

April 3rd.

Either There's Perjury Or "Faked" Affidavit, Committee Is Told

Liberal Leader Sinclair Comments Bluntly on Contradictory Testimony at Probe and Tells Fin- layson to Start Prosecu- tions

STORMY SCENES OF CROSS-FIRING

Affidavit Duly Signed and Sworn To, Signed in Blank, Not Sworn To at All and Not Read Over, Is Confusing Evidence Relating to One Docu- ment

So contradictory was the evidence ad-
duced yesterday at the Legislature on
Public Accounts Committee investiga-
tion of the Porquis Junction wages
charges incident that Liberal Leader
William E. N. Sinclair bluntly told Hon.
William Finlayson, Government coun-
sel, that unless prosecutions were launch-
ed, he, Mr. Finlayson, would be remiss
in his duties.

"Either witnesses were perjuring
themselves today," charged the Liberal
Leader, "or there has been a faked-up
affidavit."

Five-Hour Hearing.

Mr. Sinclair's serious-toned declara-
tion came at the conclusion of five
hours of testimony in which Albert A.
Kydd and James McMahon swore that
at no time had they been paid with
Northern Development Branch funds
for work done on the farm of F. C.
Richardson, Branch Inspector; and in
which they swore that the signed state-
ment secured from them by James
Gamble, President of the Porquis Junc-
tion Liberal Association, and which had
them admitting the payments from
Richardson they now deny, was nothing
more than a blank sheet of paper
when they had put their signatures
to it.

McMahon also swore that the affi-
davit of his which was read in the
Legislature last week by Mr. Sinclair,
and which was also made in Gamble's
presence, had been taken by E. Mont-
fort, notary public, without his (Mc-
Mahon's) "kissing the Bible" or seeing
the "printing" which appeared above
his name until a copy of the document
had been placed in his hands as he
was about to take the train to Toronto
last Monday to testify.

Signs Blank, He Says.

McMahon further told the committee
that Gamble and Montfort had taken
down on one sheet of paper what he
had had to say about working for Rich-
ardson, and that when he told them he
couldn't wait for the thing to be "type-
written" because his horse was "hungry
and cold" and he had to get home, they
had suggested that he sign his name
to another empty sheet. This he had
done.

In direct contradiction of the wit-
nesses' "signed statement" story, Mr.
Sinclair filed with the committee a new
affidavit in the controversy—one from
Gamble, in which he claimed that the
piece of paper was not a blank; that
both Kydd and McMahon had read it

over and understood it before attaching
their signatures.

Mr. Finlayson answered the Liberal
Leader's suggestion of "prosecutions"
with the claim that, after a thorough
investigation—for the honor of his de-
partment was at stake, he said—he was
convinced that the whole case was based
on "petty spite." In fact, he said, a
letter which Gamble had written to
Kydd, imploring him to sign an affi-
davit to back up the first signed state-
ment, had indicated that "the whole
motive of the affair" had been one of
"get Richardson."

Costly, He Charges.

He charged that Mr. Sinclair had
been responsible for delaying the House
and costing the Province thousands of
dollars over "a petty matter."

"I don't give a continental for the
responsibility," Mr. Sinclair replied,
warmly.

"All I want to know is whether my
department is clean or not," said Mr.
Finlayson.

"Why isn't Gamble here?" asked some
committee member.

"He wasn't summoned," replied Mr.
Sinclair. "There are a hundred Tories
here who didn't know enough to sum-
mon him."

"Why didn't you summon him?"
asked Mr. Finlayson. "He's your Presi-
dent—your correspondent."

Expressed opinion of the latter that
the committee had been guilty perhaps
of "the most childish exhibition" in
years, and that a whole day had been
wasted, drew from Mr. Sinclair the ad-
monition: "Why be jubilant?"

"I'm not jubilant," said Mr. Finlay-
son. "I'm just sick of it."

"Gone on His Account."

On examination by Mr. Sinclair, the
first witness, Kydd, testified that he had
worked on Richardson's farm for two
days during 1927, at \$3.50 per day, and
that the \$7 coming to him had "gone
on his account at Richardson's store."

"I owed him for groceries," stated
Kydd.

During that year he had also worked
on the roads, and had been paid by
Northern Development Branch cheque
at the end of the month—the custom-
ary procedure. He had, he said, done
no road work since that year. About
March 26 this year he had received a
letter from Mr. Dicker (the Govern-
ment auditor), asking him if he would
meet him. This letter resulted in a
meeting between Dicker, Richardson
and witness, at Richardson's store,
when Dicker had told him, in effect,
that he had come north to investigate
something that he (Kydd) was sup-
posed to have signed.

