

OPPOSITION QUERIES ARE WORRYING HON. MR. BAXTER

Complains That Much of the Information
Extracted From the Government is of
no Value to the Public--Hon. Mr. Murray
Says That Prudential Fruit Company's
Securities Are All Right.

The House met at three o'clock on Tuesday.

Mr. Tilley presented the report of the Corporations Committee.

The answers to the inquiries being somewhat numerous, Hon. Mr. Baxter said he regretted that the honorable gentlemen making the inquiries did not take some steps to obtain a little information beforehand and make the inquiry afterwards, as a lot of trouble would thereby be saved to the members of the government and their official staffs. Some of the inquiries made were of such a nature as to require a great amount of time to prepare the answer out of all proportion to the value of the information to the general public.

Dr. Taylor presented the petition of Albert Greenlaw in favor of a bill to enable him to change his name.

Mr. Young (for Colonel Guthrie) presented the petition of the County Council of York in favor of a bill to enable them to assess the Parish of McAdam for the cost of lighting the streets of the Village of McAdam.

Mr. Lockhart applied for leave of absence for Mr. Grannan until Thursday.

Mr. Swin applied for leave of absence for Mr. Stewart (Northumberland) for four weeks.

Mr. Teed's Report.

Mr. Dugal gave notice of inquiry as to the report of M. G. Teed, K.C., on the Colby affidavit inquiry.

Mr. Pelletier gave notice of inquiry as to whether agricultural officials travel by train at reduced rates. Also as to who had been engaged to classify the Crown Lands of New Brunswick; also as to tenders for the construction of the Valley Railway from Gagetown south.

Mr. Dugal, pursuant to notice, moved for a return of the correspondence and all other papers in connection with the purchase of the potatoes for the patriotic gift.

Hon. Mr. Murray said that the papers asked for were in course of preparation, and would be brought down within the next day or two.

Mr. Pelletier, pursuant to notice, moved for copies of all correspondence, financial and other statements in the Provincial Secretary's Department relating to the money or trust funds in which the province is interested in the hands of the Prudential Trust Company, Montreal.

Information Withheld.

Hon. Mr. Murray said it was not thought to be in the public interest that the return asked for be brought down. Loans had been made by the Prudential Trust Company to individuals and corporations upon securities deposited by them. The fact that loans were obtained, if made public, might be used commercially to the disadvantage of the borrowers and the disclosure of the fact that they possessed certain securities might give an opportunity to persons interested to take advantage of the knowledge thus made public.

So far as the question was designed to elicit information as to the soundness of the investments held by the Prudential Trust Company, the government desired to state that \$300,000 of the total amount held by the Prudential Trust Company was deposited in cash in the Bank of Montreal to the joint credit of the Provincial Secretary-Treasurer and the Prudential Trust Company. Some of the other securities which, while sound enough, were not of the standard which it was considered advisable to hold for investment on behalf of the province, were in process of being changed into securities of a more satisfactory character. The matter had had the unlimited attention of the Attorney General for some time, and he advised that the results had been very satisfactory.

Under the circumstances he (Murray) thought that members would agree that it was not advisable to give the information asked for; therefore, he asked the honorable member to withdraw it.

Mr. Dugal thereupon withdrew his motion.

Mr. Dugal gave notice of motion, that, in view of the findings in Commissioner Chandler's report, Mr. A. J. H. Stewart, M.P.P., was not a fit and proper person to have a seat in the House of Assembly.

The House then went into committee, Mr. Munro in the chair, and agreed to the bill to amend the Public Health Act and to incorporate rural telephone companies, with

some slight amendments.

Further consideration of a bill respecting companies was then taken up.

Mr. Slipp said he desired once more to urge that the requisite number of incorporators should be reduced from five to three. Since he had referred to that matter when the bill was last in committee, he had received communications from several parties approving of the course he suggested.

After some little discussion the Attorney General assented to Mr. Slipp's suggestion and the section was amended accordingly.

Clauses were added permitting companies formed for philanthropic, educative, literary or any other non profit-making objects to become incorporated without capital stock and with these amendments the bill was agreed to.

The House then took up consideration of a bill to amend the theatres and cinematograph act, which provides for the appointment of an additional inspector of picture films.

Criticized Censor.

