

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

(Continued from page 8.)

—And I think during this period, a variety of reasons, Sir Richard was not alone attending to duties as Prime Minister and Colonial Secretary but had to perform other duties.

—He was pretty well running the show.

—The reason being.

—Well, in the case of the Finance Minister, Mr. Brownrigg was ill and heads of some of the other Departments were away.

—MR. WALKER—He was taking on shoulders the responsibility of all Departments which was short of what?

—Yes, it was a particularly busy time.

—MR. WALKER—On this occasion you first brought this matter to attention of the Prime Minister, I think the Legislature was in session?

—I am not prepared to say but I think it was.

—And in addition to his usual departmental duties, his legislative duties were also thrust upon him?

—Yes.

—And his reply to your suggestion was to let the matter stand over the present?

—Yes.

—The matter did stand over until the spring of 1923. It did not come up until then when you mentioned him in a casual conversation to the Finance Minister?

—No.

—There was a general election in the spring of 1923?

—Yes.

—I think not—the joint signature of Mr. Meaney and the Deputy.

—Q.—What happened when that order went forth for the joint signature of Mr. Meaney and yourself?

—A.—Just what would naturally happen. I signed the cheques with Mr. Meaney for a certain time and then Mr. Meaney for a certain time refused to sign the cheques with me and subsequently Mr. Meaney resumed the signature. He accepted the condition at first then he refused for a short time and finally re-accepted.

—Q.—During this time that you were acting with Mr. Meaney, did any question of the stock-taking come up?

—A.—Yes. I think I spoke to Mr. Meaney about the stock but nothing came up about any request of the fact mentioned.

—Q.—Do you remember what Mr. Meaney's attitude was? Did he afterwards change his mind. Was the stock taking accomplished?

—A.—The stock taking was undertaken and accomplished after Mr. Meaney left the office.

—MR. WALKER—What is the date?

—A.—I could not give the exact date.

—Q.—Was it after the Spring of 1923?

—A.—Yes, it was. Since Mr. Meaney went out of office, and he went out of office in June, 1923.

—MR. HOWLEY—It took place after that?

—A.—Yes.

—Q.—Was there anything further done in the way of an audit besides the stock taking?

—A.—The regular audit.

—MR. WALKER—At the time of the auditing, it was not a final audit because there was no stock taking. At the time the stock taking was done was there an audit as well?

—A.—A stock taking at the end of a period would not help it very much unless there was a stock taking at the beginning as well. This stock taking in June, 1923, would not help you very much unless you had one at the commencement?

—MR. HOWLEY—Might I say that I would like Mr. Meaney to have with him to-morrow the appointment in writing, which he said he could have with him?

—MR. MEANEY—I have looked for it since and I have been unable to find it.

—COMMISSIONER—Just look once more, and if you can find it bring it, and if you can't find it, of course you can't bring it.

—Adjournment to Thursday, 10th January, 1924, at 11 o'clock in the forenoon.

—COMMISSIONER—Are you ready to go on with the cross-examination of Mr. Meaney now?

—MR. HOWLEY—Might I ask your indulgence to refer to a matter which I brought yesterday in the evidence of Mr. Harsant with reference to some transaction with a man named Brown. The evidence given by Mrs. Harsant is before you, sir, and it is within the recollection of all of us, and I think that I am not overstepping the facts when I say that that evidence, as it stands, brings in a question as to the propriety of the office of Sir Richard Squires, in so far as dealing with the monies of clients or monies in the nature of trust funds.

—COMMISSIONER—It is certainly capable of bearing that interpretation.

—MR. HOWLEY—It is for that reason I judge that it is a matter which I ought to deal with promptly, and I ask your consideration of the application which I make now. I have to ask you if at this stage you will hear the evidence of Mr. Curtis and the evidence of Mr. Squires and Curtis, and receive from him the documents, records of the office showing what actually happened.

