Mr. Allan, of Carleton Place, hatched out 50 or 60 chicks out of the same number of eggs. It was also his first attempt, and that also was very satisfactory. It must be understood that incubators are now much improved and are much better than ever they were before. They have been for some time beyond the experimental stage. There are concerns in the United States in which there are tens of thousands of dollars invested, and these joint stock companies depend upon incubators for their dividends. In some cases they have 20, 25, 30 and even 40 200 to 400 egg incubators at work. They trust entirely to these machines and to their brooder house to hatch and rear their chickens, and so make their money.

You can readily imagine that they have not gone into these enterprises for fun, but with the prosaic aim to make money, unless they make money they will drop the business. A large enterprise was started lately in Toronto, viz.:—The Toronto Poultry and Market Garden Produce Company. I had the pleasure of visiting the farm in the latter end of April. They had started operations in poultry raising only during February, and when I was there they had hatched altogether by incubators, 900 chickens and expected four or five hundred more very soon. They had incubators hatching out every day. In such a case, or where a number of incubators are hatching out daily it does not matter whether one incubator gives forty or fifty per cent. They get a large number in the aggregate of chickens every day. The man experimenting with one incubator, if he does not meet with success, hears a good deal about it. But if he has thirty or forty at work, it does not matter if two or three do not produce good results. But it makes it all the more important to a man who has but one machine, that he should have a reliable one. And that is the object with which we are conducting our experimental work now, to find out the most reliable.

*By the Chairman:*

Q. Where does this Toronto firm get their eggs?

A. They have their own hens on their premises. They intend to put up this year 360 foot poultry houses.

*By Mr. Featherston:*

Q. Is that the firm just east of the Don?

A. Yes, sir.

Q. That is the firm that does the duck fattening?

A. No, that is another. That is Thompson's duck fattening establishment. The establishment I mean is the Toronto Poultry and Garden Produce Company.

## Agriculture and Colonization.

It is a new firm with a large poultry plant. There are two or three other plants now going up. Success is just a matter of skill and management. The Toronto poultry establishment is in charge of an expert, Mr. J. M. Wilson, and he undoubtedly will make a success of it.

Q. I have seen the ducks fattened by Mr. Thompson and it is surprising to see them. Their feathers lie so smoothly. They looked fat and heavy and inviting when I saw them?

A. They are all hatched by incubators.

Q. Do they castrate their drakes?

A. I cannot say. That is something like caponizing chickens. Capons are rather too expensive and I do not think with our heavy breeds that they are necessary. I am told that Thompson's ducks cannot be supplied in sufficient quantities to supply the local demand.

Q. Parkes Bros. sold them for one dollar a pair?

A. In Boston they sell for thirty-five and forty cents a pound in season. In a conversation I had with Mr. Hunter, he showed the possibility of making money in poultry by producing broilers, if one is expert in making the product. He said: "You are content with a dollar and a half or two dollars profit per annum per hen. I want four and five dollars per hen profit, and do you know how I calculate to get it? You get a dozen eggs in January and sell them for thirty or thirty-five cents a dozen. I hatch out the dozen eggs in my incubator, and say I only get six chickens, which I sell at a dollar and a half a pair, less the cost of rearing the chickens; you get thirty cents."

Q. But that is in big cities?

A. That is in big cities, but just now Canadian poultry is in just as great demand as the ducks we have been talking about. Despite the intervening duty, I have been told that both eggs and ducks have been sent to the Boston and New York markets and with profit to the producer. We aim to produce the superior quality for the high price market, I do not care where.

*By the Chairman :*

Q. Have you visited any of the successful American institutions of that kind recently?

A. No, but I have met some of the successful operators and they have just told me what I have been telling you; that their incubators are certainly far beyond the experimental stage, and their results satisfactory.

You heard Mr. Robertson tell you recently that some man in England was making \$5,000 a year by fattening chickens. The men in the United States are making equally good sums by putting on the market early broilers worth a dollar and a dollar and a half per pair. I went to Montreal some time ago to inquire into the requirements of the trade and the dealers told me they had no poultry of the quality their customers wanted and that they would willingly pay a dollar to a dollar and a half a pair for early broilers. The manager of Brown Bros. told me that, and for a good quality of poultry later, ten cents per pound.

*By Mr. McNeill :*

Q. What would that mean, what month?

A. Chickens hatched in January and properly cared for and reared so as to reach the market two months and a half old would fetch a dollar and a half per pair. Early broilers one dollar and a half, later on a dollar per pair and the price keeps decreasing until the hen hatched chickens come into the market.

*By Mr. Featherston :*

Q. Is that Brown Bros. of St. Catherine street, Montreal?

A. Yes. There is also Mr. Harry Gatehouse and Mr. Lamb of Lamb's market. The latter said he would give me nine and a half cents a pound for two or three

tons of poultry if I could get it at that time for him, early summer. The point I wish to bring out is that by artificial incubation you can get the early chickens which bring a high price. I do not mean to say that the farmers should take to artificial incubation at once although like Mr. McBean whose letter I read, some are doing. I would have them raise by ordinary methods a superior quality of poultry. When I go among the farmers, I find that a great difficulty with them is to get early pullets, so as to have early layers when the old stock are moulting and eggs are worth twenty-five cents a dozen. I wish I had a letter here from Mr. Collingwood, the managing editor of *The Rural New Yorker*, to read to you. It would show the interest taken in having early layers. Mr. Collingwood wanted to know how we managed in our department. Farmers must realize that in order to have satisfactory returns they must adopt business like methods. They must have their hens lay in winter and have early and a superior class of chickens for market. A market gardener offers no excuse for not putting his product on the market at an early date. His aim is to get his green stuff on the market early by means of hot beds. The farmer may use his incubator with the same object in view. The American poultry firms place their products on the early market and receive the highest compensation.

*By Mr. Rogers :*

Q. Will not cold storage warehouses equalize prices?

A. They have not done so yet. It was feared that they would do so, but so far the winter price of new laid eggs has not been affected in Montreal.

*By Mr. Featherston :*

Q. Nor the early chicken trade, I think?

A. Nor the early chicken trade either. The early chicks are the product of skill and energy. Many try and few get there. As affairs are at present the farmer does not seem to try to get even a superior quality of hen hatched chickens, and he will not do so until he keeps the breeds which make the large and superior birds. As I have already said if he will only take to the Plymouth Rocks or Wyandotte, rather than the scrub he would have, at the end of four months, chicks weighing eight pounds per pair. Such chickens as would find ready sale in England at high figures and paying prices on the home market. But it is evident that the farmers must first produce the quality before they can expect to get good prices. As showing the good results of a farmers' institute meeting, I may say that a farmer who rears superior chickens, not far from Ottawa, told me they had never heard of Plymouth Rocks until I went to their institute meeting four or five years ago. I laid the matter before meetings of the institute in North Lanark. In fact I talked it up repeatedly and the result was that Prof. Robertson obtained from near Carleton Place the chickens which were put upon the English market so successfully, not long ago.

*By Mr. McNeill :*

Q. At home we killed a pair of chickens of a cross between a Game and Plymouth Rock. A large Game cock was crossed upon a Plymouth Rock hen, and at the age of three months they went eight pounds to the pair.

A. Mr. W. C. Caldwell informed me, when I was in Lanark, that his son had got nearly the very same results from a Plymouth Rock and Brahma cross. When I was at the farmers' convention at Fredericton, N.B., the year before last, I happened to mention some of the chicken weights, when a farmer got up and said, "I can discount that, I can get eight and three-quarter pounds on a pair of chickens in three months." I said, "you have thoroughbreds," "I have," he said, "a cross of Buff Cochin and Brahma." I have made it a point, whenever before this committee or at farmers' institute, to underestimate rather than overestimate in my statements. I have been now for nearly twelve years giving instructions to the farmers, and I have not yet had to retreat one jot from the stand I first took in regard to breeds best for the farmers. Recently Mr. David Moir, president of the North Lanark

## Agriculture and Colonization.

Farmers' Association, said to me: "What we like about your position is this, that you have never had to take back one statement in regard to poultry matters. What you have said to us in the past years' experiments, in your own and the hands of other people, have demonstrated to be correct. You have always recommended to us what recent shipments have proved to be the best fowls for home consumption or shipment to the foreign market, or winter layers." To-day I repeat the statements to you.

*By Mr. Sproule :*

Q. It would be no use telling fish stories in such cases?

A. No, not to farmers.

*By Mr. Henderson :*

Q. Is it possible you are so wedded to these special breeds that you cannot make up your mind that anything could be better?

A. You know what the school boy said, "experiadented" does it, and so it does. I got my experience many years ago as an amateur. At that time we were putting chickens upon the market here when few people had them. We were also having eggs in winter when they were almost an unknown quantity, and the prices very high.

*By Mr. Featherston :*

Q. Have you heard anything about the firm of King & Co. who killed so many turkeys last year and shipped them, many thousands of them?

A. Yes. The firm seems to have done well. I was at Lindsay a year ago last December, and I was told it was simply impossible to get the number of turkeys required by the local firm for shipment. When the proposed fattening stations are established and the requirements of the English market thoroughly understood by our farmers, there will no doubt be a great demand for the breeds which make the large and fleshy birds. When I went among the farmers at first, I think they looked upon me as a sort of Baron Munchausen when I told them about the winter prices of thirty, thirty-five and forty cents per dozen for eggs. I said, "if you do not believe me, try the Montreal market which you can reach." In many cases I got farmers to go to that market, as McBean's and Laidlaw's letters show. The result is they have new-laid eggs (in winter) in Montreal in abundance. Our farmers, by producing the superior quality of poultry, which they can readily do by keeping such birds as I have recommended, can and will capture the British market. I beg to read some figures which will show what prices are paid in London, Eng. I read from the report of an English expert "that no chickens should be sent to the London market over six months old and under three and a half pounds live weight." He thinks that chickens of good table sorts ought to weigh six pounds in five or six months. I have shown how easily you can attain these weights with our thorough-breds and certain crosses. The high figures paid are shown by the monthly quotations of wholesale prices for chickens as given by Messrs. Brook Bros., Leadenhall Market, London, England, 1896:—

|                | s. d. | s. d.  |       |
|----------------|-------|--------|-------|
| January.....   | 3 0   | to 4 0 | each. |
| February.....  | 3 0   | " 4 0  | "     |
| March.....     | 3 3   | " 4 6  | "     |
| April.....     | 4 3   | " 5 0  | "     |
| May.....       | 4 0   | " 5 0  | "     |
| June.....      | 3 8   | " 4 3  | "     |
| July.....      | 3 0   | " 3 6  | "     |
| August.....    | 2 3   | " 3 0  | "     |
| September..... | 2 6   | " 3 0  | "     |
| October.....   | 2 6   | " 3 0  | "     |
| November.....  | 2 6   | " 3 0  | "     |
| December.....  | 2 9   | " 3 3  | "     |

It will be seen from this schedule that you get good prices until June, but from that month until December the prices are down. Now what does four or five shillings paid in the London market for chickens mean? It simply means a price that our farmers do not dream of. Here is a market within their easy reach. It is for our farmers to produce the superior quality which that market demands. The question arises, is the genius of the people equal to their opportunities? and I say that certainly it is. The response made to Professor Robertson's demand for the production of a superior quality of poultry and which came from North Lanark is the answer.

*By Mr. Erb :*

Q. What reason induced you to purchase a Prairie State incubator in preference to the other?

A. Because it was the best machine on the market then.

Q. It was only two years ago, your experience with it was not satisfactory in one year's trial and yet in one year's experience you claim that the Cyphas is superior to the other. The reputation which the Prairie State has obtained throughout the country leads one to believe that they give satisfactory results, to the parties who use them?

A. Undoubtedly they do. I do not mean to belittle them. My machine might have been a poor one.

Q. It may be in the attendance?

A. No machine should require to be nursed. The machine was used in the same way as a farmer would use it. Let me again explain that when we get a machine I put it in a room at end of the main poultry building. I call my man and read the instructions to him, and tell him to take it and run it accordingly to those instructions the same as any farmer would do. My man is as intelligent as the average farmer, and if he can't run it with the instructions accompanying the machine, how can a farmer run it?

Q. But, if other people find it a success?

A. Well, will you allow me now——

*By Mr. Henderson :*

Q. I think I see the difference between you. This gentleman may be taking the results from eggs laid, say in the month of May, or, June when the probability is that nearly every egg is fertilized, while the other may be giving the results of experiments with early eggs which were not fertilized?

A. That is very true, and to a certain extent to the point, but I am inclined to agree with what the honourable member says, although he is apparently making a point against myself when I say so. I hope he does not think, I wish for one moment to decry the Prairie State incubator. There may be some fault in the machine. I am simply giving the results as I found them. One locomotive is often a better running machine than another, although both are made alike, and made by the same firm. I am going to try and get the machine changed, and get one of the same size as the Cyphas machine I have.

Perhaps the following letter I received from the member from St. Anne's division of Montreal will show that I am perfectly impartial. I may explain that Mr. Quinn came to me and said he had ordered an incubator and asked to get the eggs. He told me it was a Prairie State. I suggested for the first attempt cross-bred eggs and he requested me to get them for him. I did so, and sent them to him by express. He writes: "My hatch is over, and has been a great success for me at any rate. Here is the result. Total number of eggs 100, first examination gave me an approximate of undoubtedly fertile of about 60, doubtful 35, not fertile 5. Actual results, not fertile 10, died during incubation 10, healthy chicks 69, diseased chicks 11. You will see by this that I have every reason to congratulate myself. The 69 are absolutely without blemish. The 11 may gain strength, but I doubt it."

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You see that is a great deal better than I did with the same make of incubator, the Prairie State.

*By Mr. Erb :*

Q. Then I do not think the statement you made that there is a great improvement since you got your machine is a fact.

A. The question really is one of pattern. Mr. Quinn may have improvements we had not. I presume the company would be perfectly willing to change the machine I have. But meanwhile I have to go by what results I have got.

Q. You are just giving the result of your own experience ?

A. Certainly. There is a difference between the machines and it may have to do with the different results. The Cyphas does away with the vexed question of moisture. The Cyphas instructions are different from most of previous ones. For guidance Cyphas says in so many simple words, "Fill the machine with eggs. Set the regulator at 102½. Turn the eggs twice per day and leave the machine alone." The other says you must closely and frequently examine the air space in the shell in order to determine whether moisture is required or not. The difference is at once evident. In one case (the Cyphas) you have no anxiety. In the other undoubted trouble and possible error. It is not said how much moisture to supply but you are to find out what is required from the condition of a space in the egg which to judge correctly requires (it is admitted) a certain amount of expert knowledge. The Cyphas does away with all that. If one machine is more simple to operate than another that is what I am trying to find out and give to the farmers of the country. I do not wish the honourable member to think for one moment that I came here for the purpose of decrying the Prairie State machine. I think the honourable member means that perhaps we were not as careful in attending to the Prairie State as the other, but I can assure him it is not the case. We give just as much care to the one as we did to the other.

Q. I have no interest in any machine.

A. I know that, nor have I.

Q. What I was pointing out is that it is a wrong principle to form a conclusion on the experience of one man and one machine, and to base a statement on these two single experiments and say one machine is superior to the other. There may have been other people that have had as good success with the Prairie State as with the other.

A. I have just read Mr. Quinn's letter to show you how successful he has been with his Prairie State. You could surely not wish for a better testimonial. You said that you read in my report that I had made three trials of the Prairie State. Surely that is enough to warrant me in coming to a conclusion.

