THE QUINN CHARGES.

[Continued from first page.]

Mr. Blair—Do you say that I am here to substantiate the declaration.

Mr. Tweedie—Do you claim that a paper handed to this witness by any person whatever, and without the knowledge of the attorney general would be evidence against him?

Mr. Powell—I say the attorney general having asked questions about it, it is then admissable in evidence.

Mr. Blair—I am very clear that the paper is not evidence as it stands, but I am perfectly willing that it should go in if I have the opportunity of finding out that it is Mr. Wilson's hand-writing.

Mr. Powell—This is the paper referred to by you in your declaration? Yes.

As having been got by you from your son for the purpose of writing to Mr. Blair? Yes.

Mr. Powell moved, seconded by Mr. Pitts, that the paper be received in evidence. (Disallowed.)

Mr. Blair—You have been writing some letters, it appears, to Mr. Wilson. Would you produce to me the letter which you say is a copy of one written on the first of April, 1890? (Witness produces paper.)

Is that your hand-writing? No.

Was it written in your presence? No.

Or by your directions? No.

Whose writing is it in? My son's writing.

Whose writing is this on the back? It is supposed to be Mr. Wilson's. I don't know.

Where did you find this paper? My son gave it me among others.

Where did he give it to you? He gave it to me when he came home.

Can you fix the date by any reference to the paper? No, I cannot.

Mr. Blair—I am satisfied in my own mind that this is Mr. Wilson's writing. I have no objection to the paper going in.

(Telegraph blank with writing on either side put in evidence and marked 7 and 8.)

What next? (Witness produces paper)

Is this in your handwriting? No, I dictated it.

In whose writing is it? William's.

Do you say that is a copy of a letter you sent to Mr. Wilson? Yes.

Who wrote the copy? I wrote the original.

Which was written first? This one.

(Paper put in evidence and marked No. 9).

Do you remember of it being copied? Yes.

Did you deliver that letter to Mr. Wilson? No.

Can you tell that Mr. Wilson got it? I cannot.

Committee adjourns to meet to-morrow morning at 10 o'clock.

COMMITTEE ROOM, April 6th, 10 A. M.

Mr. Phinney—Before the inquiry proceeds this morning I desire to renew my application I made yesterday to appear as counsel on behalf of Mr. Quinn. In doing so I may say that I think there was some misapprehension on the part of the chairman, from what he said to me after the adjournment, as to my position. I do not claim to appear for Mr. Quinn as a witness *per se*, but as an interested party in the inquiry, and in support of my position I would cite from Bourinot, page 510, "When counsel are required in cases involving the interests, conduct or character of individuals, petitions asking permission to employ such counsel have been referred and counsel ordered." Now I submit in this matter that the interest, conduct and character of Mr. Quinn as a citizen and as a man are involved and in order to protect his interests, and that no misconstruction shall be placed upon his testimony because of the failure to further examine him by counsel, I think this motion should prevail. I think it is not only a legal proposition but a fair and equitable one that a gentleman placed in the position that Mr. Quinn is in consequence of his solemn declaration and in consequence of the course this investigation has already taken, should have the benefit of counsel to at least pursue an examination following what is claimed to be a cross examination of him by the attorney general, and I ask it as a matter of fair play and justice towards him.

Mr. Blair—I think to place an application of this kind by the gentleman who has just spoken upon the ground of fair play would rather presuppose that that gentleman has been acting with some regard to fair play throughout this transaction, which is a rather violent presumption. Now, when this gentleman invites this committee to afford him an opportunity to appear as counsel on behalf of Mr. Quinn, he assumes that Mr. Quinn stands charged before this committee and is liable to be dealt with in some manner as the result of the action of this committee. That is not Mr. Quinn's position before this tribunal. The authority cited by Mr. Phinney is not at all in point. The language he has used is not capable of being applied to the circumstances of the present case. I would readily concede that if an investigation were proceeding before the committee on public accounts, or any other committee examining into the conduct of the government or its officers or servants, and if there were witnesses summoned before that committee charged with improperly dealing with the public funds, or in the event of its being proved against any such witness that he would be liable to some proceeding publicly or in the courts, that that would be a proper case for the witness to be represented by counsel for his own protection. But unless it does appear that the witness who is being examined touching a matter which involves some personal or pecuniary liability as the result of the examination, he has no status at all to appear by counsel. I venture to say that upon an examination of the authority here referred to it will be found that that was a case where witnesses were being examined as to whether they had been dealing improperly with the public funds or improperly discharging their public trust with reference to which they would be liable to penalty. But what is the charge here? Is Mr. Quinn charged with anything or is he liable to penalty as the result of this examination?

