

The Enquiry Conducted by T. Hollis Walker, K.C.

(Continued from page 6.)

A—I do not know. It may have been.

Q—Taking into account the fact that this perquisite source of income seems to have been more extensive than your salary, and that that did not commence immediately, were the purchases of liquor which it was paid as great in quantity in the first six months as in the six months afterwards?

A—No, as time went on they would increase.

Q—The amount of liquor purchased increased and consequently the perquisites, so that the first six months would be the least remunerative period that you had there?

A—Yes, then. On November 19th, 1920 and within the few weeks immediately following you cashed cheques for Miss Miller aggregating about \$4,000.00?

A—Yes.

Q—Which cheques were afterwards returned?

A—Yes.

Q—And of that \$4,000.00, \$3,000.00 was your own personal funds?

A—Quite so.

Q—And \$1,000.00 department funds?

A—Yes.

Q—Then I presume we must conclude that your income from the Department within the short period that elapsed from your appointment to the date that you cashed these cheques allowed you to have loose and available to you the sum of \$4,000.00?

A—Yes.

Q—Was the remuneration which you received from those purchasers agents added to the original cost of the stocks that you bought?

A—No.

Q—Was the price at which these stocks were sold to you computed so as to cover the cost of your commission?

A—No.

Q—So that your commission was a dead loss to the seller?

A—I do not know. I don't suppose they sold at a loss.

COMMISSIONER—From my experience of sellers, I would not expect it.

MR. HOWLEY—Was there any specific rate of commission?

A—I had no specific understanding with the purchasers as to commission.

COMMISSIONER—Only to let them know that you were willing to accept it?

A—Yes.

Q—Then am I to understand that the rate of calculation of commission varied?

A—I have no knowledge.

Q—How did you calculate them?

A—I did not calculate them at all.

COMMISSIONER—You only received them and what they thought would be their advantage.

MR. HOWLEY—But did you have any say at all in the commission or rate of commission?

A—To the best of my knowledge of recollection now, I made no clear or business understanding, or agreement of the amount to be paid.

COMMISSIONER—Did you ever complain that the amount was not big enough?

A—Yes, that is, I hinted.

COMMISSIONER—If, when they gave you \$100.00 you let them know that you were on the small side, the next day they would give you \$200.00, did that give you a hint that might be a scale?

MR. HOWLEY—How did this question of giving commission first arise, was it from the agents?

A—Not from me. Not to the best of my recollection.

COMMISSIONER—For instance you let me ask the question "say, what do you get out of this?"

A—Not to my recollection.

COMMISSIONER—I have heard of remarks being made. But you don't start?

A—No.

COMMISSIONER—But it spread unhealthily.

MR. HOWLEY—But there must have been some one by whom it was started.

A—I do not know by whom it was started.

Q—And the idea of giving commission was taken up by the agents?

A—Yes.

Q—The rate might have been spread between them?

A—Yes.

Q—How many different agents did purchase liquor from during your period of office?

A—Five or six, perhaps more.

Q—Were there any agents from whom you purchased more than a quantity of liquor than from others?

A—Yes.

Q—Was the distribution of your cheques amongst those agents affected by the amount of the gratuity you received?

A—No.

Q—In other words, I was giving them credit on commission?

A—That is what I mean. In this

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case you said you had to remind them of the commission?

A—Yes.

Q—Do you mean to say that after saying that there was no credit? COMMISSIONER—You mean that it was all done by presents?

WITNESS—Yes.

COMMISSIONER—In some cases you would let them know that your presents had not come, and that you were expecting them?

A—Yes.

COMMISSIONER—It was not a case of credit, as in the case of a debt owing on a certain date. I think the position is clear. It is what we would call in England a secret commission.

MR. HOWLEY—Do you remember the other day identifying that?

A—Yes.

MR. WALKER—I think you will remember I remarked that he must have been paid by the cubic foot.

MR. HOWLEY—I think I omitted the other day to formally put these in evidence.

COMMISSIONER—Of course, if you put them in evidence I must read them.

MR. HOWLEY—I am sorry for you, sir.

(Mr. Howley puts in evidence Mr. Meaney's articles in the Daily News entitled "Peculiarly and Particularly Cared for".)

COMMISSIONER—Would you like to have these read out aloud, or is it for my own private reading?

MR. HOWLEY—I would like to have it on record.