Q. Possibly the very next attempt with this new machine might be a failure.

A. Yes, but I am justified meanwhile in coming to a conclusion when my first attempt with one machine gave me 60 per cent and after three attempts I cannot get more than 40 with the other.

*By Mr. Hurley :*

Q. I live near Mr. Jarvis, poultry manager at Guelph. He has had a great deal of experience with incubators made in the United States and Canada. Some of them show better results than others. A good many farmers in our district have dropped having private incubators. The way they do now is to take the eggs to a neighbour and have them hatched out on shares. I have seen it done this spring. There is a man near us who has been quite successful in hatching out on shares; the farmers take the eggs to him in a basket, and they bring the chickens back when they are hatched out. I think it would be a good thing for farmers to appoint one of themselves, one who has time to do it ?

A. They are doing the same co-operative work in creameries. It brings us back to the point brought out by Mr. Henderson, that much depends on the fertility

of the eggs. To get fertile eggs in early spring from hens which had laid well in winter requires skill, feeding and management. It will be interesting to get data from experiment in this line.

*By Mr. McNeill:*

Q. Mr. Darwin points out in his Origin of Species that the confining of the animal has a great deal to do with want of fertility?

A. Yes, undoubtedly it has.

*By Mr. Wilson:*

Q. The first eggs are more fertile than when the hens have been laying for some time?

A. Not exactly that. I said that when the hens are stimulated to lay during the period of high prices, their eggs are not as likely to be fertile as the eggs of hens which begin to lay in January, and which have not laid before.

*By Mr. Moore:*

Q. Mr. Gilbert's experiment in the economical raising of chickens is more successful than the farmer in our country who bought a blooded sow. The first time she pigged she had two pigs, the second time one, and the third time she pigged she had no pigs at all.

A. That gentleman evidently had not gone the whole hog as I had. The subject of winter laying and early fertile eggs is an important one, and is receiving much attention. It is altogether a matter of skill in selection, feeding and management. It is only a matter of time when the farmers will have to take up the consideration of the matter, as well as that of artificial hatching and rearing of chickens for early layers and early market.

Having read over the foregoing transcript of my evidence, I find it correct.

A. G. GILBERT,  
*Manager Poultry Branch, Central Experimental Farm.*

## SOIL CULTURE.--FATTENING STEERS AND HOGS

COMMITTEE ROOM 46,  
HOUSE OF COMMONS, 28th June, 1899.

The Select Standing Committee on Agriculture and Colonization met this day at 10.45 a.m., Mr. Bain, chairman, presiding.

THE CHAIRMAN,—We have present with us to-day, by request, Mr. J. H. Gridale, the recently appointed Agriculturist at the Central Farm, who received his agricultural training at the Ontario Agricultural College at Guelph, where he took first honours in each department and was gold medalist of his year; subsequently he won the degree of Bachelor of Agriculture at Ames College, Iowa, and was the successful candidate in the intercollegiate stock judging contest held at Omaha, Nebraska, in 1898, over sixteen other contestants from a number of colleges, and is also a French scholar.

MR. CHAIRMAN, and MEMBERS of the COMMITTEE on AGRICULTURE: GENTLEMEN,—It affords me much pleasure to have the honour of appearing before you in the capacity of agriculturist at the Central Experimental Farm. I regret that I shall not, I fear, be able to submit much evidence of work performed or to give you much information gathered from my work at the Central Experimental Farm. This is due, I think I may claim, to no lack of work incepted, but rather to the short time which has elapsed since my appointment to the position I now occupy, as I did not enter upon my present duties till February 1st, 1899. Should I appear to be somewhat ambiguous in anything I may lay before you, or should any member of the committee wish a fuller discussion of any point. I shall consider it a pleasure to be questioned. I have thought that it might be advisable in the first place, as my duties are somewhat different from those of the previous agriculturist, to give you a brief outline of the work under my charge.

Part of the Central Experimental Farm has been taken up with buildings, orchards, lawns, etc. The remainder, some 200 acres, omitting some rough land which is not arable, has been set apart as a farm proper and this is under my supervision. The cattle, sheep, swine and the dairy also come in my department, and the experimental work in feeding and breeding live stock. At present we have but a very limited number of pure bred cattle, so with your permission I shall not discuss them. Sheep have not, up to the present, been kept upon the farm, but we purpose introducing them and in fact have begun to purchase some pure bred animals. As nothing of an experimental nature has been done in this line save to build a dog-proof fence, it may as well, I presume, lie over for discussion at some future date. We have some fairly good pure bred swine and some experimental work in breeding is being conducted, but it is too early to report upon this either, so I shall have to ask you to permit it also to wait for a later date.

Having given you some idea of the work under my supervision I should like now for a few minutes to describe somewhat at length the method of cultivation and the system of rotation we have introduced at the Central Experimental Farm. As I stated earlier, the farm proper consists of some 200 acres and about 30 acres of rough land. The arable land has been divided into five lots of 40 acres each, which we describe as lots 1, 2, 3, 4 and 5. It has been divided in this way for the sake of convenience and the lots, though not coming together, are as nearly as possible in one piece. They are broken up somewhat owing to other experimental work which has been introduced and the blocks, owing to the roads, are not all of a size, so we cannot have each lot in one block as we should prefer.

Lot 1 is sown with (a) pure pease (b) oats and pease mixed together which will be used as green feed, the grain and straw of course as feed also but more especially for bedding; (c) part in oats seeded with clover. We have also tried the sowing of clover with the pease and oats. It seems to be succeeding very well at present and promises to be of considerable benefit to the land. It is not usual to sow clover with pease, as I am aware, but it seems to be doing well and the land is in need of all the fertility it can get.

Lot 2 is in corn and roots—the manure is applied on lot 2—so, as you can see, in the second year lot 1 has the same crops as lot 2 bears this year. Next year it will have the same treatment as lot 2 receives this year; and lot 2 next year will have the same treatment as lot 3 undergoes this year; thus you see the order of succession of the crops which are mentioned—and, therefore, I need not state in each case what will be on each lot in succeeding years. Lot 3 this year is in grain and is seeded down with a mixture of Timothy and clovers; on low land we use Alsike and on higher land Red clover (the Common Red and Mammoth Red clovers). Lot four is this year in hay and next year it will be in pasture and hay also, part hay and part pasture.

#### ROTATION OF CROPS.

We propose using lot four as pasture that is have the pasture year immediately after the grain, we shall require only part of it for this purpose however. Lot five next year will be hay that is after pasture we will have hay. This is somewhat tentative and we are not going to introduce the whole of the land into this particular work because we are as yet uncertain as to the effects upon the meadow of the pasture but that is what is proposed at present. I might discuss here some of the advantages of a rotation of crops upon a farm. Many of our farmers are troubled with keeping up the very large amount of fencing around different areas of land which is very expensive when a farm is divided off into small fields. It entails the expenditure of a large amount of labour and material in erecting the fence and is a great waste of land for the fencing line. This dividing of our farm into five equal fields as you will see does away with a great deal of the fencing and utilizes considerable land that would otherwise be waste.

*By Mr. Featherston :*

Q. Speaking just now about a fence what did you mean by a “dog-proof fence.”

A. Well the fence that we have put up is a fence 58 inches high and has 19 strands. Along the bottom the strands are only two inches apart. All are held in place by upright wires and along the bottom, in most places covered, and in all cases touching the ground we have run a strand of barbed wire and where there are depressions in the soil we have run two or three strands of barbed wire.

Q. That is a dog-proof fence, is it?

A. Yes. This has proven to give, so far, perfect security against dogs. We are troubled a great deal with dogs out at the Central Experimental Farm, these come from the neighbouring villages and from Ottawa. Some one introduced a dog into the field the first day and we chased him a long time before we could get him out, and when we did get him out he climbed up the brace and over the fence at the corner. This could not be done from the outside. Since then there has never been a dog in the field so it may be safely said to be dog proof.

Another advantage of the introduction of a rotation upon the farm is that the crops which are suited to succeed or precede each other are placed in this order, that is before the grain we have the fertilizing value of the clover and the effect of it may be reaped in the grain crops. In the corn and roots year there is still some of the fertilizing effect of the clover left and this year we add the manure. After the corn and roots which are, as you know, ploughed the same fall comes grain again, and then the meadows are started. The next year we have the strong growth of clover (perhaps pastured to some extent) and after that the pasture. With a growth of clover this pasture will, as you see, serve to fertilize the soil for the next crop of Timothy or whatever other hay you may introduce. We are sowing this year to a small extent orchard grass, which, as you know, is suitable for certain kinds of soil only.

## Agriculture and Colonization.

Another reason for the introduction of the rotation is that it ensures regularity in the application of fertilizers. Many farmers are tempted to neglect a certain field for two or three years perhaps, because it gives a good crop, and they think it can do without fertilizer, thus there is a danger of it running down. This is a mistake and the introduction of rotation will prevent the neglect. The rotation will aid in restoring the fertility of land on farms which have run down. There is probably no crop of greater benefit to the farmer than clover and this rotation gives ample opportunities for its use. As you will notice there is a succession for three years and then in the first year of the system there will be more or less clover also. On the first year of the rotation clover is put in with the oats and where there is no clover another legume such as pease which has the same action on the soil in enriching it may be used. Thus you see we have four years of legumes and one of fallow (corn and roots).

Another point which might be cited as in favour of rotation is economy of time in having all the crops of one kind together. If your land is divided into small fields and you put in a large amount of root crops, we will say, more or less time is taken up in changing from one field to the other, and if you have it altogether there will always be a saving of labour and time in this way.

The method of cultivation which we propose introducing, and which we have introduced to a certain extent, is the shallow. We do not plough over five inches deep, four to five inches, according to the soil, but not over five inches. Our ploughing will be done in the fall, quite early, say between harvest and cutting the corn for ensilage, at least the greater part of it will be done at this time; as much of it as possible. We do not propose to have the ploughing interfere with other work to any extent. The reason for this is (1) that it is a convenient time, as there is usually a spare period at that date, when no other work can be done by the horses. (2.) Ploughing shallow will keep the humus near the surface of the soil. It will ensure nitrification going on at a period when there is no crop upon the soil, and no crop will grow, viz., in the fall. If we allow the nitrification to occur in the spring, we will find that the nitrates are available too late to be of any use to certain crops. They might be available for corn, because it is a late feeder, feeding all summer, but grain gets most of its food in June and latter part of May. Now if late ploughing is followed this decomposition occurs only in the spring and the nitrates are available only in July, and then the best parts of the food of the plant are left for a time when they are not required, and in consequence they are lost and washed away by the rains.

*By Mr. Featherston :*

Q. You are recommending light ploughing for grain and all crops ?

A. Yes, shallow ploughing.

Q. For any kind of crops ?

A. Yes, for any kind.

Q. Are you going to plough deep for alternate years ?

A. No, I will explain it in a moment.

*By Mr. Rogers :*

Q. Do you just have one single ploughing in the fall ?

A. After ploughing we purpose harrowing to keep the weeds down and make the soil as mellow as possible. In this way nitrification will progress very rapidly. Just before the fall rains set in, or as nearly as possible at that point, we shall take and ridge up the soil, previously ploughed and harrowed, into ridges eight inches high, and these ridges will expose the sub-stratum which has not been moved by the plow, and these, as it were heaps or rows of soil, will be rich in humus, rich in nitrates, and rich in the other fertilizing qualities or particular properties of the soil, and they will be not so subject to washing from the rain as would be the case if the soil were left flat or if nitrification occurred in the spring rather than the autumn.

To-day we use the shallow ploughing instead of continuing deep ploughing. By it the subsoil is exposed through the winter to the action of the frost and is materially loosened up. If you plow deep and leave the soil level the surface soil is the only part that is affected by the frost. I admit that when the soil is perfectly level the frost does go down a considerable distance deeper than we plough, but it is only the surface that is materially affected, and if you can expose the subsoil to the action of the frost in some way the trouble of ploughing deep is obviated and the humus which is the all essential property of the soil is kept in the surface soil. The idea of keeping it at the surface is to render it early available for young plants in the spring. All our grains, in fact all our crops, feed near the surface especially when they are very young. There is only so much humus in the soil and that is mixed in for a distance of say eight inches. You will see that to obtain the food from that amount of humus the roots must cover a very much larger area, but if the humus is near the surface, then the root will have only a short distance to reach and the plant will have an opportunity of devoting its energy to the building up of stem and seed which are the parts needed. In root crops this is also applicable because the small roots are the ones that need most care and these are near the surface during the season of early growth.

*By Mr. Clancy :*

Q. Have you tried this shallow ploughing and having ridges after ploughing as against deep ploughing and made tests as to which is the more productive method?

A. I cannot say I have myself but I have seen the work carried on elsewhere. As you know I have not had time here.

Q. What have been your observations in the case that you saw?

A. That the method that I have outlined is superior to the deep ploughing. That is the conclusion.

Q. The reason that I ask is on account of the expenditure. The land could not be ridged without very considerable expense to the farmer?

A. We have ploughed in the fall. It is more expensive I admit but you see it is not so expensive as ploughing again.

*By Mr. McMillan :*

Q. I do not think it will be more expensive than ploughing again. I think if you plough and then harrow you will ridge the land and it will be ready if you plough in the fall?

A. It is a very quick operation.

Q. Have you seen this tried on all classes of land, heavy land as well as light land?

A. Yes, I have.

Q. And is there not a danger on the heavy clay soil of hard-pan forming at the bottom of your ploughing if you never plough deep?

A. There may be possibly but I haven't seen it in operation over five or six years, and in cases where it has been in operation that long there seemed to be no difficulty at all. The action of the frost as I mentioned earlier, seemed to loosen up the subsoil quite sufficiently to do away with any danger of hard-pan forming where there is not naturally a hard-pan. Of course in some lands you have a hard-pan of marl rock and a sort of gravelly clay that exists anyway and you cannot get over it. But where there is no natural hard-pan I do not think there is any danger. This danger if it exists might be overcome by stirring the subsoil with a strong cultivator or grubber which would loosen the lower stratum without bringing it to the top.

*By Mr. Burnett :*

Q. How do you treat the ridges in the spring?

A. We run the cultivator crosswise or a disc harrow would do. The cultivator would probably even it up more.

## Agriculture and Colonization.

I have done something in swine experiments since I came here but only a very limited amount.

*By Mr. Bain :*

Q. Perhaps before the cultivation branch is left if there is any question that any gentleman would like to ask bearing on it then we would have all that evidence together. If not then we will go on with the experiments.

*By Mr. Burnett :*

Q. Have you ever had any experience in seeding down with pease before ?

A. No, I have not, not with pure pease, I have used a mixture of pease and oats, which seems to be doing well so far.

Q. I saw a young gentleman who seeded down with pease and he said he had the best catch he ever had ?

A. That is somewhat unusual.

Q. But that is a very rare thing ?

A. I should judge it would be.

*By Mr. Erb :*

Q. In that mixture what proportion of pease and oats do you use ?

A. One and one half of pease to one and a quarter of oats.

*By Mr. McMillan :*

Q. The oats keep the pease up ?

A. Yes, the oats support the pease very materially.

*By Mr Erb :*

Q. Do you cut them with the mower or the binder ?

A. We expect to cut with the binder.

*By Mr. Burnett :*

Q. And do you intend to thresh it then ?

A. Oh, yes. We thought it was possible that if the pastures proved insufficient or poor that we could use the same mixture as supplementary feed. But there is no necessity for that this year.

Q. You said you pastured the first year. Why do that instead of mowing the first year and pasturing the second year ?

A. Clover as you are aware, to a large extent, dies out after the first year hay, in the second winter of its life, especially if you cut a second crop. Then the next year you are pasturing your cattle upon Timothy and other grass with a very limited supply of clover, and, as you are aware, clover is preferable as pasture to Timothy for fattening cattle as well as for dairy purposes.