Mr. Powell—The act of Ann is in force.

Mr. Blair—But surely he is in a different position from a witness before the court, summoned to state what his particular knowledge may be of the matter in controversy. He comes here not for the purpose of supporting his statutory declaration. He is not brought here by the gentlemen who obtained the statutory declaration. He was brought here at my instance, not merely to prove that I was not guilty, but to disprove my guilt. Mr. Quin's conduct is not arraigned before the house or the committee in any way. Therefore it is a mere perversion of terms to say that he has a right to appear by counsel as a party interested.

Mr. Phinney—I am not going to discuss this matter further. The ruling must depend on the decision of the committee and their construction of the authorities. If they think in view of all the circumstances of the case, and in view of the authority I have cited, that they should refuse Mr. Quinn what he claims at their hands, I will have to bow to their decision.

Mr. Pitts—This declaration substantiates the position I took on the floors of the legislature, and I think there ought to be counsel for Mr. Quinn to protect his interests, because in protecting his interests, they are protecting my character and my position as taken on the floors of the legislature, and while ostensibly Mr. Blair is interested in clearing his own character, I am just as much so, and unless Mr. Quinn is represented, we will be at a disadvantage in bringing out the facts.

Mr. Powell—I think in a proceeding like this that interests the country, it does seem the proper thing that someone should have the privilege of appearing for both sides involved. What the public demand is a thorough investigation of this matter. It is what the attorney general himself should want, for an ex parte investigation can be of little avail in clearing his reputation of the imputations cast upon it. If the attorney general alone is allowed to appear by counsel, it is entirely an ex parte proceeding. As regards Mr. Quinn, there can be no doubt that the old English law of Ann, which was afterwards imported into the colonies, is applicable. The act bears on an unlawful disposition of public offices, and it not only affects the vendor but the purchaser. In that way Mr. Quinn is interested in these proceedings just as much in the eyes of the law as the attorney general, and would be liable to precisely the same punishment. It is idle to say that he is not interested. He is not interested as a witness, but he is interested in a proceeding which might, if his evidence is not correctly explained upon the record, lay him open by means of a confession, to draw upon him the punishment which the law imposes for a violation of that statute.

Mr. Tweedie—At the hands of this committee or of the house?

Mr. Powell—At the hands of the law, and I think at the hands of the house too.

Mr. Tweedie—This matter was disposed of last night by the committee and I see no reason to change my opinion as then expressed. Both Mr. Stockton and Mr. Phinney at that time claimed to appear for Mr. Quinn. They claimed to appear on two grounds. One was that Mr. Quinn being interested had a right to be represented, he being one of the parties charged; the other ground was that they claimed to appear as members of the legislature.

Mr. Phinney—I don't press the second ground now.

Mr. Tweedie—With regard to the second point I will read the very authority produced by Mr. Phinney himself and there I find it stated: "It has been decided that a member not a member of the committee has no right to attend whatever to address the committee, or putting questions to witnesses or interfering at all with the proceeding."

Mr. Phinney—That applies to the case of a secret committee sitting with closed doors.

Mr. Tweedie—No, that is just where you are wrong. You cannot make the committee secret without getting the authority of the house. It strikes me that it is not in the interests of fair play that these gentlemen are putting forward this proposition. It was open to the party who charged the attorney general to prosecute his charges and examine his witnesses and to appear here by counsel. He has chosen his own course and has declined to prosecute or to take any proceedings in the matter before the committee. It was therefore open to the attorney general to call witnesses on his own behalf. Now these gentlemen wish to come in under a cloak and proceed to examine and cross-examine witnesses in a proceeding which the honorable gentleman himself has abandoned. The claim they make that the witness should be represented by counsel is forced upon them by reason of the course they have taken themselves—by reason of the hon. gentleman declining to prosecute his charges. Is there any charge made against Mr. Quinn? There is none whatever? If he had never made this solemn declaration, and if his name had never been mentioned in the house, would he not have been liable to be called as a witness in the ordinary way? Is there any attack made upon the character of Mr. Quinn or upon his honesty and integrity at all? There is not. He simply appears as an ordinary witness to be examined in reference to the charges made by the honorable gentleman.