COMMISSIONER—Is there anything in connection with these that you wish to ask him to explain.

MR. HOWLEY—There are one or two points that I would like to ask him questions on, but I am extremely desirous that the knowledge of the contents of these letters should be before you, as I think it will help you.

COMMISSIONER—Is it to help me to come to a conclusion that Mr. Meaney is or is not a witness to a conclusion as to whether it is or is not a fact that monies belonging to the Department of Controller which should have been paid into the Exchequer Account were paid to Miss Miller. That is the issue that I have to determine. Was money paid that ought to have been put in to the Exchequer account, and that depends upon the evidence of Mr. Meaney and Miss Miller. Do these letters impugn the credit of Mr. Meaney is so far as that issue rests upon his evidence.

MR. HOWLEY—These letters I am asking you to peruse for the purpose of informing you of the attitude of mind of this witness, towards Sir Richard Squires. I propose to suggest for your consideration that these letters show an attitude of hostility, and that attitude will have to be considered in deciding upon the credibility of his statements in so far as they relate to Sir Richard Squires.

COMMISSIONER—In so far as anything contained in these which may relate directly to Sir Richard Squires becomes the subject of controversy, it may become important in considering the credibility of the two men. The attitude of hostility may then be important.

Adjournment at afternoon at 2.30.

THE COMMISSIONER—Might I ask Mr. Meaney to return to the witness box.

Mr. Meaney returns to the witness box.

Mr. Meaney re-examined by Mr. Hunt.

Q—Mr. Meaney I gather from the evidence you have given both on examination and cross-examination that the situation at the Controller's Department was something like this: That from the time it was formed there was no stock taken; that there were incomplete books kept there; that the audit was incomplete; that goods were given out on credit and no proper accounts kept of them; that presents were given out by you; that liquor was given out by you without prescriptions; that you took commissions from individuals who sold you liquor and that taking it all together the position was an absolutely disgraceful one

from the standpoint of the public. Is this a correct summary of what happened?

A—That is a correct summary up with the exception that the audit was complete as far as the ordinary channels of revenue was concerned.

MR. HOWLEY—Might I point out Sir that my learned friend has directed this question from the period of date. I do not think it fair to the late Controller.

THE COMMISSIONER—Let me have it restricted to Mr. Meaney's term of office.

MR. HUNT—I am dealing solely with Mr. Meaney's term of office.

THE COMMISSIONER—While you were Acting Controller those facts stated by Mr. Hunt are all correct are they?

A—All correct with the exception that the audit of the revenue, funds that went through the proper channels was properly and regularly made.

THE COMMISSIONER—But that was only a casual audit. Do you admit that the position was a disgraceful one?

A—I agree with him from the point of view of the public that it was not satisfactory. I think I would apply that position.

THE COMMISSIONER—Do you agree with him that it was disgraceful from the point of view of the public?

A—Yes.

MR. HUNT—Did you at any time bring to the knowledge of the Government or any member of the Government the state of affairs that existed there?

A—I did not.

Q—And these matters were allowed to run on in that way?

A—Yes, the system from which this developed was in existence when I went there. I did not create it.

THE COMMISSIONER—You neither created it nor tried to stop it.

A—No.

MR. HUNT—I want to be quite clear, because there was some conflict of evidence on this point, as to the large portion of cases of liquor that you sold, that they did not go through the proper channels; but through you personally?

A—Yes.

Q—And the receipts went to you personally?

A—Yes.

Q—And these receipts should have found their way into the Exchequer and some of them did not?

A—Some of them did not.

Q—And that no record of that special account were kept at the Controller's Department?

A—No, the special deposit slip for that account would be handed to Miss Power, the accountant.

THE COMMISSIONER—That special account only contained such items as you liked to put in it; not what ought to go in it?

A—Yes.

MR. HUNT—Did Miss Power have anything to do with it?

A—No, whatever amounts went to her went into the Exchequer. I am certain of that.

Q—So that so far as this special account is concerned you and you alone knew of it?

A—I alone was responsible for it, and nobody else knew of it.

Q—You told my learned friend that you gave out presents of liquor?

A—I did.

Q—Did you at any time ever give a present of liquor to any member of the House of Assembly?

A—Yes.

Q—To whom did you give any?

A—I forgot the date.

Q—Can you say about the date?

