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

(Continued from page 6.)

Q.—Have you made a search of the office for the 1920 cheques at any time?

A.—Yes.

Q.—And these are all you have been able to find?

A.—Yes.

COMMISSIONER—Put them in a bundle.

MR. HOWLEY—Does that bundle contain all the cheques of September, 1920?

A.—No.

COMMISSIONER—According to the numbers it doesn't.

MR. HOWLEY—Nor all the October cheques?

A.—No.

Q.—There was some talk of insurance premiums due to the office by the Dominion Iron and Steel Company?

A.—Yes.

Q.—Can you tell me if, when you took over the insurance in June, 1921, there were any overdue premiums due by the Dominion Iron and Steel Company to your insurance agency?

A.—Yes, according to the records of the office the Dominion Iron and Steel Company premiums for 1920 had not been paid. They had never gone through the books.

Q.—Amounting to what?

A.—$2313.90.

COMMISSIONER—What time was that?

A.—Premiums due June 1920.

Q.—And when did you say that had not been paid, what date are you speaking of?

A.—June 1921.

MR. HOWLEY—They came due in 1920?

COMMISSIONER—Some had been due in 1920 and had some been due in the meanwhile?

A.—Yes and had been paid.

COMMISSIONER—I see. Some of the intermediate ones had been paid and some of the older ones were still outstanding.

A.—Yes.

Q.—Have you made enquiries about them or have you found out that they had been entered in this splendid system of bookkeeping?

A.—I enquired before Miss Miller left.

Q.—Did she tell you they had been paid?

A.—I referred the matter to her and she told me I had not better take the matter up with the Company.

Q.—Did you make any enquiries from the Dominion people?

A.—No. I told Sir Richard Squires about it.

Q.—You have no record that they were paid through your system of bookkeeping or rather through the absence of your system of bookkeeping?

A.—I cannot say whether they were outstanding.

MR. HOWLEY — Was there any other insurance transaction in the summer of 1921 which appears to be outstanding?

A.—Yes. There is a premium of October 21st which has never passed through the books.

COMMISSIONER—And that from the Dominion Company?

A.—Yes.

MR. HOWLEY—How much?

A.—$2,722.00.

COMMISSIONER—Can you tell us whether any premiums were paid in August 1921?

A.—In August 1921 the premiums that had fallen due April 1921 had all been paid.

Q.—At what time in August?

A.—I will see from my ledger. That would be at the first of August. Paid June 24th.

COMMISSIONER—Was there, as far as you can say any premium due in August 1921?

A.—None except the old 1920 insurance.

Q.—Which may or may not have been due. Was there any paid in August? Was there any new insurance entered into in August.

A.—No. There was nothing but the old 1920 premiums due.

Q.—There was a time when there were demands from the insurance company for premiums, and they were paid by Miss Miller's deposit of $5,000.00? Do you remember that.

A.—Yes.

Q.—We were told that as a matter of fact there were large sums coming in sufficient to meet that claim from the insurance company for premiums.

A.—There did not appear to have been any pending. There was some new business came in October 7th, 1921, according to my records.

Q.—There was new business in that year for the Dominion Company?

A.—Yes.

Q.—And the premium amounted to how much?

A.—$2,722.00.

Q.—That was paid in October?

A.—No. That has not been paid.

Q.—Not paid yet. Was there not anything paid in October?

A.—No. There was nothing paid in October.

MR. HOWLEY—This new business was written in October?

A.—Yes. Written on Oct. 27th.

COMMISSIONER—I suppose same premiums have been paid since?

A.—That is still outstanding.

MR. HOWLEY—According to your books?

A.—Yes.

COMMISSIONER—There has been no premium paid?

A.—That policy was cancelled and a new policy issued on April 1st, 1922, and the premium of the new policy has been paid.

MR. HOWLEY — Do you know whether this new insurance business that was written in October 1921—do you know when that was first arranged for or talked about?

A.—No.

Q.—All you know is the date upon which the policy was written and you have never received any premiums in respect of it?

A.—Yes. That is all I know.

COMMISSIONER — The premium was not included in the premium of the policy of April in the following year?

A.—No.

MR. HOWLEY—Did you have any knowledge of this $5000 payment to the Curtis Trust Account?

A.—All I knew was that the account had been put in funds.

Q.—Had anybody instructed you that these funds either in whole or in part represented these insurance premiums?

A.—No, it was never mentioned to me.

Q.—So fa as your records go, the insurance has never been paid?

A.—So far as the records go.

Q.—Did you not credit all that $5,000 or any portion of it on account of these premiums?

A.—No.

Cross-examined by Mr. Winter.

MR. WINTER—Just take this insurance first, Mr. Frazer. You have just said that all you knew was that the account was put in funds?

A.—Yes.

