RETURN

To an Order of the House for copies of the Report of the Commissioner appointed to investigate the claims of Dry Dock creditors, with names of said creditors and the amounts paid to each; also the names of those whose claims were rejected, and the reason assigned for such rejection.

S. DUCK,
Minister of Finance.

Treasury,
24th February, 1886.

Report of Commissioner on claims for wages against F. B. McNamee & Co. by former workmen on the Esquimalt Graving Dock.

VICTORIA, 27th April, 1885.

To His Honour the Lieutenant-Governor of British Columbia:

In pursuance of the Commission, dated the 21st day of April instant, in this behalf intrusted to me, I have the honour to report that I have this day inquired into and examined the claims of Arthur S. Farwell and Henry Farrell, claiming to be creditors of F. B. McNamee & Co. for work and labour rendered and services performed by them respectively, for the said F. B. McNamee & Co., for the construction of Dry Dock at Esquimalt.

Mr. A. S. Farwell's claim is for a balance of $2,060 for services as engineer, from September, 1881, to July 1883, at the rate of $130 per month. It appears from the evidence adduced before me in support of and opposition to the claim, that he was actually employed in that capacity in the construction of the Dock up to the 27th day of June, 1882, and that the sum of eight hundred and thirty-seven dollars ($837) is now owing to him by F. B. McNamee & Co. for the services so performed, and I respectfully recommend this portion of the claim to the favourable consideration of your Honour's Government; the remainder of the claim is not, in my opinion, within the scope of my Commission.

Mr. H. Farrell's claim is one hundred and seven dollars and fifty cents ($107.50), for services as caulker on the steamer Lilly, employed in the construction of the Dock in April, 1882. The evidence received by me indicates that the sum so claimed is actually owing to the claimant by F. B. McNamee & Co., for services just mentioned, and I accordingly recommend the claim to the favourable consideration of your Honour's Government.

Other claims remain to be inquired into.

(Signed) EDWIN JOHNSON,
Commissioner.

VICTORIA, 30th June, 1885.

To His Honour the Lieutenant-Governor of British Columbia:

In continuation of my report of the 27th of April last, respecting certain claims against F. B. McNamee & Co. in respect of the construction of the Dry Dock at Esquimalt, I have the honour further to report as follows:—

In accordance with advertisements inserted in two Victoria daily newspapers, the *Colonist* and the *Evening Post*, I held public sittings for the investigation of these claims on the following days:—

April 27th and 30th	2
May 4th, 5th, 6th, 8th and 20th	5
Total public sittings	7

And I have since privately investigated several claims which were not presented at the public sittings.

The following claims were presented by or on behalf of workmen, and supported by the production of time checks certified by McNamee & Co.'s time and book-keeper, and I have no hesitation in recommending that they be paid to the amounts set opposite their respective names:—

John Sullivan,	$ 20 04
H. J. Dunn,	24 80
Walter Clark	69 45
Thomas Preece	110 00
Frank Reidle	14 50
Wm. McGuire	44 30
*George Galer	187 75
Turner Townsend	17 37
Jerry Maroney	20 00
Jerry Maroney	67 25
H. Steavens	28 00
Joseph Lambeth	10 29
Wm. Tandeith	45 99
John Welsh	15 62
James Roberts	15 90
Wm. Pridmore	69 90
	$761 16

William Clark also presented a claim of this character, but it appears on investigation to be covered by a set-off for board.

The next following time checks are of a similar character to the above-mentioned ones, but were presented by persons claiming to have acquired them, by assignment or otherwise, for valuable consideration; in many of these cases there is no sufficient proof of a legal assignment of the debt, but as the workmen appear to have handed the checks to the present claimants, at least for collection, and to have obtained credit on them, I recommend that *they be paid to the holders to the amounts set opposite their respective names:—*

Claimant, Ach'd Muir:—	
Frank Elliott	$ 13 47
James Holman	8 00
P. O'Rourke	13 00
Thomas Barratt	23 40
John Burke	4 00
J. H. Miles	4 60
Wm. Miller	15 50
Wm. Miller	5 98
Wm. Miller	3 30
C. Daley	16 60
S. Helm	13 90
Wm. Burroughs	12 20
John Toland	8 40
John Burke	2 25
Claimant, William Selleck:—	
Antoine Lewis	23 72
E. Andrer	71 73
Claimant, G. Bossi:—	
Chas. Bloom	14 80
S. Hanrihan	11 24
Andrew Hammond	6 05
Carried forward	272 14

*Time check for $207.75, but $20 was proved to have been paid on account.