*By Mr. Featherston :*

Q. Where do you get you clover hay, then ?

A. When clover is pastured the first year there is only a small part that will produce seed. The cattle will keep it down, and clover like all other plants is filled with a great desire to perpetuate its kind, and there will be a very much greater probability of its living through the second winter if it does not seed the first year than there otherwise would be. Clover is a biennial plant, and if kept from flowering will frequently live during another year in the effort to perpetuate its kind or produce seed, and I am counting on this to help us in the clover. However, it will not require the 40 acres for pasturing the cattle that we have at present or that we shall

be able to keep, unless our stable accommodation is greatly enlarged, so that there will be part of lot four in clover.

*By Mr. Featherston :*

Q. Then taking seed off clover seems to impair its vitality ?

A. Somewhat. Clover is a biennial and it will not flower the first year, except the crimson, which, after it flowers, is ready to die. The clover that comes up in the third year is frequently a new plant, but where the plants are well protected from frost, a good many may be expected to live to the third year, especially where they have not managed to produce seed. If it has not much vitality flowering and producing seed ends its whole career.

*By Mr. McMillan :*

Q. If you put clover on heavy clay land and there comes one season when you have no clover you will have more clover if you go and leave the land till the spring rather than cut the grass in the fall; you will have more clover in the spring ?

A. You mean that the aftermath protects the clover roots ?

Q. Yes.

A. Yes, it protects it. Frost is a great enemy of clover, as you could see if you took a trip out to the Central Experimental Farm at present.

I wish to say a few words, before describing the experiments which I mentioned, about bacon hogs.

*By Mr. Featherston*

Q. Before you go into bacon hogs I would like to have it made straight whether you have experimented in light ploughing or not. For my part I think land should be ploughed deep once in five years any way.

Mr. DUGAS.—That depends on the soil.

Mr. FEATHERSON.—Yes, but with deep ploughing you go to the bottom and get all the humus contained in the land turned over.

*By the Chairman :*

Q. Don't you find that root crops settle the land; would you not plough again ?

A. We would not plough again but just ridge it up.

Q. You would find your soil much settled without this cultivation ?

A. Oh, yes, very much more rapidly.

*By Mr. Clancy :*

Q. Has there been any case which came under your observation where there were tests made for any considerable number of years of deep ploughing in the fall, as against light ploughing and ridging up in the same year, side by side ?

A. No, not the same years.

Q. Would it not be difficult to have the same conditions under these circumstances ?

A. A farm which I have in mind for a long period of time, has been cultivated in that way, ploughed deep and manured. There was no particular rotation, however; the deep cultivation had been followed for a number of years and it was, to say the least, not improved. I cannot say from observation that it was not improving, because I did not see it, but from reports and from what men have told me, it was going back.

*By Mr. Burnett :*

Q. This was with deep ploughing ?

A. Yes; under deep ploughing.

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*By Mr. Clancy :*

Q. Was a rotation of crops not followed ?

A. No.

Q. Would you attribute this especially to deep ploughing ?

A. Apparently.

*By Mr. McMillan :*

Q. Was it heavy land ?

A. Part heavy clay, part clay loam, and part gravelly.

*By Mr. Clancy :*

Q. Well, would it not be difficult to say which was to blame or both for the land going back in its productive qualities ?

A. Well, it would really be difficult to say under these conditions if it was entirely to blame, but from other experiments I am led to think that the system of shallow cultivation was the more important factor.

*By the Chairman :*

Q. I suppose you could say from experiments that were subsequently tried ?

A. Yes; in some measure.

*By Mr. Clancy :*

Q. On this land rotation was left out ?

A. Yes. And on part of this farm, some fifty acres, a somewhat modified system of rotation was followed which was good; one year of grain and two years clover. A section of 100 acres lies somewhat to the south of this farm and fifty acres of this was bought, not at all richer, not anything better than the other fifty acres, and this was treated by the rotation I have mentioned, that is one year grain and two years clover, and shallow cultivation introduced. Now, the other fifty acres has just been continued in the manner mentioned, deep ploughing, and I do not think any system of rotation was adopted. From advices the differences are most remarkable. I am sure the grain crop on the part where a systematic rotation and shallow ploughing has been introduced are double those on the other part. That is in four years, and the clover crops are wonderful. The soil is being built up rapidly, and that on the other side of the fence has been deteriorating, so they are trying to introduce a system of rotation on that area.

*By Mr. Featherston :*

Q. I have a neighbour who found that happen on clay land, but for the next seven or eight years after they both bore extra good crops; in fact the last crop of wheat, our neighbours told us, was too rich for the land and no manure went on for that. It was clay subsoil.

A. It is an unusual thing for a farmer to get too much.

MR. McMILLAN.—One reason probably was that the ploughing filled up too much clay one season. My experience is that you can get not more than half so much wheat without turning up to the surface, and that should be done in the fall. Land should be ploughed very square.

*By Mr. Dugas :*

Q. Would you plough as deep in light lands as in loamy lands

A. Plough about four inches, just about the same.

*By Mr. McMillan :*

Q. You never go as deep in heavy land as what we do when we are going to put a root crop on. When we are going to put roots on stubble that is when we plough deep.

A. You must get your sod near the surface for the sake of retaining the humus near that point and for nitrification. Without air you cannot have nitrification, by which nitrates are formed, and if early fall ploughing is followed they are available in the early spring.

*By Mr. Erb :*

Q. Would you recommend the same for light as heavy land ?

A. I would ridge it deeper and expose somewhat more soil to the action of the frost, but I should not recommend ploughing much deeper in the case of heavy land.

*By Mr. Burnett :*

Q. Are you aware whether shallow ploughing is practised at the Ontario Experimental Farm ?

A. I am, it is entirely ; and it is also being introduced in the Eastern States. It is finding somewhat more difficulty in making its way into the Eastern States, but it is. Shallow cultivation and clover are slowly making their mark in the west, even on the prairie ; I cannot say that shallow cultivation is entirely followed there, for as you are aware the character of the soil is peculiar, it is almost entirely humus.

Q. How long have they practised shallow ploughing at the Ontario Farm ?

A. Five years.

*By Mr. McMillan :*

Q. There is no heavy clay on the farm ; I have been over it and I know there is not. One gentleman whom I took over mine was forced to admit that the Guelph farm was not heavy land ?

A. There is some of it that is classed by soil physicists as very heavy clay.

MR. McMILLAN.—I got Mr. Rennie up into Huron and I showed him some heavy clay land there, and he admitted then that his was not heavy clay. Before you know what heavy clay land is you can not discuss it ; many people call good strong clay loam a heavy soil.

*By Mr. McGregor :*

Q. This light ploughing is very successful ?

A. Yes.

Q. To what depth is the land ploughed ?

A. Four or five inches.

*By Mr. McMillan :*

Q. It has been very successful. How deep do you plow ?

A. Four or five inches.

Q. How do you prepare the land before cultivation ?

A. By fall ploughing, and then drilling or ridging it up just before the fall rains as it were.

The CHAIRMAN—Plough early he says as early as your time will allow.

*By Mr. Erb :*

Q. If a farm has couch grass on it, do you think your system of rotation will be successful in eradicating it ?

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A. It all depends, I cannot say it would alone. But if you could get your soil into a good state of fertility with the shallow cultivation which is, as you are aware, what is necessary to eradicate couch grass, it seems to me that you would not be long troubled with that grass.

Q. Yes, but it should be cultivated immediately after the crops are removed ?

A. The best we can do with that, is to thoroughly cultivate and eradicate it when in the second or following year of the rotation. It is, I think, clear that early fall ploughing will do much toward the destruction of weeds and noxious grasses of all kinds. You cannot eradicate it in the cereal and leguminous crops.

*By Mr. McGregor :*

Q. How do you eradicate the wild mustard. They are troubled terribly with it in some places. How would you remove the difficulty ?

A. I know of no way except hoeing and pulling. We have been trying some experiments with spraying but I cannot speak with certainty of the results as yet, since the work is only in the experimental stage. We have sprayed with two mixtures and they seem to have injured the grain more or less, but how it will affect the results in the grain crops I cannot say yet because the grain has not been harvested.

*By Mr. Featherston :*

Q. That is you have been spraying to kill the mustard ?

A. Yes, to kill the mustard.

*By the Chairman :*

Q. What have you used ?

A. Copper sulphate and sulphate of iron.  $\text{Cu SO}_4$  and  $\text{Fe SO}_4$ .

*By Mr. McMillan :*

Q. Have you found that spraying is successful ?

A. It killed the mustard where it came in contact with it, but it injured the plants as well. We found that when it was sprayed strong enough to kill the mustard the plants seemed to be more or less injured, but it was only the upper leaves of the barley which appeared to be materially affected.

*By Mr. Featherston :*

Q. The stock has gone on growing since has it ?

A. Yes. I may say this experiment was not made on the Experimental Farm however, but on a neighbouring farm. We have not enough mustard at the Experimental Farm to experiment on. The spraying was done when it was in bloom and I think it would have been better if it had been sprayed earlier. But as it was not on our own farm we could not control the exact date of the experiment.

*By Mr. Rogers :*

Q. Would it injure oats as much as barley ?

A. I cannot say.

Q. The barley would be pretty far on at that time ?

A. Yes it was. It was not in head at the time but the spraying injured the upper leaves. I think, however, it will grow on all right although it was probably retarded somewhat.

Q. What did it cost to use ?

A. The copper sulphate costs about 4 cents per pound, and thus 100 lbs. of water or 10 gallons would cost about 8 cents when a two per cent solution is used which seems to be almost strong enough. About 500 gallons would be required for

an acre and thus the cost for material would be about 40 cents per acre. The iron sulphate costs one to three cents per pound and if used of a 10 per cent strength, which it was thought would be about the best and would injure the mustard most and the grain least comparatively speaking, it would require 10 lbs. to the hundred and would make the cost about seventy-five cents per acre for the spray. Of course there would be the labour besides, but the material would cost about seventy-five cents.

Q. How did it affect the mustard ?

A. It killed the mustard plant leaves right down. The copper sulphate appeared to injure the buds the most. I have seen it only once since, but expect to go up in a day or two to see the present condition, so I can not speak more definitely. I believe the two per cent sulphate solution will prove the most efficient.

*By Mr. McMillan :*

Q. To be successful there would have to be a succession of sprayings for a number of years ?

A. That is the great difficulty with mustard seed. You pull it this year and next year it comes up again and it seems impossible to get rid of it, except by several years' work.

*By Mr. Rogers.*

Q. But if it only costs forty to seventy-five cents a year for ten years it's cheap to get rid of it at that price ?

A. Yes, it is. There is one feature about the mustard seed that it only germinates when it is very close to the surface, and when there is no sod or very young sod.

Q. That is what I mean, when I say that spraying would get rid of it.

A. Yes, that fact gives one a better chance to eradicate it.

Q. Won't the plant grow again ?

A. No, not when all the leaves are killed.

Q. Does it grow from the seed or the plant ?

A. It is an annual and grows from the seed.

Q. So that if you destroyed the root it would not germinate ?

A. Yes, it would germinate from the seed. It grows from the seed alone.

Q. Can you not mow it down before the seed ripens, and so destroy it that way ?

A. Yes, you could ; but in order to mow down the mustard you would have to mow down the crop as well and you would lose your crop. It is a peculiar characteristic of the mustard seed that it will grow after being in the earth for an indefinite number of years. There seems to be no limit to its life when it gets into the earth. You can only be sure of its entire eradication after it has germinated.

*By Mr. Featherston :*

Q. There seems to be oil enough in the seed to protect it from decay when it is in the ground.

A. There is some material peculiar to the composition of mustard seed that seems to preserve it until it germinates.

*By Mr. McMillan :*

Q. The skin of the mustard seed seems to have the peculiar quality of keeping out all the moisture ?

A. Yes. The seed contains a peculiar carbon compound which withstands decomposition very well.

*By Senator Perley :*

Q. I have always understood that mustard grew from the roots ?

A. No. That is you mean that the root lives over the winter ?

## Agriculture and Colonization.

Q. Yes.

A. No it comes up every year from the seed.

Q. There should be no trouble in getting rid of it then. What is the seed like?

A. It is like a small turnip seed.

Q. I have looked at these fields that you see along the river and it seems to me that the mustard should be eradicated, if it were mowed.

A. You would have to mow it year after year, because when you turn up the soil every time you bring the seed near the surface it will germinate and you will have the plants coming up year after year. You let one crop of mustard ripen and the seeds scatter upon the earth and your field is ruined for many years to come. Every time you plough it and bring some of the seed, which has been buried, near the surface it will germinate and you will get mustard coming up year after year.

*By Mr. McMillan :*

Q. We bought a farm in which a farmer had grown mustard and timothy. We bought it in 1892 and we have never let it lie since we got it, and every time we plough it we get a certain amount of mustard seed now.

*By Mr. Clancy :*

Q. The way they get rid of mustard with us is to put in a hoe crop, cultivate well during the season and then put it into clover. No mustard appears in the clover, or rarely so. Then when the crop has come up turn it down again and so get rid of the mustard.

A. Yes, mustard does not come up in the clover to any extent as the clover smothers it out.

*By Mr. Burnett :*

Q. We find cultivation the best way to get rid of it?

A. It is an important factor indeed.

### HOW TO PRODUCE GOOD BACON.

I would like to say a few words about the bacon hog. I might state that I have found and that every one has found who has studied the question at all, that there is a definite kind of hog that must be bred to ensure this kind of meat. The breeds we find best here and that have been found best elsewhere are Yorkshire, Tamworth and Berkshire. To the Berkshire there is the objection that some of the strains are short and most of them are inclined to grow thick over the shoulders, and this spoils the long side. There has to be a short "cut."

The feeds especially suited for the production of bacon are the common cereals, but there seems to be at present an uncertainty as to the effect of each of these different grains upon the quality of the meat, and although various experiments have been tried it is almost impossible to determine which are the best suited to the production of bacon that will command the top price. The trouble is that much of our bacon is soft. Many theories have been advanced to account for this, but none of them seem at present to explain the matter fully. Sometimes a certain feed, as for example pease, oats and barley mixed with milk, will give first class meat, and I may say that these three cereals with the addition of milk as a rule ensure hard bacon. But you will find soft specimens even amongst swine fed with this ration. The fat hog is probably the greatest difficulty in the way of the packer at present. He can find a home market for the fat, but the foreign market is closed for it. The fat hog is due to the breed of swine fed in most parts of Ontario—in fact all over Canada and in the United States. We have copied from the United States in the breeds of swine which we use, and in this way got into the trouble of the fat swine. This is not the only trouble, for sometimes we get amongst the swine, pigs that give bacon that is too hard. That is the fat is all right, but the lean, when cooked is of such a very firm character as to be practically tasteless.

*By Mr. Featherston :*

Q. That is it is hard and dry?

A. Hard and dry.

There is some complaint of that kind of bacon from this part of the country at present. In the west we find almost the whole trouble is from "softs" and "fats." There is also a great difference in season. At this season of the year some are soft and some are hard. The percentage varies greatly in season, and also apparently in different sections of the country. Western hogs as a rule give a greater percentage of "fats" and "softs." The reason is very difficult to explain. We are trying some experiments, but it is difficult to say what is the cause of the soft bacon.