A—I think it was on the 18th of June last. It was on a Saturday night. I am not sure about the date.

Q—A burglary did take place there

Q—You said Mr. Meaney that you considered that you had power to give out liquor without scripts?

A—Yes.

Q—From what and whom did you gather that you had this authority?

A—By virtue of being Controller and by Act of Parliament.

THE COMMISSIONER—By virtue of being Controller did not entitle you to dispense liquor without scripts.

A—My own interpretation of that section of the Act was that this power pertained to my office.

THE COMMISSIONER—Which act are you relying upon 1916 or 1919?

A—1919. I think it is section 18 appointing the Controller. I can point it out.

COMMISSIONER—(Reads Section 18). You say that under that section you had the right to sell liquors without any scripts or vouchers whatever?

A—That was my interpretation of it. I did not ask any legal advice on it and it was never pointed out to me that it ought not to be.

THE COMMISSIONER—Then it ought not to be called the Prohibition Act if that was the case.

MR. HUNT—You merely assumed that yourself and you acted upon the advice you gave yourself?

A—Yes.

THE COMMISSIONER—Was there to be no restriction of persons to be given liquor?

A—It never arose during my term of office and no authority intervened to say I was doing right or wrong.

THE COMMISSIONER—Did you interpret the Act whereby you could give liquor to any one you pleased?

A—I thought I could use my own judgment.

THE COMMISSIONER—What judgment had you to use in that connection? You mean as to whether a man was a friend or a foe?

A—A party would apply to me for a certain quantity of liquor. If he was a reputable citizen and needed it I gave it to him.

THE COMMISSIONER—Needed it for what? For pleasure or for medicine? If he needed it for medicine how would he have a script; but his need you thought was his thirst?

A—Yes.

Q—Did you ever enquire into the need?

A—No.

Q—At any rate you interpreted Section 18 of the 1919 Act to give you power to issue liquor?

A—I do not remember if that is the section I interpreted or not. There are others bearing on the actions of the Controller. I do not remember what they are now.

THE COMMISSIONER—I will hand you the Act to see for yourself.

A—I cannot see anything having any bearing on it.

THE COMMISSIONER—Nor can I. You see the running of the Act appears to have been that liquor was to be available to persons who needed it, but their needs were to be ascertained by experts, by medical gentlemen who should be satisfied that they needed it medically, not that they needed it because it was palatable.

MR. HUNT—It is a fact, Mr. Meaney that you did give liquor to parties without scripts?

A—Yes.

Q—And that continued practically during the whole of this time you were in office?

A—Yes.

Q—My learned friend made reference to a burglary at your office. Did that take place?

A—Yes, it did.

Q—When?

A—I forgot the date.

Q—Can you say about the date?

A—I think it was on the 18th of June last. It was on a Saturday night. I am not sure about the date.

Q—A burglary did take place there

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and you made a complaint to whom?

A—To Superintendent O'Neill.

Q—Was the matter investigated by the police?

A—Nothing further than a casual enquiry.

Q—That was made by whom?

A—By Head Constable Byrne, but he made no notes at the time.

COMMISSIONER—That was not entirely casual. He made a special journey to your Department didn't that?

A—Yes.

MR. HUNT—And then we know you wrote the Prime Minister about the matter on June 23rd, 1923?

A—Yes.

Q—It is correct that prior to that burglary you had a conversation with Dr. Chisholm?

A—Yes.

Q—Is it correct that at the time of the burglary you had removed from the office I.O.E.'s and cheques?

A—Yes.

Q—Would you tell us why you did that?

A—It was suggested to me on a previous occasion by Dr. Chisholm who said "If I had documents like these there Meaney I would not leave them around."

COMMISSIONER—Was it in consequence of that conversation that you had the documents removed?

A—It was.

MR. HUNT—You told my learned friend that you relations with Sir Richard Squires were cordial for a time, then you became suspicious and then eventually there was more or less open hostility between you, and it was suggested by my learned friend that this hostility arose out of the fact that Sir Richard Squires ordered an audit at the Controller's Department?

A—Mr. Howley might have made that statement but that was not the reason.

Q—What led to the hostility, if there was hostility?

A—I have not got a very clear idea of what it was, but the trouble between Sir Richard Squires and myself was his own making. I was the victim rather than the cause of it. In other words I did not see any good reason why Sir Richard should be hostile to me.

(Continued on page 8.)

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