Mr. Blair—Mr. Phinney has put forward the claim that the right of members to appear before a committee and take part, is only taken away in the case of a secret committee. A secret committee is a committee at which no person is allowed to be present and it is absurd to contend that it applies only to that. Referring to page 723, Vol. 73, Hansards Parliamentry Debates, in a case before the committee of railways—I find the following ruling by the speaker—"The speaker wished to observe in reply to the question of the right honorable gentleman, that no member had any right to interfere with the proceedings. He had no right to examine winesses though he might be present in the room." (Mr. Blair also cited the Prendergast case page 405, Vol. 73, of the commons journals). It can only be allowed where the party that is brought before the committee has a pecuniary interest.

Mr. Phinney—That is not an authority that excludes other cases of interest. That is only an instance. Where is there anything that limits it to questions of pecuniary interest?

Mr. Blair—Where is there anything that says that because a man is a witness before a committee he has a right to appear by counsel?

Mr. Tweedie—The authorities so far cited are against these gentleman. If they have any other authorities they should produce them.

Mr. Powell—The interest may be pecuniary or otherwise. Take the case of a coroner's jury. There is no charge made against anybody; it is simply a proceeding of investigation, but any party who feels that his interest is likely to be affected can appear and examine witnesses.

Mr. Tweedie—Do you say that a witness summoned to attend a coroner's jury can attend by counsel.

Mr. Powell—In the Stevens case Mr. and Mrs. Stevens appeared as witnesses and were represented by counsel.

Mr. Tweedie—The child died in their own house. The fact that Mr.——

Mr. Powell—Anyway I would move seconded by Mr. Pitts, that Mr. Phinney be allowed to appear in the interests of Mr. Quinn as a party interested and that he be allowed to examine witnesses.

Mr. Tweedie—Well, that was decided last night.

The motion was put to the committee and lost.

Mr. Tweedie—I presume the offer that was made last night would still be open—that if the honorable gentleman who made these charges in the house, wishes to father them, there would be no objection to his appearing by counsel.

Mr. Powell—If Mr. Pitts wants anybody to appear for him, he is entitled to have it whether he fathers the charge or not, because the submission of the matter is the action of the committee.

Mr. Pitts—I am perfectly anxious to father my own charges but not Mr. Blair's charges. In the preamble of that resolution there are certain statements made impugning my character. Don't you think I would have a right to ask for counsel in my own interests?

Mr. Blair—The house cannot impugn the character of a member.

Mr. Pitts—I move that I be allowed to have counsel to protect my interests. Providing after this resolution has been framed and come before the committee; is there no possibility of a resolution being framed by some means in the house that would say that I had brought frivilous or malicious charges, and have I not a right to protect my interests?

Mr. Blair—I cannot undertake to anticipate what might be the further action of the house, but we can only deal with the present circumstances.

Mr. Pitts—Well, in view of the fact that my name has been coupled with it extensively, I think I ought to be represented.

Mr. Tweedie—You put forward yesterday that you had no interest in the matter.

Mr. Powell—I move that inasmuch as Mr. Pitts is interested in the matter of these charges, he be allowed to be represented by counsel.

Mr. Tweedie—I would move in amendment that inasmuch as Mr. Pitts has declined before this committee to prosecute the charges against the attorney general and claimed that he simply appears as a member and in no other capacity, he is not entitled to counsel.

The amendment was put to the committee and carried.

Mr. Blair—Will you please produce the paper referred to in paragraph 11 of your statement? (Witness produces paper.)

Whose writing is that? Mine.

What did you do with that? I sent a copy of it to Mr. Wilson.

You made a copy of it? Yes.

Was this the first writing or the second? This is the first.

What did you do with that paper? I sent it to Mr. Wilson.

