

THE WEATHER

Sunny and a Little Warmer Tuesday.

The Daily

Established 1887-

Authorized as Second Class Mail Post Office Department, Ottawa

Road Engineer Fined \$3,500

At 2.30 o'clock this afternoon Tomlinson Brothers Construction firm was fined \$100,000 and costs by Mr. Justice Danis at the fall assizes in Port Arthur.

Arthur M. Mills, former department of highways engineer here, was fined \$3,500 and costs and given a month to pay his fine or serve six months in jail. He also was given 18 months suspended sentence.

W. S. Tomlinson, contractor, and C. W. Taylor, general superintendent of Tomlinson Brothers Limited, were ordered released from custody at the fall assizes this morning after pleas were taken in connection with fraud charges concerning Department of Highways contracts.

Tomlinson Brothers Limited pleaded guilty to a fraud charge and Arthur M. Mills, former department divisional engineer at Fort William, pleaded guilty to a charge of breach of trust. Tomlinson Brothers (Eastern) Limited, C. W. Taylor, W. S. Tomlinson and Arthur M. Mills pleaded not guilty to fraud charges.

Sentences to both Tomlinson Brothers Limited, on the fraud count, and Mr. Mills, on the breach of trust action, were to be handed out this afternoon by Mr. Justice Danis, presiding judge in the case of the former divisional engineer, C. L. Dubin, special crown prosecutor, indicated he would be satisfied with a suspended sentence and suggested a monetary penalty as well.

At the outset of the trial by judge, Mr. Dubin said he did not propose to offer evidence in the charges concerning the not guilty pleas but only in the fraud case against the company and the breach of trust charge against Mr. Mills. The crown prosecutor pointed out that Tomlinson Brothers (Eastern) Limited is a subsidiary of Tomlinson Brothers Limited and therefore technically the same as far as the highway contracts were concerned.

Released from Box

M. Tomlinson is a director of Tomlinson Brothers Limited, not an officer of the company, and he merely held shares in the company which were not the controlling shares. Mr. Taylor was merely an employee of the company, Mr. Dubin stated. The interest of the two men in the company were only shareholder and employee and all royalties paid by the provincial gov-

ernment were paid to the company, Tomlinson Brothers Limited. The prosecutor said he would make out an order for the discharge of the two men whereupon His Lordship released them from the prisoner's box.

The recent death of C. H. Nelson, chief engineer for the department, had "a strong bearing" on the proceedings, Mr. Dubin told the court. Had he not died after the preliminary hearing, he would have been charged as "co-conspirator in this case."

The guilty pleas entered by the company and Mr. Mills put the crown in such a position that it could recover an unauthorized sum of money. "No public good will be served to proceed" with the charges where pleas of not guilty were entered, Mr. Dubin stated.

In the charge of fraud against Mr. Mills, to which he pleaded not guilty, the facts were the same as in the breach of trust charge and so evidence would be given on only the one count, the prosecutor said.

Three Contracts

The charges before the court concerned three Department of Highways contracts designated as (Continued on Page 3 Column 3)

57

FLOOR



U.K. Cabinet Is Shaken Up By Churchill

LONDON (AP)—A wholesale shuffle brought seven new members into Prime Minister Churchill's Conservative cabinet today. A total of 17 other minister posts changed hands in a shakeup seen by most political servers as a sign that Churchill's retirement is not in the cards this time, although he will be 70 on Nov. 30.

The most significance in connection is attached to the appointment of Housing Minister

Mayor Carson Seeks Second 2-Year Term

Mayor Gordon Carson announced today he will seek a second two-year term as the city's chief magistrate in the municipal elections to be held December 6.

In making the announcement