Brought forward	272 14
Claimant, J. T. Howard:—	
*Thomas Stoker	231 50
Peter McKay	22 91
Wm. Williams	56 92
John Ohta	23 04
Claimant, Andrew J. Bechtel:—	
James Dunnahue	18 00
Claimant, F. Carne:—	
S. Altamat	15 43
	$639 94

Joseph Miller claimed payment of the following time checks, and being sworn by me deposed that he bought them for cash for their full value:—

Thomas Preece	$110 00
Frank Reidle	14 50
George Galer	207 75
Wm. Maguire	44 30
S. Hanrihan	5 65
A. Rudd	3 57
J. Sullivan	73 50
C. Merrill	58 27
G. Davis	15 60
P. Bastile	48 31
P. Quayle	135 45
M. Nicholson	12 00
J. Butcher	13 40
J. Harrington	63 65
J. Young	4 55
C. Bloom	4 80
Matthew Reidle	39 18
J. Hennessy	8 10
J. Davis	13 56
D. Crocker	10 60
	$510 19

The first four of the workmen mentioned in this list afterwards appeared before me and denied on oath that they had sold their claims to Miller, or received any consideration for them, and Miller presented himself for re-examination and admitted that his former evidence was untrue; under these circumstances I have placed the four men first referred to in my list of workmen claiming in their own right, and I recommend that the others be paid, not to Joseph Miller who is wholly untrustworthy, but to the workmen in person, or their duly authorized agents.

I have also inquired into the next following claims, and finding them to be within the scope of the inquiry and well founded, I recommend that they be paid to the amounts annexed:—

Cornelius Booth	$132 00
†George Nicholson	453 58
T. Pamphlet	528 50
G. A. Sargison	130 00
Wm. Selleck	42 40
W. H. Thistle	249 75
J. Mortimer	10 00
Carried forward	1,546 23

*Check for $291.50 including $60 money advanced, which is beyond this inquiry.
†Claim $619.55. For several reasons I cannot report in favour of the difference.

Brought forward	$1,546 23
Geo. L. Howe	494 48
W. M. Halpenny	27 87
*George Stelly	428 00
D. Banfield	15 25
James Millar	3 25
†Charles Hayward	81 81
Michael W. Welch	15 70
John Brown	25 80
Wm. McDowell	2 50
George Hamer	46 11
	$2,687 00

The claim of Joseph Nicholson, moneys advanced $500, does not seem to me to be within the scope of the inquiry. It is alleged that the moneys were advanced to pay workmen, but they were not exclusively applied to that purpose, and even if it were so the claim would still be for money lent, and not for work done or services rendered. It will be seen that I have rejected those portions of other claims to which this objection applies.

Joseph Nicholson	500 00

The following claims also are outside the range of the inquiry:—

J. & F. Wilson, goods	$121 58
James Harvey, goods	7 62
Robert Porter	72 43
H. Price, board	196 50
Stephen Jones, board	300 00

The following were opposed, and no one appeared to support them:—

Louis Page	18 00
Capt. J. Jenkins	9 00
Claims rejected	$1,225 13
Reductions	585 11
	$1,810 24

The total claims recommended for payment by the Government, are:—

In first Report	$944 50
Workmen's list	761 16
Assignees' list	639 94
Miller's list	510 19
Miscellaneous list	2,687 00
	$5,542 79

Accompanying this report will be found the particulars furnished by the several claimants, my notes of the proceedings on the inquiry, and the advertisements referred to.

Respectfully submitted,

(Signed) EDWIN JOHNSON,
Commissioner.

*Claim $553, including $17 paid for repairing plough, and $108 interest; both rejected.
†Claim $352.68, including money advanced, law costs, and a funeral bill.