*By Mr. Douglas :*

Q. Did you notice the effect of feeding wheat with relation to fat?

A. Some experiments were tried some time ago at the Central Experimental Farm with this end in view and it, like other grains, seemed to vary. In many cases first class bacon was produced so far as quality was concerned, and in others it was soft. At present there is being printed a bulletin published by the Department of Agriculture, Ottawa, which gives a full account of this, so I do not think I need give it any more fully to the Committee. The bulletin will be out in a short time and will be available for distribution. The bulletin is a resumé of all the work in pork feeding carried on at the Central Experimental Farm during the last eight years.

*By Mr. Bain :*

Q. Did you carry on these experiments?

A. I prepared the bulletin and carried on one or two of the experiments.

*By Mr. McGregor :*

Q. What is your opinion of clover?

A. Clover has an injurious effect on the character of the bacon when the swine are finished upon it.

Q. You advise feeding it early and finishing upon dry feed?

A. Yes, I think that is the best.

*By Mr. McMillan :*

Q. Have you experimented by feeding large quantities of mangels to the pigs when young?

A. Yes, I have seen them fed very extensively with excellent results. You cannot get anything better for young and breeding pigs than mangels.

Q. We found that the hogs seemed to get much healthier when given mangels than when fed only grain?

A. They need some laxative, succulent feeds to keep them in health.

*By Mr. Featherston :*

Q. You say there are two objectionable kinds, the fat and the soft?

A. That is from the packers' standpoint.

Q. Is it not easy to get rid of the fat?

A. In one way, by changing the breeds. It wouldn't do to bring to market hogs that are naturally fat until they are ripened. If you do not ripen hogs that are naturally fat, as the Poland China, the Chester White, the Duroc Jersey, they are of an immature character, in the lean, and if you ripen them, then the fat is too thick.

Q. Too much fat and not enough flesh?

A. Yes.

## Agriculture and Colonization.

Q. That is the objection you have to these breeds?

A. Yes, for bacon.

*By Mr. Clancy :*

Q. Have any experiments ever been carried on with the purpose of definitely determining the character of bacon on all these grounds at the farm, or have the sum of the judgments of packers been taken?

A. I am not aware that I have made very extensive statements, except that oats, pease and barley with milk usually ensure hard bacon.

Q. I do not think I have made myself clear. You said there were some ways which would make fat, soft bacon, and others where the lean part would be dry and hard, and you followed that up by saying it was difficult to determine the reasons for this. The packers say soft pork is at times ascribable to the feeding of corn?

A. Well, I do not say that, and I will not say that packers ascribe that to corn entirely.

Q. It has been said here over and over again?

A. I have interviewed many packers in the past month, several personally and most of them by letter, and I find in very few cases do they ascribe the quality of bacon to corn alone. Many of them are rather of opinion that corn is not to blame for "soft" bacon. It seems, however, to produce a very large percentage of "fats."

Q. The packers are of this opinion?

A. Yes.

Q. Some of them have stated definitely that they have a fixed area in which they do not pay the price, as in Kent and Essex?

A. I have travelled through Kent and Essex in the first few days of this month and about 90 per cent of the pork was of the character called "fat."

*By Mr. Featherston :*

Q. Are these breeds common there?

A. Yes.

*By the Chairman :*

Q. This 90 per cent of the "fat" character were of these breeds?

A. Yes.

*By Mr. Calvert :*

Q. So that it is more the effect of breeding than feeding?

A. Yes. I had also some loads of nearly pure Tamworth shown to me, which were shipped to a packer by one of the buyers in Chatham, and out of that load of Tamworths you say there were no "fats," but there were about 75 or 80 per cent of "softs."

*By Mr. Burnett :*

Q. And fed on corn?

A. I do not know in every case. I interviewed the feeders of about twenty-five of them. I saw the pigs here and went west and saw the breeder; he told me how they were fed.

*By the Chairman :*

Q. You might give your conclusions without mentioning names?

A. He had fed them on boiled beans, with a small admixture of shorts and some milk, and they had been confined in very limited quarters, cramped.

*By Mr. Featherston :*

Q. That is what they are fed on ?

A. Yes, and every one of them was soft.

*By Mr. McMillan :*

Q. Have you tried any experiments to find whether boiled feed would make softer bacon than grain fed raw ?

A. No, I cannot say I have. I received a letter on Saturday from a packer in Ingersoll, and he said an experiment had been conducted there with corn meal put in hot water, scalded, and left for about twenty-four hours and then fed. He said these swine had been under his personal supervision, and he had killed them and had classed them as "straights" and "hards." They were then in process of curing, and I wrote to him on Monday and asked him to send me a report of his final inspection.

*By Mr. Erb :*

Q. Did he mention what breed they were ?

A. No.

*By Mr. Featherston :*

Q. Do you know if many beans are fed in the west ?

A. Through Essex and Kent I found that the people were maligned to a great extent, that there was not nearly the amount of beans fed that had been ascribed to them. I heard from a good many people that large quantities of beans were used, but I found when I went there that it was not so. A few people use them, but they were under the ban of buyers, and even these few were rapidly abandoning the use of beans.

Q. It is only where beans are a little damaged that they use them at all ?

A. Yes, that is so.

*By Mr. Clancy :*

Q. It is a slander to say that men feed the pigs on beans, and it is only when damaged that they use them at all. There are not 50 per cent of the beans grown there that there used to be ?

A. I agree with you.

*By Mr. McGregor :*

Q. Would you advise the feeding of ground feed or just raw ; it costs about five cents a bag to grind it ?

A. If you will permit me I will read this report.

*By Mr. Clancy :*

Q. Before you do I would like to ask this question, which I think is pertinent to the discussion: Have you or any of the departmental officials inquired of the packers whether they keep steadily in view the breeds of hogs as well as the places from whence they come ?

A. I had a letter from another packer on Saturday, and he said that he ascribed it entirely to corn. Now a packer from the same section said it was not corn, and a packer in this section said that he does not think it is corn alone.

*By Mr. Calvert :*

Q. But you gave us one example a while ago where a man fed corn ?

A. That was the man at Ingersoll, he fed cornmeal scalded.

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*By Mr. Featherston :*

Q. And they were good ?

A. Yes.

*By the Chairman :*

Q. Were they shut up ?

A. He wrote me lately, and not full particulars.

*By Mr. Holmes :*

Q. I did not understand you to say you had tried corn at the farm.

A. Last fall Prof. Robertson had some experiments carried on here with the feeding of corn, and some years ago we had experiments with corn, but did not test the quality of the bacon ; but last year the bacon was tested, and was very good, I think.

*By Mr. Calvert :*

Q. What class of hogs ?

A. I did not see them, but from what Mr. Elliot, our herdsman, told me, they were Yorks, and Berks.

*By Mr. Featherston :*

Q. You must be careful not to feed too long ?

A. Yes ; and if you rush them there is a fear that they will put on too much fat.

*By Mr. Holmes :*

Q. Would you express an opinion as to the feeding of corn or otherwise ?

A. No.

*By Mr. Rogers :*

Q. It is evident the mixed ration is best.

A. Yes.

*By Mr. McMillan :*

Q. Don't you think there is something in the way the young pigs are treated if they get lots of room they are better ?

A. Yes, I think it is advisable, from the standpoint of economy and quality too.

*By Mr. Burnett :*

Q. You say that breed and exercise have as much to do with it as feeding ?

A. Yes ; I can give you no experiments to prove this, but from general observation I think breed and exercise have as much to do with it as feeding, or more. However, I may say we have experiments going on to collect information on feeding the different feeds to the best breeds, growing, exercise, and almost every imaginable condition.

*By the Hon. Mr. Perley :*

Q. When will it be out ?

A. It is just recently started, and the result will be out in the next report.

Q. I thought you would issue a bulletin.

A. The bulletin is now in hand. It includes only one experiment conducted by myself, which I will read to you, if you wish it.

Q. When will that be out?

A. It is in the printer's hands at present.

*By Mr. McMillan :*

Q. I understood that the experiments have only just been entered upon since you came here.

A. It includes one or two experiments which I have carried out, but as I stated previously, it is a resume of all the work along this line conducted at the farm. I think, with your permission, I will have this go into the evidence.

FATTENING SWINE.—RATIONS AND BREEDS.

*By Mr. Featherston :*

Q. Read a portion of it; give us a synopsis.

A. We had twelve swine.

Q. Is this the experiment?

A. Yes. They were divided into different lots; some of these were fed on a limited diet, and some on an unlimited diet. They were allowed all they could eat. They all had milk, so that it is not a test of the hardness resulting from that feed.

Q. Did they get all the exercise they wanted?

A. It was the winter time, and they had some exercise. We had the best results from feeding a limited ration of ground grain. We found about five per cent of the ground grain was saved by feeding it ground, as contrasted with that which was fed whole, or, to express it differently, that about five per cent more grain was made by feeding it ground than by feeding it whole.

Q. That was a saving in feed and a gain in production?

A. Yes. And in the case of a limited, as contrasted with an unlimited ration, where we have had the ground grain, and limiting the supply, they made much more rapid gains than where we fed them all they would eat. For instance, feeding ground grain dry they gained 1·18 pounds per day, and they gained 1·11 pounds per day when fed the same mixture and the same quantity unground.

Q. That was live weight?

A. Yes, it is live weight I am giving you right along. In the other case, where they were fed on whole grain, it was 1·11 where they had an unlimited ration, all they would eat; and, as I have said, the gain in the third lot was only 1·11. My report upon the experiment is as follows:—

When I assumed the duties of Agriculturist on the Central Experimental Farm 1st February last, I found thirteen pigs ready for feeding. They were from two litters:

(1.) Eight pigs Polland-China (sire) and Tamworth crosses farrowed 26th September, 1898.

(2.) Five pigs Yorkshire (sire) and Chester-white crosses farrowed 21st September, 1898.

Both lots had remained with the sows till eight weeks old, when they had been taken off and confined in rather cramped quarters. They had been fed on milk, shorts, chopped oats and boiled potatoes.

On the 15th of February, an experiment was incepted:—

Since the number of swine was limited and they were not of a suitable type for bacon, it was decided that the best thing that could be done under the circumstances was to feed the swine in such a way as to furnish some data upon the production of hard and soft flesh and upon the effect of limiting the feed.

Since to have less than four in a group in any experiment is seldom advisable, it was decided to form three groups of four each, to be fed as follows:—

Lot A, was to be fed whole grain, a mixture of equal parts oats, peas and barley, and three pounds of milk each daily.

Lot B, was to be fed ground grain, equal parts oats, peas and barley, and three pounds of milk each daily.

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Lot C, was to be fed one pound whole grain mixture, equal parts oats, peas and barley, at noon, and all the ground grain (same mixture) they would eat at morning and evening meals, with three pounds of milk each daily.

Lots A and B were to be limited as to quantity, starting off at three pounds per diem to each animal, and a slight increase made each week.

TABLE I.

| Lot. | 1                | 2              | 3     | 4                                | 5                     | 6               | 7              | 8           | 9             | 10    | 12                   | 13               | 14                            | 15                         |
|------|------------------|----------------|-------|----------------------------------|-----------------------|-----------------|----------------|-------------|---------------|-------|----------------------|------------------|-------------------------------|----------------------------|
|      | Weight to start. | Weight to end. | Gain. | Amount of grain eaten.           | Amount of milk eaten. | Value at start. | Value of feed. | Total cost. | Value at end. | Gain. | Daily rate of grain. | Cost 1 lb. gain. | No. lbs. meal for 1 lb. gain. | No. of days on experiment. |
|      |                  |                |       |                                  |                       | ¢               | ¢              | ¢           | ¢             | ¢     | Lbs.                 | c.               | Lbs.                          |                            |
| A    | 411              | 704            | 338   | 1220 <sup>1</sup> / <sub>5</sub> | 916                   | 12.33           | 13.57          | 25.90       | 31.54         | 5.64  | 1.11                 | 4.01             | 3.61                          | 76                         |
| B    | 404              | 761            | 355   | 1220 <sup>5</sup> / <sub>5</sub> | 916                   | 12.12           | 13.57          | 25.69       | 32.34         | 6.65  | 1.18                 | 3.82             | 3.43                          | 76                         |
| C    | 412              | 751            | 339   | 1303                             | 916                   | 12.36           | 14.40          | 26.76       | 31.92         | 5.16  | 1.11                 | 4.24             | 3.84                          | 76                         |

Observe: 1. Difference between A and B, 5.3 per cent saved by grinding. 2. Difference between cost of A and C, and A and B.

TABLE II.

| Lot. | Pig No. | Weight to Finish. | Breed. | Appearance at Finish.           | Packers' Remarks.                         | Classed for firmness. |
|------|---------|-------------------|--------|---------------------------------|-------------------------------------------|-----------------------|
| A    | 45      | 206               | PC X T | Very fat; short.....            | Very fat, but firm.....                   | 1                     |
| A    | 46      | 162               | CW X Y | Apparently immature; short..... | About right fatness, but rather soft..... | 1                     |
| A    | 47      | 214               | PC X T | Very fat; short.....            | Very fat; very firm.....                  | 1                     |
| A    | 48      | 160               | PC X T | Good bacon; short.....          | Good bacon; very firm.....                | 1                     |
| B    | 49      | 208               | PC X T | Fat; short.....                 | Too fat; but firm.....                    | 1                     |
| B    | 50      | 190               | CW X Y | Too fat; short.....             | Rather heavy shoulder; firm.....          | 1                     |
| B    | 51      | 197               | PC X T | " ".....                        | Fair bacon; firm.....                     | 1                     |
| B    | 52      | 166               | CW X Y | Fair bacon; short.....          | " ".....                                  | 1                     |
| C    | 53      | 187               | PC X T | " ".....                        | " ".....                                  | 1                     |
| C    | 54      | 228               | PC X T | Grossly fat; short.....         | Too fat; firm.....                        | 1                     |
| C    | 55      | 175               | CW X Y | Fat; short.....                 | Rather fat; not very firm.....            | 1                     |
| C    | 56      | 161               | PC X T | " ".....                        | Fair bacon; not very firm.....            | 1                     |

### CONCLUSIONS.

1. This experiment would emphasize the fact noted in Prof. J. W. Robertson's experiment conducted here recently, that feeding peas, oats and barley practically insure firmness in pork. Especially if milk be added to the ration.

2. It would seem to indicate, further, as many experiments have already shown, that ground grain is apparently more economical than whole grain.

3. It would seem to show, also, that limiting the quantity fed gives better returns in both quality and quantity of pork from a given amount of feed.

4. It would also seem to show, further, that breeding to a type is necessary if we are to produce good bacon hogs.

*By Mr. Clancy :*

Q. What were the ages of these pigs?

A. They came on the 26th of September and we sold them on the first of May.

Q. Would you consider this fairly good results?

A. As to the feed?

Q. As to the gain made each day.

A. Yes, for the age of the pigs. Because we are just including the gain for the period of fattening.

Q. The reason I ask is that a gentleman kindly handed me a statement of experiments he had made where in some cases the gain had reached two pounds per day.

A. Over what length of time?

Q. I think less than two months, the hogs ranged from 65 to 90 and 100 pounds.

A. Oh, during that period they gained that much.

Q. You are taking them from birth?

A. No, from the time they weighed about 90 to 100 pounds.

Q. Well that is about the same date as the others?

A. No, it is not the same.

Q. I said they weighed from 65 to 100 pounds at the time they were put into the experiment.

A. A hog from 75 to 100 pounds weight will put up a greater amount of weight for the same amount of feed than the hogs of greater weight.

