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Report of T. Hollis Walker, K. C.

(Continued from page 3.)

and discussions on this important issue. During the years in which these payments were made Sir Richard Squires was away from the Colony from time to time, the approximate dates of his absence being:

From 23rd August, 1920 to 6th December, 1920.

" 21st August, 1921 to 3rd October, 1921.

" 20th December, 1921 to 22nd January, 1922.

" 23rd June, 1922 to 14th December, 1922.

For some time before the first of these periods, Sir Richard had taken a very active part and had attained a very prominent place in politics, and there can be no doubt that from 1919 to 1923 the greater part of his time was given over to political work. He was filling the highest office in the State, and was frequently compelled through the illness of Sir Alexander Winter to shoulder the burden of other Departments of Government besides his own. The conduct of his law office was largely left to subordinates; after 1918 he ceased to call over or check the office books; and his own attendances at the office became irregular, infrequent, brief and hurried. In the summer of 1920 Sir Richard's partnership with Mr. Alexander Winter was dissolved, and when he left the Colony on or about August 23rd, the person really in charge of his affairs was Miss Miller.

Miss Miller entered the employment of Sir Richard Squires in September, 1916. Originally engaged as accountant she ultimately became in fact general manager of the office. As early as November 1917, Sir Richard authorized her to sign cheques, "Squires and Winter, per J. G. Miller" on the firm's account in the Bank of Nova Scotia, and on 8th November 1919 she executed a power of attorney by which she was enabled to draw

case Miss Miller's own power to sign for him proved insufficient and his personal signature should be required. It does not appear that any such notes were ever put into circulation, and Miss Saunders, who affirmed their existence, did not suggest that more than one was issued; she could not tell me, nor could anyone else, what had become of it or of the remainder; she thought that she had destroyed them. In any case this expedient could be of no avail. The Bank of Nova Scotia refused to touch Sir Richard's paper, and Miss Miller's overtures to another Bank met with the same response, and she was faced with the necessity of financing Sir Richard by some other means. While still on his way to England Sir Richard telegraphed to Miss Miller (August 4th):

"Have telegraphed Goodland give you list Star accounts pay Murphy immediately credit arranged also 1000 Steer note Canadian Bank renew balance."

and again on August 7th:

"Cable me London, Tuesday."

and on August 11th she telegraphed to him in London:

"Satisfactorily arranged."

I accepted her evidence that Sir Richard, when it came, was appalling, and that it was followed by a constant stream of further claims. Sir Richard admitted that it was within the scope of her employment to meet the pressure by using her power of attorney to obtain accommodation or loans, and in fact she applied to her brother through whom she obtained \$40,000 and when he refused to supply more she went to Mr. Meany.

According to her story this was precisely what Sir Richard had told her to do—to exhaust her brother first and then in the last resort to apply to Mr. Meany. At that time she knew nothing of Mr. Meany, but he was later, if not then, a friend of her brother whom he visited at Sir Richard's office. Mr. Miller having been given permission to use the room previously occupied by Mr. Winter, why did she seek the help of Mr. Meany? Was it of her own motion, or of a suggestion of her brother, or of Mr. Meany himself? Or was it in accordance with the instructions of Sir Richard when he left her to cope with his finances?

It is clear at any rate that when Sir Richard repaid the \$4,000 he knew that assistance at least to that extent had been obtained from Mr. Meany. The precise date of this payment it was impossible to ascertain, every witness concerned told a different story about it. It was a cash transaction, there was nothing to indicate where the money came from, and no receipt was given or asked for. Sir Richard himself put the incident as having taken place in December 1920 within a few days of his return to the Colony, when the amount outstanding on the cheques given to Mr. Meany was \$3,955, and he swore that until 1923 he never heard that another cent had come to him from that source. It is certain that nothing more was ever paid to Mr. Meany, while Miss Miller went on giving him cheques and I.O.U.'s throughout 1921 and far into 1922. There was against this the evidence of Miss Miller that the \$4,000 was a payment on account of a larger sum, and that from time to time she

brought the later items to his attention and asked him to repay them. Mr. Meany alleged similar requests on two occasions.