—COMMISSIONER—I should want that at some time. While the evidence

You will be well remembered

if you give a Mother Drake's Fruit Cake to your friend for her birthday. Mother Drake's Fruit Cake has a distinction like its flavor—exclusively its own. It is also suitable for an anniversary present, its quality having the spirit of a feast in it. Its fruits and nuts, citron and peels, are from sunny Italy and romantic France.



It would help in this way. If it covered the whole period from the very first inception of the office. Then we could check over the balance. But if we take any period then we should have to take a stock taking at the end of Mr. Devereaux's term in order to get at Mr. Meaney for his term.

—Q.—In order to get at the state of things it is essential that you should have a stock taking at the beginning and the end?

—MR. HOWLEY—Prior to Mr. Meaney, Mr. Devereaux was there?

—A.—Yes.

—Q.—Mr. Devereaux had been Controller for some years?

—A.—Yes.

—Q.—I think after some years in office Mr. Devereaux died?

—A.—Yes.

—Q.—Mr. Devereaux was succeeded by Mr. Meaney?

—A.—Yes.

—Q.—And it is impossible now to make an audit which would give an account of the conduct of that Department under Mr. Meaney because no stock taking was made before he went in?

—A.—Yes.

—Q.—If an audit were made now, and a shortage were found it would be impossible to say whether that shortage, in whole or part arose in the time of Mr. Meaney?

—MR. WALKER—When you say a shortage, Mr. Howley, what do you mean?

—MR. HOWLEY—A shortage in cash.

—MR. WALKER—A shortage is something less than we had to have and we don't know what we had to have. Not having had any stock taking we cannot say whether the money or liquor is a shortage or not. Shortage has no meaning. If you had to have one thousand bottles and there were only nine hundred and ninety-nine, then I would say there was a shortage.

—MR. HOWLEY—You could not distinguish how much shortage, if any took place, under Mr. A. B. or C?

—A.—No.

—MR. WINTER—That is all the evidence that we have got at present in reference to the first allegation.

—COMMISSIONER—We are not yet finished with Mr. Meaney. Mr. Meaney, we will want you here to-morrow morning at 11 o'clock, when I understand Mr. Howley will be ready to proceed with the cross-examination, and Mr. Winter will re-examine.

—MR. WINTER—I think that will be all the evidence on the first paragraph.

—MR. HOWLEY—Might I say that I would like Mr. Meaney to have with him to-morrow the appointment in writing, which he said he could have with him?

—MR. MEANEY—I have looked for it since and I have been unable to find it.

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—COMMISSIONER—I should want that at some time. While the evidence

as a stress proves nothing, still it is open to the interpretation that there was at least some irregularity at the office, and I hope that that will be cleared up. Do you desire to do that before finishing with Mrs. Harsant and Mr. Meaney? Do you not wish to wait until you open your own case?

—MR. HOWLEY—I might have deferred it until I went into my own case, but it is a matter of such moment, that in my judgment I decided to ask you to take it now.

—COMMISSIONER—I quite understand your position, but there may be a little inconvenience in interposing at this stage of the case a matter that would not come till a later stage. Still I will accede to your request.

—MR. HOWLEY—May I say that although I am calling Mr. Curtis at this stage, I am calling him for the reason of going into this matter alone. If Mr. Curtis is required by you or my learned friends for examination on any other matter, I hereby undertake that in the course of my case I will put him back.

—COMMISSIONER—I was not anxious to probe into this at all. I gave you a strong hint that the matter was not very near the matters I had to deal with.

—MR. HOWLEY—Might I point out that I am just as anxious to go into this matter as you were to keep out of it.

—COMMISSIONER—Call Mr. Curtis, LESLIE ROY CURTIS—(Sworn.) Examined by Mr. Howley.

—COMMISSIONER—The evidence of Mr. Curtis at the moment will be confined to this matter of Brown's insurance premium.

—MR. HOWLEY—Q.—Mr. Curtis, I think you are now a partner of Sir Richard Squires in the practice of Law?