Q. What weight had they when you started?

A. About 100 pounds.

*By Mr. McGregor:*

Q. Have you ever tried soaking the feed?

A. Yes.

Q. What is the result?

A. It is almost equal to grinding and much cheaper.

Q. Almost equal if it is given time to soak?

A. Yes.

Q. Corn is pretty hard to soak?

A. It takes a long time. I notice that in some experiments which they carried on at the farm before I was connected with it they soaked the corn for 54 hours.

*By Mr. Featherston:*

Q. I found the best results from boiling the corn this winter for young pigs.

*By Mr. McGregor:*

Q. If you charge for the wood and time for boiling, etc., it will not pay?

A. The conclusions we reached from these experiments seem to indicate, as many experiments had already shown, that ground grain is apparently more economical than whole grain, also with respect to limiting the food it would seem to show that the limiting of the quantity of food gave better returns in both quality and quantity of pork from a given amount of food; it would also seem to show further that breeding to a type is necessary if we would produce good bacon hogs.

Our grinding cost us about three per cent or about one cent per bushel, and we calculate that we save two or three cents a bushel, so that we made a saving of one and a half cents by grinding.

*By Mr. Hurley:*

Q. What kind of grain did you grind?

A. Pease, oats and barley. We have an engine with which we do our grinding, and I calculated the cost of it some time ago, and allowed for the use of the engine and coal and two men, it takes two men to run our engine and grinder; we can, of course, and we usually do use the engine for cutting hay at the same time, but I did not take that into account.

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*By Mr. McMillan :*

We grind all our own food with a windmill, as we consider it a saving to grind our own feed rather than draw it to the mill.

*By Mr. Hurley :*

Q. There are a great deal better results from cracking some kinds of grain than others, and we found that with pease we did not get any benefit from grinding?

A. No, there is no need to grind them, the hogs digest the whole pea very well.

Q. Barley is different, you get no real use from barley unless it is ground?

A. No, it must be ground to be of the greatest value.

Q. It must be ground fine or it is no earthly use?

A. The next heading I have is "Remarks upon steer experiments."

*By Mr. Clancy :*

Q. What breeds of hogs have you at the experimental farm, and how many of each?

A. Some of our breeding stock is to be sold, and I would not like to say definitely the number we have there just now, because you might come up and find it different, and I am not quite certain as to how many of each breed we shall retain. We have Tamworth, Yorkshire, and Poland-China boars at the present time, and we are in correspondence to secure a Berkshire. We had a Berkshire, but we sold him after keeping him three years. We have two Berkshire sows at present, and we may part with one. We are selecting this stock, keeping the best and letting the poor ones go, and those which are old.

Q. Is that all you have on the experimental farm?

A. That is all the Berkshires we have, just two sows. We usually have more, but that is all we have at present.

Q. And of the other breeds?

A. Two or three Tamworth sows and a boar, four Yorkshire sows and a boar, and no old Chester Whites at present.

*By Mr. Featherston :*

Q. Have you any Poland Chinas?

A. Two Poland China sows and a boar.

*By Mr. Calvert :*

Q. You have some small Chester Whites?

A. Yes. Five small Chester Whites, five small Poland Chinas, three small Yorkshires, three small pure bred Tamworths. That is all the pure bred stock we have.

Q. Where did you get all the little pigs in the pen?

A. We bought part of them around here. They are a mixed lot; we bought about eighty of them in Kent and Essex.

*By Mr. Clancy :*

Q. For the purpose of experimenting?

A. For the purpose of experimenting.

*By Mr. Featherston :*

Q. When did you get them?

A. A week ago Saturday.

Q. Have they developed any sign of disease?

A. They are not from the quarantined section.

*By Mr. Clancy :*

Q. Do you know the breeds ?

A. The breed of each pig is sufficiently marked to indicate the class. That is indicated sufficiently I think. In some cases there are some white ones; but they are all pure bred or half Tamworth. The whites have Yorkshire in them. The black and red have Beck or Poland China.

*By Mr. Calvert :*

Q. Is this the first experiment you have tried with them outside there. The pens looked new ?

A. Yes, it was just finished on Saturday. There was no pasture there before either.

*By Mr. Clancy :*

Q. You say there are no Berks nor any that are thick ?

A. No it is not a comparison of breed or fats and straights, it is a test for soft bacon.

Q. Don't you think it is an important thing for the Experimental Farm to settle this question.

A. The breed question as to fats is pretty well settled.

#### FATTENING STEERS.—RATIONS AND RESULTS.

To turn to steers I might say that in feeding it is most important to start right, that is select the steers. Unless the steer is of a particular type and breeding as a rule it is a waste of money and feed to feed him. Not that you will not get as great gains daily but you will never have a steer which will be of the same quality and which will command the price that the well bred steer will command. In starting feeding the method we are following here is to provide a succulent ration. We give them ensilage, and if we have roots we give them roots also. Not only succulence is required, but bulk, and hay and straw are mixed with it, and occasionally long hay, one lot we have been feeding long hay, considerably, because it is of inferior quality.

I might mention a point which came up in a lot of steers we sold about a month ago. I marked four of these steers in order to find out the result when they were killed. No. 1 was a dairy type of steer; he gained very rapidly and kept up his end with the rest of the lot in that way, but he never looked anything. You would never imagine he was gaining half the amount the scales showed.

*By Mr. Featherston :*

Q. What was he, Ayrshire ?

A. He seemed to have some Ayrshire, and a very little Short-horn. He had very little beef breeding. He dressed 56·14 per cent.

Q. What weight was he taken at living ?

A. Fasted weight. In that carcass of beef, although he was a small steer, weighing only 1,140 lbs. live weight fasted, there was more fat than on any other steer in the whole lot. That is more inside fat, more waste fat, and the butcher here, a man of considerable experience, characterized him as a steer that would bring a very low price for beef.

*By Mr. McMillan :*

Q. How old was he ?

A. Three years.

Q. If you had a steer that would fatten at two years it would be better beef ? In giving experiments at the farm I think it would be better to give the age of each animal. I happened to be reading up before I came down Mr. Stewart's experiments in feeding in the United States, and he says you can make beef up to one year

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old at three dollars per hundred, but after two years it costs over seven dollars a hundred, and Groff's experiments in this show that the young animal is always the animal that gains most rapidly, so it is of importance in buying a lot of animals for the farmer to know the age of the animals.

A. Yes.

No. 4 was a large lank steer. He had been off his feed for a little while, and although a few days before he was sent to the market he had picked up very well and filled up, he weighed 1,450 lbs., and weighed dressed 816 lbs., 56.27 per cent, a little better percentage than the dairy bred in spite of the fact of his having been off his feed and in rather bad condition. But he was rather a lean steer and the butcher characterized him as a second class steer. That is compared with No. 29. No. 29 weighed 1,335 lbs. live weight; dressed he weighed 860 lbs. That is 59.1 per cent of dressed carcass.

*By Mr. McGregor :*

Q. Did you give the age and weight when they went in?

A. I will give you that in a few minutes. This is just to illustrate the importance of selecting the right kind of animals. This steer was what the butcher characterized as a perfect carcass, the right size, compact and well developed in the loin and the ham, the points of great importance.

*By Mr. Calvert :*

Q. What breed was it?

A. Three-quarter Short Horn, pretty well bred. So was No. 4, if it comes to that. No. 32 was a little Hereford, not quite two years old, and well bred; he was fed the same as No. 29, and rushed right forward. He looked like a barrel on four posts, he was so round and big. He weighed 1,035 pounds and he dressed 618 pounds, which is 59.71 of the live weight, the highest per cent that any of the steers dressed. But the beef was too fat; the whole outside was covered with a layer of fat, yet although the fat was in good shape there was not nearly as much as in No. 1.

*By Mr. Featherston :*

Q. That is the leaf inside?

A. Yes; but the whole carcass was a mass of fat.

Q. What did you say the butcher said about the carcass?

A. He was sure there would be a little more waste than No. 29.

*By Mr. Calvert :*

Q. What was the quality of the meat?

A. I do not know from tasting, but the butcher said that No. 29 would be better than this one would be—he used some technical word that I cannot remember—that it would not taste well.

*By Mr. Featherston :*

Q. That it was too young?

A. That it was too young for the amount of fat on it. An important point is the care of the animals; unless treated with kindness and given attention they will not gain nearly as rapid.

*By Mr. Erb :*

Q. Were these animals dehorned?

A. No. We have not tried dehorning.

*By Mr. Featherston :*

Q. Were they tied up in a stable ?

A. Yes.

Q. How long were they fed ?

A. These steers were fed from the 10th of November.

Q. They were bought before you went there ?

A. Yes.

Q. Where did you get them ?

A. We got them right around here. They had been purchased by Mr. Elliott just through this section of the country ; I think he went over a radius of twenty or thirty miles. They were fed for some time on pasture and then introduced to the preliminary fattening on the 10th of November, when they were put on ration No. 1, consisting of fifty pounds of ensilage, twenty-five pounds roots, five pounds straw, and five pounds of hay. They receive forty-six pounds of that mixture daily. They were fed on that for the rest of November and through December. Then in January they were fed on the same mixture, and some meal—not all on the same meal, I will discuss that presently. In February they were fed on the same mixture and four pounds of meal, and the fifth month they had six pounds of meal, which was sometimes down to five and five and a half pounds. The last eight weeks we fed them somewhat differently.

Lot No. 1 was fed on ration No. 1, that is fifty pounds ensilage, twenty-five pounds turnips, five pounds of straw and five pounds of hay, and fed with a mixture of oats, pease and barley. The cost of these steers was \$129.88 and it cost to feed them \$67.79, making a gross cost of \$197.67. The proceeds when we sold them were \$217.35, leaving a profit of \$19.68, or a profit per steer of \$4.92. The last weight of these animals was 4,973 pounds, and as their first weight was 3,945 pounds this lot gained 1,028 pounds during the time they were fed, which was an average of 255½ pounds, or an average of one and one-third pounds per day from the time they started feeding.

Lot No. 2 were fed on the same rations with oats, pease and barley half, and half cotton seed meal, except in the last month when they got only two pounds of cotton seed meal, and at the end of the fourth month they were taken off that and given oats, pease, and barley for the other two months. Now these steers could have been sold to better advantage if sold earlier, but for certain reasons we were unable to sell them, and, therefore, our profits were not so great, we averaged \$4; and we paid for meal one cent a pound, ensilage, \$2 a ton, hay, \$5 a ton, and roots \$2 a ton.

Q. What was the gain per day ?

A. This lot gained 1.31 pounds. The cost of this lot of steers was \$129.88, the cost of feeding them was \$69.27, and the gross cost was \$199.15. The proceeds amounted to \$217.78, leaving us with a profit of \$18.61, or an average of \$1.65 per head. The first weight of these animals was 3,970 pounds, and their last weight was 4,983 pounds, showing a gain of 1,013, or an average of 262¾ pounds, being a daily average, as I have said, of 1.31 pounds.

Lot No. 3 were fed on ration No. 1 with pease, oats and barley and half oil meal, except in the last month when they got two pounds of oil meal and four pounds of the mixture. The steers cost \$131.04 and the cost of feed was \$59.66, a total cost of \$200.70. The proceeds amounted to \$214.59, leaving us with a profit of \$13.89, or an average of \$3.47. The last weight of these animals was 4,910 pounds as against an initial weight of 3,980 pounds, showing a gain of 930 pounds, or an average of 232½ pounds. They gained at the rate of 1.21 pounds per day, which is the lowest of the whole thirty-two.

*By Mr. Erb :*

Q. Was the oil meal linseed or oil cake ?

A. Cake ground up.

Lot No. 4 was fed on ration No. 1 with meal, half oats, pease and barley, and half corn meal. This lot gained 256½ pounds on the average or at the rate of 1.33

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pounds, exactly  $1\frac{1}{3}$  pounds per day. The cost of this lot of steers was \$131.53 and the cost of their feed \$67.98, making a gross cost of \$199.51. They sold for \$219.37, giving us a profit of \$19.86, an average of \$4.96 $\frac{1}{2}$ . These animals weighed at the start 3,995 pounds, and when sold, 5,020 pounds, a gain of 1,025 pounds.

Lot No. 5, was fed on ration No. 1 with meal, half bran and half corn ground. This lot gained at the rate of 1.29 pounds per day and the average gain was 219 pounds. The cost of these steers was \$131.53, and their feed cost \$67.20, being a gross cost of \$198.73. The proceeds were \$218.13, giving a profit of \$19.40, an average of \$4.85.

Lot No. 6 were fed on ration No. 1, and in addition to this they were fed one quarter bran, one quarter corn meal, one quarter oil meal and one quarter cotton seed meal. These animals cost \$130.54, and their feed cost \$67.46, or a total of just \$198. We got for them \$215.69, making a profit of \$17.69, or \$4.42 $\frac{1}{2}$  each. The last weight was 4,935 pounds, as against 3,965 in the first place, or a gain of 970 pounds, so that these animals gained on an average 245 $\frac{1}{2}$  pounds, or the rate of 1.27 pounds per day.

Lot No 7 was fed on half oats, pease and barley, and half corn ground. These steers cost us \$130.05, and their feed cost us \$64.45, or a gross cost of \$194.50. They brought \$217.85, being a profit of \$23.35, or an average of \$5.84. They gained 1,036 pounds, from 3,950 pounds to 4,986 pounds, an average gain of 259 pounds. They gained at the rate of 1.35 pounds per day. This is the lot that made the greatest gain per day and the greatest profit.

*By Mr. Featherston :*

Q. They all had the same roughage ration ?

A. No, lot No. 7 was on a different ration ; it consisted of ensilage 50 pounds, hay 5 pounds, straw, 5 pounds; they had no roots.

*By Mr. McMillan :*

Q. How much of this mixture did they get ?

A. Forty-six pounds mixed in that proportion.

*By Mr. Burnett :*

Q. What breed were they, Durham ?

A. These were Durham grades.

*By Mr. Featherston :*

Q. What was the cause of the greater increase in this case ?

A. It may be due to the absence of roots, but there is the statement.

*By Mr. McMillan :*

Q. Have you tried any lots in boxes, loose ?

A. Not yet; I saw Rennie's statement on that subject.

Lot 8 had a somewhat different ration again. They were fed on a ration of 50 pounds of ensilage, 5 pounds of straw, 5 pounds of long hay and 25 pounds of turnips, with one-half pease, oats and barley, and one-half corn ground, but they were fed only four pounds each during the experiment. These steers cost \$131.53, and the cost of their feed was \$69.25, making a gross cost of \$200.78. They brought in \$216, a profit of \$15.22, at \$3.80 $\frac{1}{2}$  each. Their weight was 3,995 pounds, and when sold they weighed 4,945 pounds, a gain during the time the experiment had lasted of 950 pounds. They gained 237 $\frac{1}{2}$  pounds each, or at the rate of 1.23 pounds per day. During the last two months they were all fed on the same ration, No. 1, and from five to six pounds of meal per day. The last two months were the most expensive of the whole period, and we were compelled to take lower prices than if we had sold them a month earlier, and this reduced the profit greatly.

*By Mr. Featherston :*

Q. What did you sell these cattle at ?

A. We sold them at \$4.60.

Q. How did you sell them ?

A. Well, the system or the way in which we sold these was, they got no breakfast and were weighed immediately after breakfast time, and we allowed five per cent off.

Q. They were fed after but not before ?

A. Yes.

Q. You say you fed them so that the weights you figured on for the percentage of beef was feed weights ?

A. No, it was fasted weights with five per cent off.

Q. That makes quite a difference ?

A. Yes, it does make quite a difference.

Q. I should think the fasting was a proper thing ?

A. We had an experiment in that yesterday. We sold twenty-nine steers yesterday, and I had them weighed on Monday night, and again yesterday (Tuesday) morning after the breakfast hour, but before being fed or watered, and I found they weighed about three per cent less by not getting their breakfast, and with his allowance of five per cent it made eight per cent that we allowed them.