You did not deliver it to him? No.

Who did you give it to? I couldn't say whether I gave it to my son or mailed it.

Did you make the original yourself? I did.

Have you had this in your possession ever since? Yes.

After having made a copy where did you put this paper? Where have you had it? In my store.

From that time down until when? Well, I have not had it all the time since I made it.

When did it go out of your possession? Well, I think last winter, a year ago.

Did any other paper go out of your possession at the same time? Yes.

Was that before the house was in session last winter? I think it was.

Did you have all these papers together; this copy of the alleged receipt, this letter dated March 12, and all these other papers you have produced here? Yes.

Who did you give them to? John Black.

For what purpose? I don't know for what purpose. He came and asked me to let him have them.

What did Mr. Black come and ask for? If I had any papers in connexion with the election.

With what election? Why, the promises you gave William for the position and all papers connected with that.

Who was with Mr. Black? No person.

What did you tell him when he asked you that? I gave them to him.

What did you tell him? I didn't tell him anything then about the papers, but I gave them all up to him.

How long did he have them? I couldn't say—maybe a week or a fortnight.

Did you ask him for what purpose he wanted them? No, not then.

He came and asked you if you had any papers relating to this office and to the election and you handed them right out to him without making a single inquiry? Well, I asked him what he was going to do with them.

What did he say to that? He said he was going to—well, I cannot say what—when he came back.

Well, what did he say that time? He wanted to know if there was anything in it to have it brought up—investigated, I understood.

You had not been talking with anybody at all about it before that? Well, no; when Lipsett's letter came out in the paper I might have said I have got some papers too.

Mr. Pitts—You did not make any secret of it.

Mr. Blair—What object did you have in making it public? None.

Had you any feeling against Mr. Wilson? No.

Had you no bitter grudge against him? No, nor I have not to-day.

You have a warm feeling towards him? Yes, he and I are good friends.

Who did you have a feeling against? Who did you want to get at? Mr. Blair. He promised me such and such and didn't give it.

You had no feeling against Mr. Wilson? No; he was doing all he could for my son.

I was the one you wanted to get your knife into? I had a grudge against you because you promised me so much and did not fulfil anything.

Had you parted with the possession of any of these papers or documents that you have produced here before the time that you gave them to Mr. Black? Not to my knowledge.

Then you swear that from the time these papers were made until the time that Black called upon you they had continued in your own possession? Except one of them.

Which one was that? That copy of the recept from Wilson.

Where was that? My son had it.

When did he have it? He had it after he made it.

He took it away after making it? Yes.

How many years or months did he have it before you got it back? Well, before I gave up the original he brought it back; it was in my possession after that.

How long was it after he took this alleged copy of the receipt away before he brought it back? I couldn't give you any idea.

You could tell me, probably, whether it was one year or two years from the time this copy was made till William brought it back? Well, I couldn't.

Do you remember William bringing it back? I do.

Are you sure he brought it back himself? I am.

How did he come to bring it back? Because I was going to settle with Wilson and get the note.

Now try and refresh your memory a little. Did he bring it back at all? He did.

Do you remember that, or are you simply stating that from having found it afterwards? He brought it back to my house.

Do you swear to that from knowing at the time that he had brought it back? Yes.

Or did you simply find it in the house afterwards? Well, I found it in among the papers.

So that you cannot swear that he brought it back? I cannot swear when he brought it back.

You cannot swear when he brought it back because you do not remember his actually bringing it back—all you say is you know he did because you found it afterwards? You believe he brought it back because you found it afterwards? Yes.

And that is the only reason you swear to it? Yes.

Where did you find it? Among the other papers.

Whereabouts was it? In my desk.

Did you find it in your desk or among William's papers after he died? No, I didn't. I had nothing to do with his papers.

You got hold of some of his papers didn't you? No, I was forbid to go there.

Did he have his safe in your house? No.

Where did he have it? In his office, or in the building his office was in.

Didn't you open his safe after he died? No.

You didn't open it before he died? No.

Were you not at his safe after he died before anybody else as far as you know? No, I never knew anything about the combination or anything else.

Where was the safe drilled open? In my store.

And it was after the safe was drilled open that you found this receipt, was it not? No.