In the spring of 1921 considerable changes were made at the office of Sir Richard Squires. At the beginning of the year he had taken into partnership Mr. L. R. Curtis, who was dissatisfied with the way in which the affairs of the office were being conducted, and particularly with the practice of using the account at the Bank of Nova Scotia for other than purely office matters. Miss Miller was contemplating matrimony and the relinquishment of her post. Sir Richard had heard disquieting rumours as to the way in which the office had been carried on during his absence, and in one instance at any rate, he considered that Miss Miller had used her authority under the power of attorney unwisely. In the result a new "trust" account was opened in the name of L. R. Curtis, Miss Miller's power of attorney was cancelled, Mr. Fraser was installed as accountant, and Sir Richard himself, by letter dated 2nd March, 1921, announced his intention at calling at the office every morning at half past nine to deal with any business transactions which might have arisen during the previous day. Mr. Fraser found the office books, a cash book and a ledger, in a deplorable condition. They were incomplete and behind, and they had not been checked or balanced for years; he did the best he could with them, sometimes by writing in whole pages, months or years after the events, from information gathered from Sir Richard Squires, and he made lists of doubtful items, some of which he has never been able to clear up. These books were of very little use at the Enquiry; it was always difficult and often impossible to trace a transaction through them, and many important things were omitted from them altogether. Miss Miller was the person primarily responsible for them, but I cannot believe that Sir Richard himself was entirely ignorant of their state. Miss Miller stated to assist Mr. Fraser until the end of July, when she was placed on a reduced salary. According to Sir Richard this was paid her solely in relation to certain insurance matters of value to him, with which she was in close touch, and she had nothing to do with his finances beyond possibly conveying to him voluntary contributions from political supporters. According to her she was at his request procuring money for him, chiefly by the aid of Mr. Meany, until July, 1922. Light was thrown on this controversy by several incidents including:—

(A) Insurance business was not a firm matter but the personal concern of Sir Richard only; in the latter part of August 1921 Mr. Fraser found that the premiums collected by or for Sir Richard had not been paid to the insurance companies for over a year, and they were angrily demanding a remittance. Sir Richard asked Mr. Curtis to send a cheque on the trust account; Mr. Curtis asked Sir Richard first to put that account in funds; it was put in funds by the payment in of \$5000. That payment was made by Miss Miller and the deposit slip bears her name.

(B) On 28th December 1921 Miss Miller paid a sum of \$3000 into Sir Richard's account at the Canadian Bank of Commerce.

(C) On 27th July, 1922 Miss Miller paid a sum of \$500 into Sir Richard's account at the Canadian Bank of Commerce and left the duplicate deposit slip in the hands of Mr. Meany.

(D) So late as August, 1922 the Manager of the Bank of Commerce was dealing with Miss Miller with reference to deposits which should have been made to Sir Richard's letter of credit account.

In June, 1923 Mr. Meany alleged that a burglary had been attempted at the Liquor Control Office; and a question arose with reference to a statement which he was alleged to have made to the police officer sent to enquire into the matter, insinuating that Sir Richard was implicated. Pending investigation into the whole matter of the burglary Mr. Meany was suspended from his office as Acting Controller; there had been other complaints of his management, such as an accusation of overstocking, but the events in connection with the alleged burglary formed the sole reason given for his suspension. Soon after this rumours reached Mr. Meany that criminal proceedings were contemplated against him; he had for some time been suspicious of Sir Richard's attitude, and he became very bitter against him, and after he had consulted his solicitor his whole story was laid before the Minister of Justice.

My attention was called to the subsequent conduct of Sir Richard as bearing upon the genuineness of the case set up by him at the Enquiry. Though he discussed the charge with Ministers and members of his party he never attempted to offer any explanation of it, and he did not deny it. Though the Minister of Justice waited on him with reference to the charge, told him that he himself had seen the cheques and I.O.U.'s and used words which Sir Richard took to be an invitation to explain, no explanation or denial was forthcoming. Though, according to his own evidence, he realized in December, 1923 from the terms of reference then published, that he



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was implicated in this section of the Enquiry, he did not ask for inspection of the documents or for any particulars with regard to them, nor did he give any instructions to his counsel on the matter, and on the first day of the hearing his counsel, Mr. Howley, K.C., stated to me, and I have no doubt truthfully:—"I would like to point out that I have now for the first time information that my client is interested in any way in this particular head of the Commission."