Q. That is a pretty heavy saving ?

A. Well, no, if you ship them to a point on the railway they will lose about ten per cent.

*By Mr. Featherston :*

Q. The usual way is to sell them after they are fed at the market, and are weighed full from their stable ?

A. I would like it much better. The reason we undertook the feeding of these steers was that when I arrived here we had a great deal of roughage which was of an unsaleable character, and we wished to get rid of it. A good deal of this was ensilage, and we wished to empty the silos for repairs, as they were badly needing it, and another part of it was clover hay, which had been badly exposed, and we wanted to get rid of it. It was a question of either getting rid of it by feeding it or of losing it; so we bought around here twenty-nine steers, and we had to pay very high for them, as the prices were away up, and we were the buyers and wanted them, and the people who had them didn't want to sell them. They cost us \$1,094 for the twenty-nine steers.

Q. What would that be per pound about ?

A. I cannot tell you the average per pound, but by the list I find that lot 1 composed of ten steers which had been fed on ensilage, hay and straw, and in pretty good average condition cost us \$40 a piece, and weighed 915 pounds.

*By Mr. McGregor :*

Q. That is pretty prices ?

A. Yes, but it was a case of necessity.

Q. On what date did you buy them ?

A. On 21st February.

Q. That is pretty late.

A. Yes, it was.

Q. Is that the lot you have just sold up there now ?

A. Yes, partly. The other lot of ten cost us \$330; they were bought on the same date. That other lot of nine cost us three and one-third per hundred; they were bought on the 29th of March, but they were a smaller lot.

Q. They had not been fed before you got them ?

A. They had not been fed at all, save a mere maintenance ration.

Q. Were they in a barnyard ?

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A. Yes, around a straw stack, up in the Quyon district.

Q. You have them now?

A. No; we sold them yesterday. We had to sell them. I didn't want to get them, in the first place, on the conditions, but it was better than to allow the feed to lie over. The average selling price, in the first lot, was \$4.60, the second lot \$4.25, and the last lot \$3.50. It cost us about \$80 for meal, and the whole of the steers cost us \$874. They brought us \$1,094.34, which was a gain of \$220.30, and deducting from that the \$80 for meal, we have \$140.30 left for the roughage.

Q. You have not allowed anything for labour?

A. We did not count anything for labour, because the manure is worth more than the labour.

Q. Have you any estimate of what they consumed in feed?

A. No; I have not made it up yet. We only sold them yesterday.

Q. Did you not make a mistake when you gave the cost of the steers at \$1,094? Was not that the selling price?

A. If I said \$1,094 it was a mistake. They cost us \$874, and we received for them, when we sold them \$1,094.34.

Q. Do I understand you sold these at \$3.50 per 100?

A. That is the small lot; that is, the ones that cost us \$3.33. I count that that lot made us the most money, because we didn't feed them any grain worth mentioning. The first ten weighed 915½ pounds each, and cost us \$4.37, and the second ten each weighed 770 pounds, and came from around the straw stack, and we got them for \$4.28.

*By Mr. Featherston:*

Q. Were all these sold for killing?

A. All sold to the same man.

Q. And were they all fit for killing?

A. And good as you would get in the country, on the average. They were very juicy looking animals.

*By Mr. Gilmour:*

Q. What do you mean when you say as good as you get in the country, on the average? Don't we get as good in the country as we do in the city?

A. Well, what I mean is this: That a drover goes out into the country and buys old cattle from farmers which are not, on the whole, as good as the steers we sold.

### IMPORTANCE OF KINDLY TREATMENT.

*By Mr. McMillan:*

Q. Give us that experience of yours with the steers.

A. Some time ago we had trouble with the steers, that is, they seemed to be uneasy, and they didn't seem to be doing well. I knew we had a man that looks after them than whom there is probably not a better feeder for miles around. He is a most careful and kind feeder, and I have never seen him in my time upon the farm—and I have often been in his stable when he didn't know of it—that he was not looking after the stock most carefully. As I have said, the steers seemed to be uneasy, and we couldn't account for it. Mr. McMillian mentioned it to me about the same time, and I undertook to find out what was the cause of it. I lay around the stable for some time and couldn't find anything, and at last Mr. Elliott went one night and found three or four small boys in there switching them and throwing rocks at them. It was very warm weather, in the summer, and the boys were pegging sticks and rocks at them through the open doors and windows. Of course I stopped them at once.

Q. Where did these boys come from?

A. Oh, they came from around the farm. They used to play ball as long as it was light enough, and then when it came twilight, and they couldn't see to play ball, they were amusing themselves with the steers.

Q. Did any of these boys belong to the professors up there?

A. I don't think any of the professors up there have boys.

Q. Did you switch them?

A. I did not think it was permitted to switch the boys. They were sent away, and they have never been around the steers since. During that period of two weeks they gained only a pound a day, when they had been gaining two pounds steadily. Of the 29 steers that I spoke about, one lot gained at the rate of 1.82 pounds a day; that was the fattest of the lots. The second gained 2.26 pounds per day, and the third lot 2.22 pounds per day. During the whole period lot No. 1 gained 226 pounds; lot No. 2, 281½ pounds; and lot No. 3, 195 pounds. The general result of the feeding of these steers was as follows: Lot No. 1, 10 steers, cost \$4.37, were bought on 21st February. The average weight at the start was 915½ pounds. They were fed for 124 days, and at the conclusion they weighed 1,141½ pounds average weight, making an average gain of 226 pounds each, or a daily gain of 1.82 pounds. Lot No. 2, composed of an equal number of steers, cost \$4.28, bought on the same day, weighed 770 pounds at the start, fed the same period, and at the end weighed 1,051½ pounds each, making an average gain of 281½ pounds, the average daily gain being 2.26 pounds. Lot No. 3 was composed of 9 steers, bought on the 29th March at \$3.33, weighing 480 pounds at the start and 675 pounds at the end, making an average gain of 195 pounds during the 88 days they were fed, or an average daily gain of 2.22 pounds.

Having examined the preceding transcript of my evidence, I find it correct.

J. H. GRISDALE,

*Agriculturist, Central Experimental Farm.*

**Agriculture and Colonization.**

THE EVIDENCE

PART II

IMMIGRATION AND COLONIZATION



## Agriculture and Colonization.

# IMMIGRATION AND SETTLEMENT, IN 1898.

COMMITTEE ROOM No. 46,  
HOUSE OF COMMONS,  
OTTAWA, 19th May, 1899.

The Select Standing Committee on Agriculture and Colonization met this day, at 11 o'clock a.m., Mr. Bain, chairman, presiding.

Mr. James A. Smart, Deputy Minister of the Interior, was present at the request of the committee, and made the following statement:—

I may say, Mr. Chairman and Gentlemen, that the Department has pursued the same policy, practically, with regard to immigration during the past year that has been in vogue for the last two or three years; that the results from the efforts put forth, as most of the members of the committee probably know, have been satisfactory, at least to a degree, and possibly such as to encourage us with the hope that the coming year will show even greater success in our work. Our expenditure last year was practically the same as the year before, a little over \$250,000. This expenditure is divided; a certain part being set apart for work in Great Britain and the Continent, which is under the direct supervision of the High Commissioner for Canada at London, and a portion set apart for work in the United States, the balance being devoted to the purpose of the reception of immigrants and their location on lands in this country.

The Department has given very special attention to the necessity for the latter course, and it has been found that possibly the best part of the work that is being done for Canada to-day is in connection with caring for those who come to the country. We have, as you all know, the seaport offices of the Department with their staff of guardians, caretakers, and so on; and also the staff at Winnipeg, under the commissioner of immigration there, Mr. W. F. McCreary, who receive the immigrants on their arrival in the West. I may say that the majority of the immigrants, of course, who come to Canada now go to Manitoba and the North-west Territories to settle, although a very large number remain in eastern Canada. We have in the west offices for recording the arrivals, taking their names, and officers who are sent forward with those persons, or with the representatives of any large body which may arrive, to select lands on which they can locate. As a rule the immigrants now from the Old Country come in larger bodies than heretofore—it is very seldom that we have small parties—the bulk come in large numbers, and when they have not decided on their destination, or rather on their location, it is usual to send out an officer of the Department, who knows the country, with a delegation from these people to show them different parts of the country for the purpose of deciding as to the location of the settlement, and generally the people who come together in that way go to one district.

The Old Country work, that is, the work in Great Britain, has not borne the fruit that it was hoped it would. It seems at present that there is such a measure of prosperity in England amongst all classes, and especially among the agriculturists—to whom we devote most of our endeavours in regard to immigration—that they feel they are safer in remaining at home than in coming to a new country and taking chances, even though the chances are good. The result is that the emigration from the British Isles, the last few years, on the total, has shown a steady falling off to all countries until last year, when it took an upward turn, by which we profited.

## COMPARATIVE TOTAL EMIGRATION FROM THE BRITISH ISLES.

I have the figures here to show you by comparison the falling off in this respect. For instance, in 1889, that is ten years ago, the total emigration from the British Isles was 253,795 persons. In 1890 it was 218,000.

*By Mr. LaRivière :*

Q. That is, to all parts of the world ?

A. Yes. In 1891 it was about the same, 218,000 ; in 1892 it was 210,000 ; in 1893, 208,000 ; in 1894, 156,000 ; in 1895, 185,000 ; in 1896, 161,000 ; in 1897, 146,000 ; in 1898, 140,000 ; showing a decrease in the emigration of 1898 as compared with the emigration of 1889 of over 110,000 people.

The proportion to Canada in this connection, however, has not decreased in the same measure. The proportion to Canada in 1889 of the emigration from the British Isles amounted to 28,269 persons, or 11½ per cent. This seemed to be reduced by 1895 to 9 per cent ; but since then there has been a steady increase—in 1896 to 9½ per cent, in 1897 to 11 per cent, and in 1898 to 12½ per cent, showing that although there has been a total decrease in emigration from the British Isles, due to the fact, as mentioned above, that there is such a measure of prosperity at home, the emigration to Canada has not decreased in the same proportion as it has to other countries.

During the present year, while our prospects were better up to a certain date than they had ever been before in regard to British immigration, yet the fact that some countries and some colonies have offered assisted emigration—more especially is this true this year of Queensland, one of the colonies of Australia, which has offered free passages to farmers, farm labourers and domestic servants, all selected—will certainly affect us to some extent this year, but to what extent it is impossible to say.

Now, while all these things had the effect of decreasing emigration from the British Isles, our efforts there have succeeded, at all events in so far that we are losing a less proportion than some other countries. The immigration from the Continent, which up to a very few years ago practically amounted to little or nothing in Canada, is now flocking here in large proportions. At least the prospects are that it will in the very near future. So that we are looking to the most desirable portions of Europe for any large influx of population into Canada. While possibly stronger efforts may tend to help us in Great Britain, especially in England, yet it appears, as I have already intimated, that the prospects from the Old Country are not such as to justify us in expecting any large increase.

*By Mr. Martin :*

Q. Has the increase in immigration been greater or less ?

A. It has been less. There is a decrease of over 110,000 from all countries within the last ten years.

## PROPORTION OF TOTAL IMMIGRATION OF 1898, RECEIVED FROM THE BRITISH ISLES.

*By Mr. LaRivière :*

Q. And what is the proportion from all the British Isles ?

A. I can give you the exact figures from our returns here. Last year there arrived in Canada from Europe,—that is, from the Old Country, the British Isles and the Continent,—21,623 people, who were declared settlers. At the seaport our agent inquires from every passenger who arrives as to his or her destination, and as to whether he or she intends to become a permanent settler in Canada, and that was the number of those who declared themselves to be settlers during 1898. Of this number, 9,475 came from England, 733 were from Ireland, 1,400 from Scotland. The others, making a balance of about 10,000, came from different European countries.

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*By Mr. LaRivière :*

Q. Was that in 1898 ?

A. Yes, that was in 1898.

Q. Did you notice, with respect to the decrease, where it is from, whether from England or the Continent ?

A. I will show you. In 1893 the English immigration to Canada was 16,829, showing a decrease of 7,400 between 1893 and 1898.

Q. What part of the British Isles was the decrease from ? Was it from England proper, Ireland or Scotland ?

A. Mostly from England. The Irish immigration decreased also, but not quite in the same proportion, and the Scotch as well. These all show a little decrease from the previous year, but to a very small extent.

*By Mr. Stenson :*

Q. But altogether, for the last ten years, the proportion has been greater ?

A. There has been a general decrease.

Q. But, nevertheless, the proportion is greater in the total immigration ; the difference being from 11 to 12½ per cent ?

A. Yes ; we had about the same number of British immigrants, I think, during the last year as the year before. Our returns show a little increase in the Continental immigration. A number of persons—in fact, a considerable proportion of them—came from Austria, and are known as Galicians, of whom about 5,500 came last year.

*By Mr. LaRivière :*

Q. So there must be a pretty large decrease from the other parts of Europe, when you have a very large increase in the number of Galician immigrants. You say “the amount is about the same, I think, for the year.” So there must be a decrease from the other parts of Europe ?

A. I do not know that that would necessarily follow.

Q. Because there is a large increase in the immigration from Galicia, and the total number from Europe is about the same, I think it would.

A. You mean German, Scandinavian, and other nationalities. German immigration was as 2,660 in 1893, to 563 in 1898, and the Scandinavian was about in the same proportion.

### EXPENDITURE AND AGENCIES.

We have our expenditure in regard to the Old Country. Last year it was practically the same as the year before last, that is, the Old Country and Continent ; in fact, it was a little less last year than in 1897. In 1897 we spent in salaries \$20,716.92, and in 1898 the expenditure for the same purpose amounted to \$20,576.40 ; that is, for the calendar year, while the immigration shows an increase from 19,304—that is, the total all over the Continent—up to 21,623, being an increase of 2,319.

*By Mr. Stenson :*

Q. You mention the amount of salaries ; have you also the expenditure for expenses ?

A. There are, besides that, the travelling and other expenses of the agents and employees ; the advertising, printing, office rental, &c. These are the only items of expenditure we have in this connection.

*By Mr. Sproule :*

Q. And the travelling expenses of agents ?

A. I have not got those.

*By Mr. LaRivière :*

Q. Your staff is composed of two classes of men—the local agent and the travelling man ?

A. In the Old Country, I may say, the system has been adopted of having travelling agents and agents in offices, the agents in the offices giving all the information. We also have an office in the High Commissioner's Office in London, another in Liverpool, one in Glasgow and one in Dublin. At all these offices the agents give information and it is to these that letters are sent asking for information and immigration literature. All the advertisements give the addresses of the agents and, of course, in all the publications we issue, the addresses of these agents are also given, so that any one requiring information may know where to write for it.

*By Mr. LaRivière :*

Q. Then you have a travelling staff as well ?

A. They travel and lecture, whenever it is found desirable to do so. I may say the reports of the various agents are contained in the annual report of the Department, showing the actual work they have performed in this respect.

I was going to show our work on the Continent so far as our agents are concerned. We only had agents in France, Belgium and Holland. We have three men altogether in these countries, and we have also made a grant to Prof. Oleskow, who was instrumental in sending out the Galicians.

I may say here, that the people Prof. Oleskow sent out are of the better class—having considerable means of their own—and from inquiries made among those in the west we have found that they have made a success of their farming operations, are becoming possessed of a large stock of farm implements, and are likely to be as good settlers as any we have.