Will you swear that it was not after the safe was drilled open that you found it? I will—to the best of my opinion.

Will you swear positively, on your oath, that it was not after the safe was drilled open that you found it? I will.

Then what did you mean by saying "to the best of your opinion?" Well, I say it was in the house before the safe came there.

You said a moment ago "to the best of your opinion"—what did you mean by that? My son was dead a long time before we got the safe open.

How long? A good while. Mr. Gregory had it in his charge a good while and I couldn't get it.

How long did Mr. Gregory have it in his charge? Well, maybe a year.

Do you say that? I don't know; it may have been a year, and it may have been a month; I am not positive.

Mr. Gregory had it in his charge and he had the papers of William? He took them, I suppose, from the office.

Didn't you go to Mr. Gregory and charge him with knowing about these papers and giving them to the Gleaner? I did.

How could you venture to charge Mr. Gregory with that if Mr. Gregory did not have access to those papers and did not know anything about them? He didn't know anything about them to my knowledge.

If he didn't know anything about them, how did you go to him and charge him with having given information he got from those papers to the press? I was at Mr. Gregory's office paying over some money to him from the estate, and I said to Mr. Gregory: "What made you give the news to the Gleaner?" and he said: "The Gleaner and me are not on good terms." That is the conversation we had.

Didn't you say to him: "Why did you tell the Gleaner about those papers?" Yes, I said that.

Or "Why did you give the news about those papers to the Gleaner?" Yes.

Then what occasion had you for suspecting Mr. Gregory of having done that? Well, I had no grounds for suspecting it.

No grounds whatever? No.

You say you charged him with giving the matter to the Gleaner, but that you had not the slightest reason for suspecting him of doing it? No, because I knew he didn't. I said merely in a joking way: "What did you give that to the Gleaner for?"

Didn't you tell us yesterday that you couldn't get any satisfaction out of Mr. Gregory? I don't know what I told you. I asked him in a jokish manner why he gave that to the Gleaner, and he said he had nothing to do with the Gleaner at all.

You charged him with that in a joking manner? Yes, just to hear what he would say.

The Gleaner referred at that time to this receipt, didn't it? Yes.

And you supected that Mr. Gregory must have given them information about that receipt? I didn't suspect Mr. Gregory at all.

How did you suppose that any information had reached the Gleaner about the receipt when you spoke to Mr. Gregory? I knew where it came from.

Didn't you say to Wilson that you had said to Gregory that your son William was dead and you had had trouble enough, and you didn't want this thing put in the papers? No.

Didn't you tell Wilson with your own lips that when this thing came out you had suspected Gregory, and went to him and charged him with it, and told him it was not right; that your son was dead, and you had had trouble enough and you didn't want this thing dragged out? I don't doubt but what I did, and to others too, because I did not want it.

Do you swear that that paper (No. 4) is word for word a copy of the paper you got from Wilson? Yes.

Was this "$200.00" there up in the corner of the original receipt? I don't know.

Will you swear that the word "Fredericton" was on the original receipt? To the best of my knowledge it was.

You won't swear to it? Not positively.

Will you swear that the date was "1890" that was on that receipt? I will.

You are now speaking from recollection are you? Yes.

Are you positive about it? Yes.

Is that an exact copy of the original in every particular? An exact copy.

Do you say there is not a word on it that was not on the original receipt? Not to my knowledge—yes, it is word for word.

Will you swear that William Wilson's name was signed by him to that original receipt you speak of? I certainly will.

Did you see him sign it? No.

Will you swear it was his handwriting? I will not; I do not know his handwriting enough.

Will you swear that in the original receipt it was "W. Wilson" or "William Wilson"? I won't. To the best of my knowledge it was William Wilson.

If you swore to anything you would swear to that? Yes.

In whose handwriting is the word "signed" in the original receipt? I cannot tell you.

Was not the word "signed" in the original receipt in your son William's handwriting? No it was not.

Will you swear it was not? I am not positive.

Might it not have been in William's handwriting? I doubt it very much. I cannot swear that it was orwasn't.

Will you swear that the word "appointment" was in the original receipt? Yes

Was it not the word "endorsement"? No.

(Continued Next Week.)