In my opinion Sir Richard had long known that he was implicated and the nature of the allegations that were being made against him, and while he was in Europe in October, 1923 he received a very significant telegram purporting to have been sent by Mr. Miller:—

"Understand Meany willing to consider cheque and I.O.U.'s personal loan if same paid amounting \$20,000 and if this is intended to believe can show anything myself concerned as personal and outside any negotiations or communication between you and companies."

As a matter of fact this telegram was not sent by Mr. Miller, but by a busybody who appears to have been trying to stir enmity; but Sir Richard did not know this, and believing it was from Miller was content to call it a foolish communication and treat it with contempt. His partner, Mr. Curtis, appears to have entertained different views, and his conduct in December, 1923 in interviewing both Mr. Miller and Mr. Meany with regard to the statements they were furnishing to the Minister of Justice for use at the Enquiry which was imminent, and in endeavouring to adjust the financial side of this liquor control question in the fond hope that this head of the Enquiry might be withdrawn, were in my opinion, to say the least of it, extremely unwise. The part played by Sir Richard in connection with Mr. Miller's statement did not raise my opinion of his straightforwardness.

That Mr. Miller would be willing to do anything he could to avoid the ordeal of the witness box can well be understood by anyone who saw or heard him during the hearing of the second section of the Enquiry. But Mr. Meany's wish seems to have been to shield Sir Richard possibly with the hope of a removal of his patronage, and he made it plain to Mr. Curtis that he did not seek to avoid "taking his own medicine."

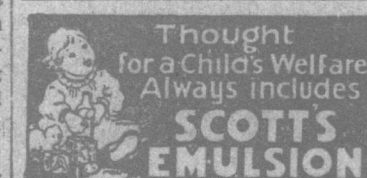
On the score of credit both Mr. Meany and Miss Miller had laid themselves open to attack, and criticisms on this head were properly made

by Sir Richard's counsel. I was alive to the necessity, in view of their admitted participation in the wrongdoing alleged, of a very careful consideration of their evidence, and of the corroboration, if any, to be found in the documents and surrounding circumstances Mr. Meany was also put forward as being actuated by revenge, and though he was friendly enough with Sir Richard when these transactions began, it was clear that as time went on and the expected permanent Controllership was not bestowed upon him, he became suspicious and ultimately incensed. This was an additional reason for scrutinizing his word, though I do not accept the contention that his evidence, which was given with engaging if shameless candour, is to be wholly disregarded. Both he and Miss Miller regarded the payments as of a temporary character, they expected that Sir Richard would redeem them, that the money would be returned to the Department, and no great harm would be done. Moreover very little of Mr. Meany's evidence directly touched Sir Richard on this head of the Enquiry, and the question of Sir Richard's complicity depended much more upon the evidence of Miss Miller. It was suggested that she too had become Sir Richard's enemy, and had entered into a conspiracy with Mr. Meany or had fallen under his domination. I could see no sign whatever of this. I could not see that she obtained or

sought to obtain at any time a profit or advantage for herself; she never entertained a particle of enmity towards her employer, her relations with Mr. Meany were never intimate, and her will was not subordinate to his. Her evidence was not entirely devoid of inaccuracies, and her memory was sometimes at fault; no single witness was called before me about whom the same might not be said, but was satisfied that she was telling me the truth to the best of her ability and without any ulterior motive.

Sir Richard Squires on the other hand was at all material times a prominent public man, always open to attack and misrepresentation, and I have not omitted to regard his position and his attainments, his labours and his necessities, and the matter and the manner of his evidence. These too were elements to be considered in conjunction with the facts and finding which I have mentioned above, and the thousand and one details which came out in the course of the Enquiry, but of which I do

(Continued on page 7.)



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