Q. Were they treated on a different basis ?

A. No, there is no difference. The only moneys the department has paid out in connection with the Galicians is the sum that was paid to the different continental agents. I may say that we use, on the Continent, steamship booking agents who are also our agents, and for each adult over 18 years of age who is taken through to Manitoba and the North-west Territories they receive a pound sterling. This applies, of course, to all classes of emigrants from the Continent. That is all the money we have paid out in inducing Galician immigration, except the small sum paid to Prof. Oleskow.

Q. Don't you think that brings in unsatisfactory immigrants ?

A. We have not changed this matter at all since 1882 ; it is the same bonus that has been in effect, but I want to add this, that it has been thought well recently to make some changes, especially in regard to Galicians. As they are coming out in such large numbers it was thought better to see how those who have already come out—about 20,000—get on and what class of people they will really turn out to be, before getting any more, and so on the 1st of June next the Galician bonus is to be dropped. We did not wish to be abrupt, so we gave notice of our intention in this regard two months ahead.

*By Mr. Rogers :*

Q. There are 20,000 of them here ?

A. Yes.

Q. Since what period ?

A. Oh, they have been coming for some years. A few came five or six years ago, but no large number arrived until within the last three years.

*By Mr. LaRivière :*

Q. There are some more on the way now ?

A. Yes, we expect 8,000 or 9,000 this year.

## Agriculture and Colonization.

*By Mr. Sproule :*

Q. It seems to me that amongst the Galicians there is not the class of immigrants needed, and it might be well to take some steps either to be careful of the men coming in or to check undesirable persons coming in?

A. It is pretty hard to say who are undesirable. From all we can gather, it is those who have come to the country with practically no money who have, in the past two years, put themselves in a good position. They have cleared the land, put up houses, started at once to make their gardens, growing their own vegetables—and many of them have vegetables to sell—and coarse grains; so that it is very difficult to put your hand on those who are undesirable among them and those who are not. Of course, it is always desirable to have people come to the country with means, but past experience has shown that the people who have gone to the west with means have not made the same success as those who have gone in with no means at all.

*By Mr. LaRivière :*

Q. That is a general thing?

A. Yes. We cannot fix a money standard.

Mr. LARIVIÈRE.—It would be only as to the character of the people, because as to their financial standing past experience has shown that people with no money have succeeded, and those who had means failed and then decried the country because they did not get on well.

Mr. DOUGLAS.—The experience in my constituency is that those who borrowed money got into difficulties, while those who began with nothing and laboured as they got opportunity, succeeded better than those who borrowed money and were paying interest; the men who had nothing at all made a success of it.

### BONUSES.

*By Mr. Moore :*

Q. Does the same apply to the Doukhobors as to the Galicians?

A. Practically the same, excepting this, that the amount we are giving in connection with the Doukhobors—nominally a pound a head—is being paid to them in this country, and is being used for their own benefit since their arrival in the country. Of course, in the case of the Galicians and other European immigrants, the bonus is paid to the European steamship agents and we see nothing more of it; but in the case of the Doukhobors nothing was paid for passage, and the amount of the bonus was paid to a committee in Winnipeg, an independent committee composed of Mr. McCreary, the Commissioner of Immigration at Winnipeg; Mr. McCaffrey, the manager of the Union Bank of Canada there, and Mr. D. W. Bole, as well as Prince Hilkoﬀ, their friend, who is also a trustee for the Doukhobors and will settle with them; and Mr. Archer, who represents the committee in England, which has taken the matter in hand and sent out representatives last fall.

*By Mr. Douglas :*

Q. Is this money paid to the people directly or in supplies?

A. In supplies; there is nothing paid to them directly.

Q. Does the government know that in the past the gravest injury was inflicted on the people, through agents, by giving them supplies instead of money?

A. I do not know.

*By the Minister of Agriculture :*

Q. As I understand it, this money is placed in the hands of trustees who are using it for the benefit of these Doukhobors, of whom one is Prince Hilkoﬀ, their friend, and the other the representative of the English society which has brought about their immigration?

A. That is correct.

Q. That committee in Winnipeg does as it likes with it; you don't know anything about it.

A. We simply deposited it with them.

*By Mr. LaRivière :*

Q. At any rate if there were any complaints, that would be a matter for the department to investigate?

A. Yes.

The MINISTER OF AGRICULTURE.—This committee is a working committee of friends of the Doukhobors.

*By Mr. Rogers :*

Q. What is the prospect for immigration from Finland?

A. Well, at present it is very hard to make any statement with regard to Finnish immigration. No doubt there is likely to be a large movement of a certain class of Finlanders, and the present intention, I am advised, is that a delegation of representative Finlanders should come to Canada to make an investigation into the resources of the country. If the reports of this delegation are satisfactory it is possible that a large number of these people will settle in this country. But aside from this, no other definite steps have been taken, except to ascertain in a general way what the movement is likely to be.

*By the Chairman :*

Q. Have we any number of Finlanders here now?

A. Yes, a few come out occasionally.

*By Mr. Rogers :*

Q. Are they not very desirable immigrants?

A. Yes, they are spoken of very highly. I had a letter recently from a gentleman who knows them, and he says they are really a most desirable class, and they have a good opinion of Canada, from what they have heard, and if they can make fair arrangements they will come out. There is a danger in speaking of it, however, as the Russian government might prevent their emigration, and whatever is done must be done quietly.

*By Mr. Sproule :*

Q. Will they be good farmers?

A. That will be a very difficult thing to know. Most people who have seen them pronounce them a superior class of people, but whether they will make a success of farming remains to be seen. Of course, they are all agriculturists. I think they will be a most desirable addition to our population.

*By Mr. Clancy :*

Q. You pay a pound a head for all adults?

A. For every person above the age of eighteen who comes from the Continent of Europe.

THRIFTY HABITS OF CONTINENTAL SETTLERS.—COMMISSION DISCONTINUED.

*By Mr. McMillan :*

Q. Is there a regular system of the distribution for that money among the Doukhobors?

A. It is spent in purchasing supplies. I was there last fall and they were discussing the purchase of large quantities of supplies. These people have many tradesmen

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among them—blacksmiths, harness-makers, shoemakers ; they make their own clothing ; so the money will be largely spent in raw material. They make their own implements, spades, harrows, &c., and I do not know but what they make their own ploughs. They have made some, and they may prefer making their own ploughs as well, as I have said, as their own boots, shoes and harness.

*By Mr. Moore :*

Q. I understand. Were you proposing to withdraw this vote and continue it to the Doukhobors ?

A. We have simply withdrawn the commission to the booking agents who book Galicians. It will not apply to any other nationality.

Q. That would appear that the Galicians are not so desirable a class of immigrants as the Doukhobors.

A. No, there is no doubt there has been a difference of opinion between a good many people with regard to the Galicians, as to their desirability as immigrants, and as we have a very large number, some 20,000 of them, in this country now, and as these, with what we will have in the course of a month or two, will probably bring the total number up to 25,000, it has been thought that it would be just as well to try it for a year without giving any commission. It is just a question whether the withdrawal of this bonus, or commission, will prevent a very large immigration of these people to this country, as a great many are coming now and we know there are many others who will come later. However, these people are coming, not so much because of the bonus, but largely upon the inducements held out to them by the very satisfactory accounts which their friends who are out here, have sent, of the great progress they themselves have made.

*By Mr. Gilmour :*

Q. Are they being settled together ?

A. No, they are being separated ; there are, may be, ten or twelve colonies of them altogether ; there are no great number of them settled together, except at Edmonton district where the first detachment of them that came in settled. There is a greater number there than in any other district.

*By an hon. Member :*

Q. Where is that ?

A. That is near Fort Edmonton, on the North Saskatchewan. The others are all separated into various colonies.

*By Mr. LaRivière :*

Q. I have the pleasure of having one of those colonies in my own district ?

A. Yes. They have established a school at Fort Saskatchewan.

*By Mr. McMillan :*

Q. Since the commission is withdrawn from the Galicians will they be allowed the same subsidy as the Doukhobors ?

A. No. That will not apply to them at all.

*By Mr. Sproule :*

Q. Do they establish their own schools and teach their own language ?

A. No, they are all anxious to learn the English language. As an indication of how anxious they are to attain this accomplishment, I may mention that I visited some of them last year who had only been about six months in the country and I found that they exhibited a remarkable facility in picking up the English language. Their one aim and desire seems to be to speak the English language and to become Canadians. They

appear to associate the two together, and from all the accounts I hear they promise to acquire Canadian citizenship and the language very rapidly.

Q. How many townships do they occupy?

A. They are not settled in townships, that is, not in solid blocks, but in districts and scattered portions of townships. In the Edmonton district they are, as I have stated, most thickly congregated, but they only take the even sections, so that they are scattered somewhat.

*By Mr. Rogers :*

Q. Do they follow the system of public school instruction in their education?

A. They seem to be interested very much in the education of themselves and their children.

I am just going to quote a few words here from a report by Mr. C. W. Speers, who has been placed in charge of all the colonies of Galicians and visited them to see what progress they were making. He says: "In reviewing the condition of the different colonies that have been established by the Department, as well as those that have been supplemented within the past two years, I think, generally speaking, they are in a very satisfactory condition, and there is every evidence of prosperity and the prospects for the future are very good. The building of churches, the large attendance at the public schools, the desire of these people to acquire the English language, the very significant manner in which they wish to become identified with our citizenship, as well as the great amount of grain and stock being produced by these people, must be a source of gratification to the Department. With the exception of a few in the Edna colony, there will be no demands upon the Department for assistance, and this should be very limited and will be effected in a practical manner, several of the Bukowinians who were detained in quarantine at Halifax and Winnipeg will require a little assistance, but many Galicians in that settlement have as much as from a thousand to twelve hundred bushels of wheat in their granaries, and from two to three hundred bushels of potatoes in their cellars."

*By Mr. Sproule :*

Q. These are Galicians or Doukhobors?

A. This only refers to Galicians. The Doukhobors have only been a few months in Canada and we have no reports at all from them yet, except as to what they were before they came to Canada.

#### SETTLERS FROM THE UNITED STATES

*By Mr. Semple :*

Q. What is the proportion of settlers coming from the United States?

A. Last year our returns show a total of 9,119 persons who arrived from the United States and settled in the country. Of this number about 7,500 settled in Manitoba and the North-west Territories, and the balance in the provinces of Quebec and western Ontario, in the Nipissing and Rainy River districts.

*By Mr. LaRivière :*

Q. From what part of the United States did they come chiefly?

A. Michigan sent the largest number, about 2,500 people.

*By Mr. Douglas :*

Q. How many Mormons have come in?

A. I think there are about 2,000 now in the country.

Q. And more than another thousand coming this spring?

A. Yes. More than that, I think, we expect two or three thousand this spring.

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The CHAIRMAN.—I suppose there is no Department responsible for their coming over?

### SETTLEMENT DISTRIBUTION OF CONTINENTAL IMMIGRANTS.

*By Mr. McMillan :*

Q. Have the Doukhobors settled on alternate sections.

A. We made special arrangements for them. They are settled *en bloc*.

Q. Where?

A. Their colonies begin about sixteen miles north of Yorkton. In fact there are two colonies, the larger one being north of Yorkton and the other one on the Swan River reserve, north-west of Dauphin about 200 miles west of Winnipeg.

*By Mr. LaRivière :*

Q. Will they settle in villages in the style of communities?

A. Yes. They are all outside Manitoba in the Territories.

### AGENTS IN THE UNITED STATES.—IMMIGRATION FROM.

*By Mr. Sproule :*

Q. How many agents are there working in the United States now?

A. I think I can give you the names of them a great deal better than I can give you the number. We have McInnes, Caven, Grieve, Broughton, Davies, Bennett, Swanson, Rogers, Crawford, Currie and Holmes, who are paid a regular salary. Then we have three, Messrs. Bartholomew in Iowa, Parker in Duluth, and Ritchie in North Dakota, who are paid a small allowance for expenses, and commission in addition and besides these we have special agents, about 300, in different parts of the States.

Q. You have about 300 sub-agents?

A. Yes.

Q. They are paid by commission?

A. Yes.

Q. What commission?

A. \$3 for every man over eighteen, \$2 for each woman, and \$1 for each child.

*By Mr. LaRivière :*

Q. Why is the difference made between the commission for men and women?

Q. I cannot say why that is. I forgot R. A. Burriss, who is working for the Rainy River district, he is paid the same as Bartholomew, Parker and Ritchie; he is paid an allowance for expenses and his commission.

*By Mr. Sproule :*

Q. You have a man at Detroit?

A. Yes, I mentioned him, Mr. McInnes.

Q. How many persons have these agents sent in?

A. According to our report, 5,500 from these agents.

*By Mr. LaRivière :*

Q. On that list I do not notice the name of a single French Canadian?

A. But we have several whom I should have mentioned. We have had the Rev. Fathers Morin, Brousseau, Blais, Paradis. However, of these, Fathers Brousseau and Paradis are not now employed and have been replaced by Fathers Gouin and Gingras.

*By Mr. Sproule :*

Q. Where are they operating ?

A. In the eastern States.

Q. You say 5,500 people is the result of the work of these agents ?

A. Yes.

Q. How are they paid ; on what principle ?

A. I am only speaking of our regularly appointed agents.

Q. But I asked about your commission agents ?

A. A good number,—in fact a large proportion, of the immigration comes from them. In some cases—well, I cannot give you the exact figures either, so far as these agents are concerned.

Q. You should have a record ?

A. Well, we have a record of the numbers we pay for, but I cannot give you the figures.

*By Mr. LaRivière :*

Q. Are the details given in your annual report ?

A. No, the full details are never given ; some of them are.

*By Mr. Sproule :*

Q. When do you pay the money ?

A. The agents issue certificates to the railways for passage at approximately one cent a mile in the west and these certificates are returned to us by the Canadian Pacific, and on receipt of them the cheques are issued to the agents.

Q. If that is the way you pay I do not understand it. You have 300 sub-agents and you pay commissions for each immigrant ; how do they get it and on what certificate ?

A. They get it from the Department on receipt of these railway certificates.

Q. Yes, but when ; as soon as the people have landed ?

A. As soon as they strike the Canadian Pacific they present the certificates which are issued to them by the agents, and on presentation of these they get reduced transportation ; that is, for people coming from the United States.

Q. Well, does that go back to the agents ?

A. It comes to the Government.

Q. And that is a voucher for the agent's fee ?

A. Yes.

Q. He can draw his fee any time after that ?

A. Yes, we issue a cheque immediately, as soon as they strike Canada anywhere.

Q. And when they present the certificates from the sub-agents they can get that ?

A. Yes.

Q. Would there not be a chance of making out cheap transportation for others ?

A. Yes, there is that difficulty ; but the Canadian Pacific people are quite alive to their own interests. There have been a few cases where these agents have issued reduced fares to others than actual emigrants.

Q. I have heard of a few cases where that was done ?

A. Yes, there were a few.

*By Mr. LaRivière :*

Q. It is hard to check this little affair, I suppose. No doubt we get the value for the bulk of the commission paid ?

A. Yes.

*By Mr. Sproule :*

Q. All I know is that cases were brought to my attention where that had been done.

A. Yes ; not very many, though.

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Q. And these agents not only give their friends the advantage of cheap transportation, but they then collect a commission?

A. Yes, it is possible; but it is very hard to get past the Canadian Pacific Railway. I have known them to hold people as much as two days to make sure they were settlers; much to the inconvenience of the settlers, too. Of course, you must trust your agents, and we have taken care to appoint trustworthy people.