Mr. Sinclair—What did Dicker ask
you?

A.—He asked me if I had worked
for Richardson on his farm, and if I
had been paid for my work by North-
ern Development cheque.

Q.—And what did you say?

A.—I said no.

Q.—Did you sign any paper at Rich-
ardson's store.

A.—Yes, I signed an affidavit that I
had received no Northern Development
money for working on Richardson's
farm.

Questioned as to Statement.

Mr. Sinclair questioned witness at
length as to the signed statement which
he (Mr. Sinclair) produced in the Legis-
lature during the Budget debate, and
which carried both McMahon's and
Kydd's names beneath an admission
that Richardson had given them Gov-
ernment money for their farm work.

Mr. Sinclair—You say, now, you never
signed a statement.

Witness—I signed a common sheet of
writing paper with McMahon's name on
it, but no other writing.

Q.—Where was McMahon's name?

A.—To the best of my knowledge, it
was at the top of the sheet.

Q.—Do you remember the color of the
paper?

A.—White.

Q.—Who asked you to sign it?

A.—Mr. James Gamble.

Q.—Who were present?

A.—Just me and him.

Q.—What did you sign a blank paper
for?

A.—Gamble stated to me he was just
checking up on the work. He asked
me if I had worked on Richardson's
farm, and I said yes.

Mr. Sinclair handed the paper on
which was written the statement in
question (yellow in color) to the witness
for inspection.

Mr. Sinclair—Is that your signature
at the bottom?

Witness—Yes.

Q.—Is that the paper you signed?

A.—To the best of my knowledge, it
isn't.

Who Signed It?

Q.—Will you swear that you never
signed that paper. I want an answer,
Mr. Kydd. You admit it is your sig-
nature. How did your signature get
there if you never signed that paper?

A.—I never signed the paper with
that writing on it.

Mr. Sinclair—What you say is that
you did not sign this.

Mr. Finlayson objected that the Lib-
eral Leader was repeating the witness's
reply incorrectly.

The Liberal Leader read the state-
ment over to witness, then saying: "Will
you swear today that you never signed
this statement as it now appears?"

Witness—I never signed—

Mr. Sinclair interrupted.

"Don't shut him off," said Mr. Fin-
layson. "You were asking him a ques-
tion. Let him answer it."

Mr. Sinclair waxed indignant. "I'm
not going to stand for this," said he
"I'm prepared to leave this committee
right now and place before the publi-
all the documents I have in my pos-
session."

Mr. Finlayson retorted that the Lib-
eral Leader could do as he liked, but
that he would not be allowed to repea-
the witness's replies falsely.

"I didn't," said the Liberal Leader.
"You did," Mr. Finlayson replied
"and everybody here knows you did."

Asked About McMahon.

Further on in the examination Mr
Sinclair asked witness if he knew Mc-
Mahon and had seen him since.

"Yes," said witness.

Q.—Have a talk about the affair?

A.—No, sir.

Q.—You never mentioned to Mc-
Mahon that you signed a paper with
his name on it?

A.—No.

Q.—Never discussed with McMahon
the fact that it was a peculiar thing to
do—to sign a blank piece of paper?

A.—No, sir.

Cross-examined by Mr. Finlayson
witness said he was 31 years of age
and had enlisted for overseas service in
1915.

"Good for you," said Mr. Finlayson.

Witness said he was able to swear
"positively" that he had been paid by
the Government, by cheque, for every
day he had worked on the roads, and
that Richardson had paid him either in
cash, or through his store account, for
work done on the farm.

Mr. Finlayson—Do you want to swear
positively that there was no mix-up be-
tween the Government's accounts and
Richardson's accounts?

Witness—I do.

Q.—You have had no dealings with
Richardson since 1927?

A.—No.

Q.—Not under any obligation to
anybody?

A.—No.

Witness swore that when Gamble
came to him, saying he was checking
up on "the works," he had not said
what he was checking up for.

Witness Is Applauded.

As Mr. Kydd completed his evidence
and rose from the witness chair a score
of committee members virgorously ap-
plauded him. Chairman Black restored
order and declared that if there was
a further demonstration he would have
to ask the offending members to leave
the room.

Then Mr. McMahon was called be-
fore the committee. Asked to identify
a signature on the slip of paper which
bore the statement alleging that Rich-