Mr. Slipp said that the members would remember that last year he had drawn attention to the very lax method of inspection which appeared to prevail in the province, and he had hoped that the discussion that then took place would have caused an improvement in conditions. Films were being passed by the censors which were certainly most detrimental to the minds of children and certainly could not be described as of much educational value to older people. It appeared to him that either the censors displayed very poor judgment in passing the films that went before them or else many films were got by without being censored at all. A few evenings ago he attended a picture show in which the principal feature of one of the films was a drunken orgy which finished up with a murder. He did not think a picture of that class was fit for children to see and he could hardly think the censors had approved it.

Dr. Price said he agreed with the remarks of the honorable member for Queens that certain pictures got by the censors that should not be placed upon exhibition.

Mr. Tilley said he often went to picture shows but he didn't see anything to complain of in the pictures which were shown in St. John.

Mr. Lockhart spoke in defence of the censors whom he said were overworked and underpaid, and from what he knew of them personally, and he knew them well, not one of them would let a picture go by wilfully.

Mr. Tilley agreed that the censors were not adequately paid for the work they did.

Hon. Mr. Baxter said that no fee would be adequate unless it was large enough to pay them for their whole time.

Mr. Perley's Views.

Mr. Perley asked if the vaudeville features were ever censored. He had had the pleasure of attending some of these moving picture theatres where a vaudeville was put on and from what he had seen he thought that feature should be censored as much as the films.

Hon. Mr. Murray said the government would do all in its power to prevent violence being done to the feelings of the public. He was very much surprised to learn that pictures of the character indicated ever passed the censors. The government would certainly give attention to the subject, and in the appointment of an additional censor would take every care to see that a suitable man was chosen.

Hon. Mr. Baxter said that no appointment had been made as yet, and possibly the gentleman chosen might have to assist the factory inspector in looking after the theatres generally, for he felt sure that the danger of fire was not appreciated as much as it ought to be.

Mr. Lockhart asked if any fees were collected from the picture houses for censoring the films which were used there.

Hon. Mr. Baxter said that after July next the houses would have to pay fifty cents a film which would go towards the cost of the salaries of the censors.

The bill was then agreed to and the House adjourned at 6.30 o'clock.

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QUESTIONS STEWART'S RIGHT TO SIT IN LEGISLATURE

Becoming Tired of Waiting for the Government to Act on Commissioner Chandler's Report Mr. Dugal Gives Notice of a Resolution-- Declares That Stewart is Not a Fit and Proper Person to Sit in the House.

After waiting for three weeks for the Government to take action with respect to the report of Royal Commissioner W. B. Chandler, in so far as it affected members of the Legislature, the Opposition Tuesday afternoon proceeded to give notice of a formal resolution which Mr. Dugal will move on Friday next, and declared that A. J. H. Stewart, M.P.P., is not a fit and proper person to have a seat in the House of Assembly.

When Mr. Dugal began to give his notice of motion there was an alert interest manifested at once in the House. The preamble was quite long, reciting the most of the findings of Commissioner Chandler upon the several charges investigated by him, and it was not until the last few lines were read that the members had an idea of what Mr. Dugal wanted.

The resolution of which notice was given, read as follows:

Whereas, Wm. B. Chandler, K. C., was appointed on March 3, 1915, a commissioner under the great seal of the Province of New Brunswick, to inquire into the operations of the several departments of the Government and the conduct of officials, and

Whereas, he investigated several charges made before him with respect to expenditures of public moneys in the county of Gloucester; and

Whereas, after hearing the evidence of many witnesses at Fredericton and in the county of Gloucester, the said Commissioner, W. B. Chandler, K. C., made a report to the Executive Council of this province, which report was given out Dec. 22, 1915, to the public press by Hon. Mr. Baxter, Attorney General, and was published on the day following; and

Whereas, in said report the said Commissioner, W. B. Chandler, after summing up the evidence concerning a charge that no stumpage had been paid on sleepers and logs cut from Crown Lands under lease to A. J. H. Stewart, M.P.P., states:

"The attitude taken by Mr. Stewart with respect to this matter of cutting on Crown Lands is apparently that it is the duty of the officers of the Crown to find out if anyone is cutting on the Crown lands and to collect the proper stumpage therefor, and that there is no obligation upon him as a licensee to inform the Crown officers as to his operations or to trouble himself in any way as to the payment of stumpage."

"It is very unfortunate, in my judgment, that a public representative should take this ground with respect to recoup himself for the amount paid an elected representative of the people—one who actually takes part in the framing of the laws passed for the protection of property belonging to the province—takes the ground that timber belonging to the Crown is fair game and that anyone cutting on the Crown lands under license is under no obligation whatever to pay stumpage unless caught red-handed and compelled to pay by a crown officer, one can hardly expect that other operators on Crown lands will not follow the example set them."