Q. Would you have a record of individual agents, and how much was paid?

A. Yes, we have that. They have not sent in as many as our salaried agents have. It is a side issue with them, being for the most part men who are engaged in other business as well.

*By Mr LaRivière :*

Q. Have you not had under your consideration a scheme propounded by Father Morin for repatriation?

A. Yes, there is a scheme now before the Department.

Q. Have you decided anything at all on the matter?

A. Nothing as yet.

*By Mr. Moore :*

Q. You would be a little surprised that a larger amount would be given for men than for women? That might be the reason for less women coming from the States?

*By Mr. Taylor :*

Q. Have you any account of the pamphlets you are sending out? Have you copies of the pamphlets here?

A. Yes, I have them all here before the committee.

### FEMALE AGENTS.—DOMESTIC SERVANTS.

*By Mr. Rogers :*

Q. What result have you from the female agents?

A. That is a burning question in the West. As most of you know, we made an effort to bring out some servants from Scotland, and with that object in view we sent a lady over there and she came back in about three months. We sent her to bring 100, but she only got 59. We advanced the transportation for these people, who agreed to repay us when they were able to do so, and a good deal of the money has been paid back; but from the fact that our agent was only able to get 59 when she was sent to get 100, it is evident that this is a very difficult matter. There has been a suggestion that we should procure them in Sweden, but the emigration laws in Sweden are so stringent that it would be absolutely impossible to send any one there to bring them.

*By the Chairman :*

Q. They would lock them up?

A. Yes.

An Hon. MEMBER.—They should send Pare and Holden there.

The WITNESS.—I may say this, in reference to domestic servants, that it has been found in the West that Galician girls are making splendid servants, and every person who has had them is satisfied. Testimonials have been sent in to the government by ladies who have employed these girls, saying that they are making good servants and are likely to fill that long-felt want, so we hope, in the very near future, we will be able to secure sufficient help from the foreigners. The Doukhobor girls, we expected, would also be willing to go out to service, but they have not so far.

*By Mr. Rogers :*

Q. What proportion of immigrants remain in Ontario ?

A. I cannot tell about the number that remained in Ontario. I can give you the number that remained in eastern Canada. About 15,000 of the foreign immigration coming to Canada went to Manitoba and the North-west. That would leave about 7,500 who remain in eastern Canada.

*By Hon. Mr. Fisher :*

Q. That is, from Europe.

A. Yes, from Europe.

*By Mr. Sproule :*

Q. That is, Quebec and the maritime provinces That is what you mean by eastern Canada ?

A. No ; Ontario, Quebec, and all the east.

Q. What distinction now do you understand by western Canada ?

A. Western Canada now is all Canada west of Ontario.

Q. And Ontario is included in eastern Canada ?

A. Yes.

*By Mr. Rogers :*

Q. Would any Galicians stay in eastern Canada as servants ?

A. I cannot say as to that.

*By Mr. Semple :*

Q. Is there a record of the number going to British Columbia ?

A. We have no record of those going to British Columbia, but a great many come in from the United States of whom we have no record at all. We have only a record of those who come in on this side of the Rocky Mountains.

*By Mr. LaRivière :*

Q. Are you paying any attention to this exodus that seems to be taking place in the last few weeks to the United States ?

A. Yes.

Q. And that the railway companies are paying bonuses of so much a head for all the agents bring in ?

A. Yes, they have always done that.

Q. Cannot that be stopped ?

A. You cannot stop a railway agent from taking a commission if he can get it, still there is not such a very large emigration from Canada to the States at present.

Q. But there was a rush a few weeks ago, at the re-opening of the factories there.

A. Yes, in the eastern States ; I know that.

*By the Chairman :*

Q. That always happens every year, more or less, does it not ?

A. Yes.

#### IMMIGRATION LITERATURE.

*By Mr. Sproule :*

Q. Have you a record of how much you paid last year for pamphlets, and what pamphlets you got out ?

A. Yes, I have a record of the pamphlets we got out, but I cannot tell the figures. For all printed matter, I presume you mean.

## Agriculture and Colonization.

Q. Yes ?

A. We got out last year 6,000 copies of the official handbook, 90,000 western Canada pamphlets, 5,000 eastern Canada pamphlets, 20,000 Hints to Settlers, 20,000 German pamphlets on the conditions of western Canada, 30,000 pamphlets containing notes from Wisconsin and Michigan delegates on their visit to the North-west, a Flemish pamphlet, and 18,000 German leaflets. Then we have a Polish pamphlet and a Bohemian pamphlet.

*By Mr. LaRivière :*

Q. Where does the French come in there ?

A. French pamphlets were printed in the Old Country by M. Bodard, and by Fathers Morin and Blais on this side. I have not the particulars, but I know they were published.

Q. I think I have seen one.

A. Yes, but more were published in the Old Country.

*By Mr. Sproule :*

Q. Have you any record of the cost of these ?

A. All of these were published here, I think, at the Printing Bureau.

Q. All the pamphlets, Doukhobors and all ?

A. We didn't get out any Doukhobor pamphlets.

Q. The German pamphlets ?

A. Yes. We did publish some outside too. An Austrian pamphlet was published in the United States, but we had to get it printed there. We could not get it printed here at all.

Q. You had an atlas published. Where was that printed ?

A. It was printed in Chicago by Rand, McNally & Co.

Q. Have you got a copy of it here ?

A. It should be here, I do not know if it is. We sent the papers over some days ago. I do not think there is an atlas here.

*By Mr. LaRivière :*

Q. Have you had any representations with regard to the appointment of an extra man at Winnipeg at the station there ?

A. Yes.

Q. Has anything been done yet ?

A. No.

*By Mr. Sproule :*

Q. Here is an item in the atlas that attracted my attention that I think should not have been inserted. The item is that the average snowfall is 62 inches. I do not think it is right to put that in any pamphlet.

THE CHAIRMAN.—A good wheat crop follows a heavy snowfall.

MR. SPROULE.—To you or any of us, of course, it would not mean much, but to Old Country people to have that amount of snow stated it seems to me would not likely give a favourable impression.

HON. MR. FISHER.—It goes on to say the railway trains are seldom blocked.

MR. SPROULE.—Yes, but when you say there are so many inches it seems to be a country of beautiful snow.

MR. RUTHERFORD.—As a matter of fact there is a good deal of snow there and it is occasionally cold up in the west.

MR. SPROULE.—I admit that, but as an immigration pamphlet don't you think it would be better to have only the first statement ?

THE WITNESS.—I think it is always safe to put both sides of a story in any pamphlet published.

*By Mr. LaRivière :*

Q. There is some ambiguity there ?

A. I understand there might be some misunderstanding that way, as if we had five feet of snow all the time.

Q. By people who do not understand how these measurements are made ?

A. Yes.

Q. I would like to have a list of those agents if they can be easily obtained. All the different agents and how much they are paid ?

A. Do you mean the commission agents and all ?

Q. Yes.

A. I will have a list prepared for you.

Q. And what has been paid to them during the past year ?

A. We have a list. Do you want sub-agents or all agents ?

Q. Sub-agents and all agents ?

#### PROSPECTIVE INCREASE.

*By Mr. LaRivière :*

Q. Everybody connected with that Department, sub-agents and all and how much paid, travelling agents, too ?

A. I may say that so far as this year's immigration is concerned it shows a considerable increase over last year up to this date. I might give you a statement if you think it would be of any interest to know.

Q. Including Galicians and Doukhobors ?

A. Yes.

*By Mr. Sproule :*

Q. What if you leave them out ?

A. Why should we not include them ?

Q. There are particular conditions that have practically driven them out of their country ?

A. Not the Doukhobors. They were sought after by many parts of the United States and South America.

Q. The Galicians had to come to Canada ?

A. No, a much larger number went to South America than to Canada. We only got a small proportion of the Galicians.

Q. As a result of our agents' operations there ?

A. Yes.

Q. That does not agree with what I have seen in the press, that they were obliged to leave their own country and had to go somewhere, and if they went back they would be treated as exiles.

A. I do not think that is true. The Austrian government are very anxious to know just what prospects they have. They sent a consular agent to the west to see Mr. Schultz, of Montreal, together with Mr. Rotle of the Hamburg Steamship Company, visited the Galicians in the West and reported to the Austrian government.

Q. That may be and still not affect the other statement ?

A. You would hardly think that if they had no interest in them, they would bother to inquire how they were getting on.

Q. The Galicians did not want to take service in their army.

A. The Galicians ! I have never heard of that. The Doukhobors, I believe, objected to military service.

Q. I understand the Galicians object as well, or did not like to take service ?

# Agriculture and Colonization.

## TOTAL ARRIVALS AT SEAPORTS.

Mr. SMART.—I will now give the committee the figures of the general immigration, for the following years, showing total arrivals of all classes, at seaports, to the 30th April in each year :—

|                                    |       |
|------------------------------------|-------|
| 1895, total up to 30th April ..... | 4,160 |
| 1896    "            " .....       | 3,776 |
| 1897    "            " .....       | 4,114 |
| 1898    "            " .....       | 5,263 |
| 1899    "            " .....       | 9,810 |

That shows an increase, for this year, of about 500 over and above the Doukhobors, of whom there are about 4,000. Those are the arrivals at the seaports.

The figures for those who went to the North-west and Manitoba are :—

|           |       |
|-----------|-------|
| 1895..... | 1,376 |
| 1896..... | 1,486 |
| 1897..... | 2,210 |
| 1898..... | 3,402 |
| 1899..... | 7,745 |

showing an increase of over 4,000 arrivals in the west, out of total ocean arrivals.

*By Mr. Sproule :*

Q. So your prospects this year are much greater ?

A. Yes.

The above is a correct transcript of my evidence.

JAS. A. SMART,  
*Deputy Minister of Interior.*



**A P P E N D I X**



# Agriculture and Colonization.

## RECOMMENDATIONS BY THE COMMITTEE.

The following resolutions were adopted by the Committee as recommendations for the promotion of the agricultural interests of the Dominion :—

### No 1.—TO TAKE DOWN EVIDENCE.

Moved by Mr. Sproule, seconded by Mr. McMillan,—“That the Committee ask authority from the House to employ a shorthand writer to take down such evidence as they may deem proper.”—Adopted.

COMMITTEE ROOM 46,  
25th April, 1899.

### No. 2.—PRINTING THE EVIDENCE OF THE COMMISSIONER OF AGRICULTURE AND DAIRYING.

Moved by Mr. Moore, seconded by Mr. Stenson,—“Resolved that the Committee recommend to the House, that the evidence of the Commissioner of Agriculture and Dairying, submitted to the Committee in the current session, ‘on fattening of chickens,’ ‘on the fundamental principles that underlie the growing of crops,’ and ‘on the Canadian apple trade’ be printed for publication in bulletin form; and that twenty thousand (20,000) copies of each be printed for the use of Members of Parliament and the Department of Agriculture, in the usual numerical proportions of English and French,—five thousand (5,000) copies thereof to be for use of the Department.”—Motion adopted.

COMMITTEE ROOM 46,  
19th May, 1899.

### No. 3.—PRINTING THE EVIDENCE OF THE DIRECTOR OF THE DOMINION EXPERIMENTAL FARMS.

Moved by Mr. Semple, seconded by Mr. McNeill,—“Resolved that the Committee recommend to the House, that the evidence of Dr. Saunders, Director of the Dominion experimental farms, before the Committee in the current session, be printed for publication in bulletin form, to the number of twenty thousand (20,000) copies in the usual numerical proportions of English and French :—Fifteen thousand (15,000) copies thereof to be for distribution to Members of Parliament, and five thousand (5,000) for use of the Department of Agriculture.”—Motion adopted.

COMMITTEE ROOM 46,  
13th June, 1899.

No. 4.—TO PRINT THE EVIDENCE OF THE SEVERAL OFFICERS AT THE CENTRAL EXPERIMENTAL FARM, NOT INCLUDING THAT OF THE DIRECTOR.

Moved by Mr. Henderson, seconded by Mr. McGregor,—“Resolved that the Committee report, asking the House to authorize the printing of twenty thousand (20,000) copies of each of the evidence of A. W. Grisdale and that of the several members of the central experimental farm staff, taken before the Committee since the 6th June, current.”—Motion adopted.

COMMITTEE ROOM 46,  
28th June, 1899.

No. 5.—COMPLIMENTARY VOTE TO THE CHAIRMAN, BEFORE ADJOURNMENT TO MAKE FINAL REPORT.

Moved by Mr. Sproule, seconded by Mr. Cochrane,—“That this Committee have much pleasure in now tendering their thanks to Mr. Bain, for the uniform courtesy, fairness and ability with which he has presided over the investigations and general business of the Committee during the current and past sessions of Parliament in which he has filled the position of Chairman.”

The motion was put by Mr. McMillan in the Chair, upon which the Members unanimously rose to their feet and adopted the motion with applause.

COMMITTEE ROOM 46,  
1st August, 1899.

The preceding resolutions are true copies as recorded in the minutes of meetings of the Select Standing Committee on Agriculture and Colonization, on the respective dates specified.

J. H. MACLEOD,  
*Clerk to Committee.*

# Agriculture and Colonization.

## INTERIM REPORTS.

### FIRST REPORT.

The Select Standing Committee on Agriculture and Colonization, present their First Report of the said Committee, as follows :—

The Committee recommend that the House grant them authority to employ a shorthand writer to take down such evidence as they may deem proper.

THOS. BAIN,  
*Chairman.*

HOUSE OF COMMONS,  
25th April, 1899.

*Concurred in by the House, 25th April.*

### SECOND REPORT.

The Select Standing Committee on Agriculture and Colonization, present their Second Report, as follows :—

The Committee recommend that the House authorize the printing in the usual numerical proportions of English and French, in the form of advanced sheets of the Committee's Final Report, twenty thousand (20,000) copies of each of the following divisions of the evidence given before the Committee in the current session of Parliament, on the specific subjects of,—“The fattening of chickens ;” “The fundamental principles that underlie the growing of crops ;” “The Canadian apple trade,” and “The making of butter ;” and that fifteen thousand (15,000) copies of each of the said advanced sheets be for use of Members of Parliament, and five thousand (5,000) of each for the use of the Department of Agriculture.

THOS. BAIN,  
*Chairman.*

HOUSE OF COMMONS,  
19th May, 1899.

*Concurred in by the House 19th May.*

### THIRD REPORT.

The Select Standing Committee on Agriculture and Colonization, present their Third Report, as follows :—

The Committee recommend that the House authorize the printing forthwith, in the usual numerical proportions of English and French, in the form of advanced sheets of the Committee's Final Report, twenty thousand (20,000) copies of the evidence of the Director of the Dominion Experimental Farms before the Committee in the current

session of Parliament ; fifteen thousand (15,000) copies thereof to be for distribution to Members of Parliament, and five thousand (5,000) allotted to the Department of Agriculture.

THOS. BAIN,  
*Chairman.*

HOUSE OF COMMONS,  
14th June, 1899.

*Concurred in by the House, 15th June.*

FOURTH REPORT.

The Select Standing Committee on Agriculture and Colonization, present their Fourth Report, as follows :—

The Committee recommend that the House authorize the printing forthwith, in the usual numerical proportions of English and French, in the form of advanced sheets of the Committee's Final Report, twenty thousand (20,000) copies of the evidence of each of the Officers at the Central Experimental Farm, who gave evidence before the Committee on the 6th June current, and from the 15th to the 28th June. Six hundred (600) copies of his own evidence to be allotted to each witness and the balance to be distributed to Members of Parliament.

THOS. BAIN,  
*Chairman.*

HOUSE OF COMMONS,  
30th June, 1899.

*Concurred in by the House, 30th June.*