

March 28

Cheque Produced And Probe Asked By Sinclair in House

Thorough Inquiry by Commission Urged Into Whole System of Ex- penditures Under the Northern Development Department

FINLAYSON READY TO INVESTIGATE

Blunt demand for a Commission investigation into the whole system of expenditures under the Department of Northern Development was made in the Legislature yesterday by William E. N. Sinclair, Opposition Leader, following his production of a cheque allegedly made payable out of Government funds as wages to a Porquis Junction man named Melnick, who, according to Mr. Sinclair's claims, is not working for the Government at all.

Mr. Sinclair characterized such a situation as "loose work"—a situation which, if obtaining at one point, might likewise obtain at others—a condition of affairs that could only, he contended, be met by a thorough inquiry.

Signed and Countersigned.

The cheque in question was signed by D. Lough, engineer, and countersigned by O. E. Lonery, auditor, dated March 16, and made payable at the Imperial Bank of Canada, Matheson. Similar cheques, it was Mr. Sinclair's belief, had been received by Melnick in January and February, although his previous connection with departmental employ had terminated in December. There was no doubt in his mind, he said, that Melnick was the man, for the cheque had afterward been turned in by him on a board bill.

Hon. William Finlayson, Minister of Northern Development, assured the House that if Mr. Sinclair turned over a copy of the cheque to him—a request which has since been granted—he would investigate at once and recommend criminal action, if such action was required. "If there has been any improper issue of a cheque," said he, "the matter will be turned over to the District Crown Attorney for prosecution."

Grounds for Criticism.

This Porquis Junction affair—the second in a year—"broke" in the House when Mr. Finlayson moved second reading of his bill providing \$5,000,000 for Northern development programing. After drawing the cheque incident to the House's attention, Mr. Sinclair asked if there was any reason why the Opposition should not constantly be finding fault with expenditures in the North if cheques issued out of the Government's accountable funds were to be misdirected as in the case of Melnick. "The Honorable Minister," he added, "must realize that we have grounds for our criticism."

Claiming that an ordinary Public Accounts inquiry did not provide sufficient scope for a complete investigation, he demanded that a Commission be put on the job by the Government to clean up "the loose work there."

"Surely," said he, "if your office up there can spend money in this way, it won't take long to get rid of the \$5,000,000 you are asking."

BILL CUTS NUMBER OF APPEAL JUDGES FROM TEN TO EIGHT

More Will Be Available to Speed Up Circuit Work

ACT IN FORCE SEPT. 1

Attorney-General Price's long and widely heralded bill to amend the Judicature Act of the Province so as to decrease the number of Appellate Judges and make them available for circuit work was brought down to the Legislature yesterday.

This bill made its first bow to the Ontario House at the 1930 session, when Premier Ferguson ushered it in and just as quickly ushered it out, in the face, it is understood, of considerable opposition from the judiciary.

In explanation of this year's proposed amendments, Colonel Price yesterday issued the appended statement:

"The present constitution of the Supreme Court of Ontario provides for nineteen Judges. Nine of these Judges go on circuit throughout the Province and belong to the High Court Division. It is their duty to preside at the jury and non-jury sittings of the Supreme Court in the various county and district towns throughout Ontario. There is a Chief Justice of the High Court Division.

"The other branch of the Supreme Court is known as the Appellate Division, and it is comprised of ten Judges, divided into two courts of five each. One of these courts is presided over by the Chief Justice of Ontario; the other, Appellate Division, is presided over by the Chief Justice of the Second Division. The whole nineteen Judges, as indicated above, form the Supreme Court of Ontario, and are presided over by the Chief Justice of the Supreme Court.

Speedy Trials Needed.

"It has been felt that there were not enough Judges taking trial work throughout Ontario to enable the business in the various county towns to be handled expeditiously, and that it would be wise to have additional Judges for that work. 'Justice delayed is often justice denied,' and it is very important that the trial work be proceeded with as rapidly as possible, and that these trials take place within the county jurisdiction.

"The Appellate work has been carried on by ten Judges. Many have thought that this was a little top-heavy, considering that only nine Judges were provided for trial work. It has, accordingly, been decided to cut down the number of Judges in Appeal to eight, and, as vacancies occur, to appoint two more Judges for trial work.

"In giving consideration to this phase of the matter one must keep in mind that the Appellate Courts must hear appeals not only from the High Court, but from the County and Division Court, from arbitrations, etc. It is also important to know that this work has been kept up to date, and

very few delays have occurred. Under the new act there will be eight Judges looking after appeals and eleven trial Judges, making in all nineteen, as the court stands at present.

Three Form Quorum.

"The new act provides for one Court of Appeal of eight Judges, three of whom shall be a quorum. The court can sit in odd numbers, three, five or seven. This will give the opportunity for three Judges to hear less important cases, five Judges to hear more outstanding and difficult cases, and occasionally a court of seven, to hear cases where points of law are involved that are very far-reaching.

"The act will come into force on Sept. 1, 1931, after long vacation."