And Whereas, upon investigation of another charge to the effect that (\$25) twenty-five dollars of public money had been paid Frank Robinson for stone in the work upon the Nepisiguit steel bridge, which had never been delivered, Commissioner Chandler, in commenting upon the evidence, said:

"It appears that Frank Robinson never endorsed the check himself, but for some reason best known to himself, Mr. Stewart endorsed the check in the name of Frank Robinson and signed his own name as a witness to the supposed signature of Robinson as a marksman, though Robinson is very well able to write and never signs by a cross."

"So far as I could discover, Mr. Stewart had no authority to settle this claim of Robinson's for damage done to his land, but took it upon himself to settle the matter with Robinson, and afterwards adopted somewhat singular procedure detailed above in order to get back the money which he had paid to Robinson."

"The serious part of it is that Valentine Robichaud, the superintendent in charge of the work done on the Nepisiguit steel bridge, was apparently induced by Mr. Stewart to sign the account for \$25 put in in the name of Frank Robinson on making his returns as to work done on the Nepisiguit bridge, and to make a declaration as to the correctness of his return when both he and Mr. Stewart knew at the time that Frank Robinson had never delivered a single yard of stone to the Nepisiguit steel bridge in 1910. The return of the superintendent was

made out by Mr. Stewart and was declared to by Robichaud before Mr. Stewart."

"It is extraordinary that Mr. Stewart should have taken the steps he did to recoup himself for the amount paid to Frank Robinson and that he should have induced Valentine Robichaud, the superintendent, to declare the correctness of an item in his return which both of them knew was absolutely without any foundation in fact. If this claim of Robinson's were an honest one it could not have been necessary for Mr. Stewart to fabricate an account and include it in Robichaud's return in order to get back the money he paid to Robinson."

"The disclosures made in the course of the inquiry which I have held in the past few months have convinced me that in this and other matters coming under my notice this man Valentine Robichaud was simply a tool in the hands of Stewart. Whatever blame is to be imputed in connection with the matter mentioned above, should fall more upon Stewart than upon Robichaud."

And Whereas, in investigating the expenditure upon the Edward Dempsey bridge, where it was charged that 1,085 yards of stone and a small quantity of lumber supplied by Edward Jennings to this bridge, according to the return of Valentine Robichaud, structural superintendent, was not provided by Edward Jennings at all. Commenting upon this, Mr. Chandler said:

"The voucher for this amount was made out by A. J. H. Stewart and Valentine Robichaud's return containing this item was declared to by him before Mr. Stewart."

"The manner in which Mr. Stewart has acted in connection with departmental or government matters in the county of Gloucester, as detailed in the inquiry before me, compels me to be suspicious as to everything he has done and of every transaction with which he is in any way connected."

And Whereas, after hearing the evidence in the charge made by Mr. Veniot with respect to the connection of A. J. H. Stewart, M.P.P., with the sale of a farm in Gloucester county to the Farm Settlement Board, whereby Mr. Stewart made a profit of \$300 for his own use and benefit, Commissioner Chandler says:

"Mr. Stewart seemed to think, on examination before me, that he was justified in retaining this amount of \$300 as remuneration for his services in connection with this transaction, but as a representative of the county I do not think he had any right to act in this way nor to have taken advantage of the situation to make a personal profit for himself. It would have been very much better if Mr. Stewart had dealt frankly and fairly with all parties concerned in this matter."

"The officials of the Farm Settlement Board seem to have acted fairly in the matter, but perhaps relied too implicitly upon Mr. Stewart instead of finding out for themselves the amount for which the property could really be purchased."

"They did, however, rely upon Mr. Stewart and Mr. Stewart took advantage of the confidence reposed in him by the board and deliberately deceived the board as to the price for which the property could be obtained and misrepresented the facts in order to make this 'rake-off' as it is called, for himself."

"In my judgment Mr. Stewart's conduct throughout this transaction was reprehensible and altogether unworthy of a man occupying the position of a public representative."

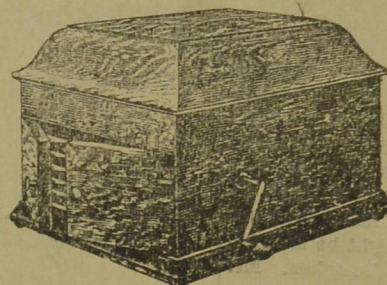
Therefore Resolved, that the said A. J. H. Stewart, M.P.P., referred to by Commissioner W. B. Chandler, is not a fit and proper person to have a seat in this House of Assembly.

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