—A.—Yes.

—COMMISSIONER—You may as well tell us now when you became partner?

—WITNESS—I became a partner on the first Jan., 1921.

—MR. HOWLEY—I think, prior to your becoming a partner, you had been in the office for some time?

—A.—About six months.

—Q.—You came in after Mr. Winter had retired from the partnership?

—A.—I did.

—Q.—And you came in on the eve of Sir R. Squires' departure for England.

—A.—Yes.

—Q.—Do you remember a man named Archibald Brown who was insured against fire in one of the Companies for which you were agents?

—A.—I do.

—Q.—I do. Besides being insured he was a client of our firm.

—COMMISSIONER—He was also a client of your firm besides being insured with the companies of which your firm was the agent?

—A.—Yes.

—Q.—And he did have a fire?

—A.—He did.

—Q.—What?

—A.—Prior to my entering the partnership, I think it was about 23 Dec., 1920.

—MR. HOWLEY—And in due course the loss was adjusted?

—A.—The loss was adjusted.

—Q.—And in time the adjustment papers were forwarded to the Company?

—A.—Yes.

—Q.—And in due course a cheque came to meet the claim?

—A.—Yes.

—COMMISSIONER—A cheque to your firm?

—A.—No payable to Archibald Brown. The cheque would be payable to the insured or order, but it would come to the agent's office, and on the back, there would be a discharge.

—Q.—Do you remember when that cheque came was it accompanied by a letter from the insurance office?

—A.—It was.

—Q.—Would you be good enough to look at that letter, and tell me if it was the letter that covered the cheque?

—A.—This is the letter. It is dated July 15, 1921. I might say before I read the letter that my name had not been entered in the books at head office. (Witness reads letter.)

—MR. HOWLEY—I ask to put that letter in. (Letter put in marked L.R. 1.)

—Q.—I think on July 29th you wrote to the Company acknowledging receipt?

—A.—I did.

—Q.—Is that a copy of the letter to the Company in reply?

—A.—Yes.

—A.—That was an acknowledgment dated July 28. (Witness reads letter.)

—MR. HOWLEY—I ask to put that letter in. (Letter put in marked L.R. 2.)

—Q.—Alexander Brown the insured did not reside in St. John's.

—A.—No, at Blaketown.

—Q.—Upon receipt of the cheque did you write Brown?

—A.—I did.

—Q.—Is that the letter?

—A.—Yes. (reads letter.)

—MR. HOWLEY—I put that in. (Letter put in marked L.R. 3.)

—Q.—At the same time you wrote Mr. Thompson sending him the cheque?

—A.—I did.

—Q.—Is that a copy of the letter?

—A.—Yes. (reads letter.)

—MR. HOWLEY—I ask to put that in. (Put in, marked L.R. 4.)

—Q.—Did you get a reply from Mr. Thompson?

—A.—I did. I got a reply from Mr. Thompson reading as follows: (Reads letter.)

—MR. HOWLEY—I ask to put that in. (Put in marked L.R. 5.)

—COMMISSIONER—Is it a reply from Thompson acknowledging receipt of the cheque?

—A.—Yes.

—Q.—This suggests that you had already paid Brown.

—MR. HOWLEY—Yes.

—Q.—So that on receipt by your office the cheque was sent to be endorsed by Brown, and it came back to your office?

—A.—I did.

—Q.—So that the receipt by your office of these funds was in July 1921?

—A.—We did not receive the funds until the cheque had come back from Mr. Thompson in August.

—Q.—Prior to the receipt of this cheque had any money been paid to Brown?

—A.—It had.

—Q.—Do you remember any payments to Brown?

—A.—I do.

—Q.—What payments were made to Brown?

—A.—They were not made to Brown direct. I prepared a statement this morning.

—COMMISSIONER—We can't have a statement made this morning. If he has any document made at the time, you had paid Brown certain monies?

—A.—I had.

—Q.—Would these payments appear in the books?