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1 case Sled-shoe Bolts.
6 boxes Wrought Iron Nuts.
4 cases Carpenter's Planes
6 cases Barn Lanterns.
2 barrels Lantern Globes.
1 barrel Strop and T Hinges.
24 doz. Sheet-iron Pans for cooking stoves.
3 doz. Tin Boilers.
3 doz. Steamers.
Just to hand
R. CHESTNUT & SONS.

SHOVELS.

JUST received 55 Bundles Steel Shovels long and short handles.
R. CHESTNUT & SONS.

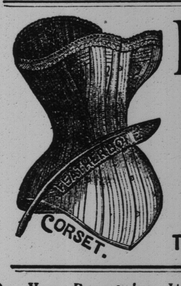
Wiley's ... EMULSION ...
—OF—
COD - LIVER - OIL.

Gives Best Results.
Purest and Best Materials used in Manufacture.
Best Value for the Money.
Readily taken by Children.
No preparation equal to it.
For Building up the System.

The Best **Preparation** in the Market

PRICE 50 cts.
SOLD Everywhere

JOHN M. WILEY, Manufacturer
196 Queen Street, Fredericton.



PureQuills

Make a better filling for Corsets than any other known material. "Featherbone" Corsets are tougher and more elastic than any other make, as they are entirely filled with quills (Featherbone).

To be had at all Retail Dry Goods Stores.

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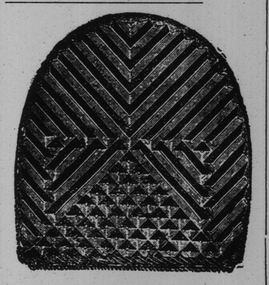

This is the heel of the

GRANBY RUBBER.

Look for this pattern on the heel when you buy a Rubber or Overshoe. It guarantees a perfect article.

Granby Rubbers
Wear Like Iron.

Ask your dealer for them.

GEO. L. WILSON,
Barrister, Notary Public, etc.
Office next door below J. J. Weddall's
Queen St. Fredericton, N. B.
March 4, 1893.

R. C. MACREDIE,

Plumber, Gas Fitter,
AND
TINSMITH,

WOULD inform the people of Fredericton and vicinity that he has resumed business on Queen Street,

OPP COUNTY COURT HOUSE,

where he is prepared to fill all orders in above lines, including

ELECTRICAL AND MECHANICAL
BELL HANGING,
Speaking Tubes, &c.

Farm for Sale.

THE subscriber's Farm at Ft. Mary's, near the Railway Station, containing 500 acres, 100 of which are under cultivation.
There are two houses, barns and outbuildings on the premises, all in good repair.
For further particulars apply to
JOHN A. EDWARDS,
Queen Hotel.
F'ton, April 9, 1892.

THE AMERICAN

$8 DOLLAR $8

Typewriter.

THIS is a well-made, practical machine, writing capitals, small letters, figures, and punctuation marks (71 in all) on full width paper, just like a $100 instrument. It is the first of its kind ever offered at a popular price, for which the above claim can be truthfully made. It is not a toy, but a Typewriter built for and capable of REAL WORK. While not as rapid as the large machines sometimes become in expert hands, it is still at least as rapid as the pen, and has the advantage of such simplicity, that it can be understood and mastered almost at a glance. We cordially commend it to helpful parents and teachers everywhere.

Writes Capitals, small letters, figures and marks, 71 in all.
Writes just like a $100 machine.
No shift keys. No Ribbon. Prints from the type direct.
Prints on flat surface.
Writing always in sight.
Corrections and insertions easily made.
Takes any width of paper or envelope up to 8½ inches.

Easy to understand, learned in five minutes.
Weighs only four pounds, most portable.
Compact, takes up but little room.
Built solid and simple, can't get out of order.
Capital and lower-case keyboard alike, easily mastered.
More "margin play" for the small letters which do most of the work.
Takes good letter press copies.

Packed securely in handsome case and expressed to any address, on receipt of price, $8.00, in registered letter, money order or certified check. We guarantee every machine and are glad to answer all enquiries for further information.

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Special Agent, Fredericton, N. B

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Which will be sold Low, to make room for New Goods.

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