—A.—Yes.

—MR. HOWLEY—What is that?

—WITNESS—That is a receipt dated Feb. 4, 1921, for \$102.85.

—Q.—Paid to whom?

—A.—Frank McNamara. I may say that the loss under the policy was made payable to McNamara.

—Q.—Who paid that to McNamara?

—A.—I did.

—MR. HOWLEY—I ask to put that in. (Receipt put in marked L.R. 6.)

—COMMISSIONER—This is L.R. 6. It is signed Brown.

—WITNESS—No. It is signed McNamara.

—Q.—What is this Alex. Brown written here?

—A.—It is written or typed?

—COMMISSIONER—It is typed.

—WITNESS—That was put there to identify it.

—Q.—This receipt is in full payment of all claims of McNamara?

—A.—Yes. He was only a beneficiary under the policy so far as his interests might appear. He was the sole beneficiary. All the rest would be paid to Brown.

—MR. HOWLEY—Did you make any other payments on account of Brown's?

—A.—I did.

—COMMISSIONER—When was the first payment made on account of Brown's?

—A.—About a month before this payment to McNamara.

—Q.—Can you refer to the books?

—A.—Yes.

—MR. HOWLEY—Subsequently to that and before the receipt of the cheque did you make any other payments?

—Q.—Did you make a payment to Messrs. Howley & Fox?

—A.—I did.

—Q.—Have a look at that.

—A.—Yes. I paid Messrs. Howley & Fox May 17, 1921 \$528.31. (Document put in marked L.R. 7.)

—Q.—What was that for?

—A.—That was for a claim that Messrs. Howley & Fox had against Alexander Brown, and for which we had got an attachment in our hands. They had placed an attachment in our hands on behalf of some clients.

—Q.—Was that the attachment?

—A.—There were two attachments, one in the name of each of our Companies.

—Q.—Is that the attachment?

—A.—Yes. (Attachment put in marked L.R. 8.)

—Q.—I think you also made another payment to R. G. Barnes?

—A.—I did.

—Q.—Is that the cheque?

—A.—It is.

—Q.—Dated May 7, 1921 for \$785.00 paid by you?

—A.—Paid by me. (Cheque put in marked L.R. 9.)

—Q.—Did you make any other payments on account of Brown's?

—A.—I did.

—Q.—Prior to the date of the receipt of the cheque from the company?

—A.—I did.

—Q.—Are you able to tell us what portion of the cheque from the company was really coming to Brown at the time of its receipt? How much was still due in July?

—A.—Well there was a second attachment in our hands.

—COMMISSIONER—How much was still due to Brown on July 15, 1921?

—A.—Out of the \$4685.00 about \$700.00 or \$750.00.

—MR. HUNT—How do you make that up?

—A.—We paid out to McNamara \$1082.00, and to the Imperial Tobacco Company \$175.00.

—Q.—When did you make that payment to the Imperial Tobacco Company?

—A.—In January, 1921.

—MR. WARREN—Is the witness refreshing his memory from that document?

—WITNESS—Yes.

—COMMISSIONER—But you cannot have records made this morning. It would be perfectly all right if you had made it at that time. I cannot allow you to have that before you. Now in January, 1921, you paid \$175.00 to the Imperial Tobacco Co. Was that on another attachment?

—A.—No. That was on the request of Mr. Brown, to prevent an attachment from coming in.

—COMMISSIONER—It was at the request of Mr. Brown. That is all I want to know.

—MR. HOWLEY—And I think a payment was made to Ayre & Son?

—A.—Yes, that was about \$500.00.

—Q.—When was that?

—A.—I do not remember the date. I know it would be shortly after the McNamara cheque.

—Q.—Did you pay that \$500.00?

—A.—I did.

—Q.—Did you make any payments to Brown himself?

—A.—I paid him \$100.00.

—Q.—When?

—A.—I think it would be some time in March. It was some time in the Spring.

—Q.—Was it before the receipt of the cheque from the Company?

—A.—All these were before the receipt of the cheque.

—Q.—Then I think you had another attachment?

—A.—Yes, at the suit of Slattery's Dry Goods.

—Q.—How much was that for?

—A.—I think it would run into hundreds of dollars.

—Q.—I think that claim was disputed?

(To be continued)

Here and There.

Shoe Buckles—Rhinstone Shoe Buckles at SMALL WOODS.—dec24,11

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—Q.—Is that the cheque?

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—Q.—Dated May 7, 1921 for \$785.00 paid by you?

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—Q.—Are you able to tell us what portion of the cheque from the company was really coming to Brown at the time of its receipt? How much was still due in July?

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—COMMISSIONER—How much was still due to Brown on July 15, 1921?

—A.—Out of the \$4685.00 about \$700.00 or \$750.00.

—MR. HUNT—How do you make that up?

—A.—We paid out to McNamara \$1082.00, and to the Imperial Tobacco Company \$175.00.

—Q.—When did you make that payment to the Imperial Tobacco Company?

—A.—In January, 1921.

—MR. WARREN—Is the witness refreshing his memory from that document?

—WITNESS—Yes.

—COMMISSIONER—But you cannot have records made this morning. It would be perfectly all right if you had made it at that time. I cannot allow you to have that before you. Now in January, 1921, you paid \$175.00 to the Imperial Tobacco Co. Was that on another attachment?

—A.—No. That was on the request of Mr. Brown, to prevent an attachment from coming in.

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—MR. HOWLEY—And I think a payment was made to Ayre & Son?

—A.—Yes, that was about \$500.00.

—Q.—When was that?

—A.—I do not remember the date. I know it would be shortly after the McNamara cheque.

—Q.—Did you pay that \$500.00?

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—A.—I think it would be some time in March. It was some time in the Spring.

—Q.—Was it before the receipt of the cheque from the Company?

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—Q.—How much was that for?

—A.—I think it would run into hundreds of dollars.

—Q.—I think that claim was disputed?

(To be continued)

—Q.—Prior to the date of the receipt of the cheque from the company?

—A.—I did.

—Q.—Are you able to tell us what portion of the cheque from the company was really coming to Brown at the time of its receipt? How much was still due in July?

—A.—Well there was a second attachment in our hands.

—COMMISSIONER—How much was still due to Brown on July 15, 1921?

—A.—Out of the \$4685.00 about \$700.00 or \$750.00.

—MR. HUNT—How do you make that up?

—A.—We paid out to McNamara \$1082.00, and to the Imperial Tobacco Company \$175.00.

—Q.—When did you make that payment to the Imperial Tobacco Company?

—A.—In January, 1921.

—MR. WARREN—Is the witness refreshing his memory from that document?

—WITNESS—Yes.

—COMMISSIONER—But you cannot have records made this morning. It would be perfectly all right if you had made it at that time. I cannot allow you to have that before you. Now in January, 1921, you paid \$175.00 to the Imperial Tobacco Co. Was that on another attachment?

—A.—No. That was on the request of Mr. Brown, to prevent an attachment from coming in.

—COMMISSIONER—It was at the request of Mr. Brown. That is all I want to know.

—MR. HOWLEY—And I think a payment was made to Ayre & Son?

—A.—Yes, that was about \$500.00.

—Q.—When was that?

—A.—I do not remember the date. I know it would be shortly after the McNamara cheque.

—Q.—Did you pay that \$500.00?

—A.—I did.

—Q.—Did you make any payments to Brown himself?

—A.—I paid him \$100.00.

—Q.—When?

—A.—I think it would be some time in March. It was some time in the Spring.

—Q.—Was it before the receipt of the cheque from the Company?

—A.—All these were before the receipt of the cheque.

—Q.—Then I think you had another attachment?

—A.—Yes, at the suit of Slattery's Dry Goods.

—Q.—How much was that for?

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