Q.—That account was the trust account?

A.—Yes.

Q.—You were handling that account then.

A.—Yes.

Q.—Did you know that $5000 had been deposited to that account?

A.—I must have at the time.

Q.—To whom did you credit that $5000?

A.—I made no entry for that $5,000 no more than for any deposits that Sir Richard Squires made to his own credit. When I went there in 1921 part of my business was cleaning up old accounts, and if I needed funds I would apply to Sir Richard.

Q.—I understood you were in charge altogether on August 1st. You were the person in charge of the accounts, and current entries would be made by you?

A.—Yes.

Q.—How does the $5000 appear in your books that was paid into this account in order to enable you to pay these insurance premiums?

A.—There is no entry. I opened the trust account for conserving the office funds. Sir Richard supplied me with money to meet the old accounts as I asked for them.

Q.—In this case $5000 was paid into that trust account.

COMMISSIONER — How does it happen that five thousand dollars was paid into this trust account to enable you to pay these insurance premiums and there is no entry of it?

A.—I applied to Sir Richard for funds.

COMMISSIONER repeats question and witness starts to repeat same answer.

COMMISSIONER—Why don't you answer the question. You are avoiding it.

WITNESS—What is the question?

COMMISSIONER—I shan't repeat it.

MR. WINTER—You told us, you remember, long ago, early in this enquiry that your cash book was in a terrible mess, and you could not do anything at all with it, and you pulled the curtain down in June, 1921?

A.—June 1st.

Q.—And started a new set of books?

A.—I did not start a new set of books, I continued the old books.

Q.—Did you start with a balance sheet.

A.—I counted what cash I had on hand and balanced the cash.

Q.—Did you in the commercial sense start with a balance sheet?

A.—No. I just continued as best I could, and rendered old accounts.

Q.—You would find yourself in just as big difficulties if you started without a balance sheet?

A.—I counted what cash was in the office, and started with that.

Q.—You just kept a cash record?

A.—Yes.

Q.—This five thousand dollars was deposited in the Bank?

A.—Yes.

Q.—I presume it went into the cash book?

A.—No. I made no enty at all.

Q.—You were handling the insurance at that time?

A.—Yes.

Q.—And you said just now that there was a new policy is October, 1921?

A.—Yes, $2722.

Q.—And the following April that old policy was cancelled and a new one taken out?

A.—Yes.

Q.—Has that new one been paid?

A.—The new one is fixed up.

Q.—You did that work yourself, you entered it?

A.—Yes.

Q.—According to the records the one for 1920 is still outstanding?

A.—Yes.

Q.—Then did you in 1922 take up the matter of the old premium?

A.—No. I did not take the matter up. Not with the Company.

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Q.—Have you ever asked them to pay the old premium?

A.—Not the Company.

Q.—You can only say that it is not paid according to your records?

A.—If it had been paid is has never gone through the books of the office.

Q.—How much is the amount outstanding on your records?

A.—$5,036.90.

Q.—Was that the amount outstanding in August 1921?

A.—No.

COMMISSIONER—$2,313.19.

MR. WINTER—Is that $2,313.19 all that was due from the Company in August 1921?

A.—Yes.

COMMISSIONER—It was the most that could have been due. If there was any more due is was a back debt.

MR. WINTER—That is according to the records in the office.

COMMISSIONER—Yes, according to the records.

MR. WINTER—Now, Mr. Fraser, you told Mr. Howley that in June 1st 1921 the balance in the cash book ought to be $11,072.00. Is that correct?

A.—Yes.

Q.—When you say the cash balance do you mean the Bank balance?

A.—No. I mean the cash book. The actual cash that passed through the office—received in the office and paid out of the office.

Q.—The cash book is divided into two columns, cash and bank?

A.—Yes.

Q.—To which balance do you refer. The cash column or the bank column?

A.—The cash column.

Q.—Not the bank at all?

A.—No. When a deposit was made in cash in the bank it was entered in the debit cash column.

Q.—What is this cash column. What does it represent?

A.—Cash actually received and paid out by the office that has been left on record in the cash book.

Q.—And the balance should have been $11,072.00?

A.—That was the result of my addition.

Q.—And how much was there when you started?

A.—$505.51.

Q.—Have you checked these books up with the Bank statement at all?

A.—I have been doing so since I got the Bank statement in 1923 whenever I got a chance.

Q.—Have you ever found that the Bank balance in the bank book and the bank balance in your books agreed?

A.—I have never made any comparison.

Q.—You started this enquiry at the last date when Miss Miller had an actual balance?

A.—Yes.

Q.—And that was a debit balance of $19.31 at March 1921. You did not go back any farther than that?

A.—I went back two or three days to see if that represented an actual balancing on her part.

Q.—Who wrote up the cash book at the time we are talking of now?

A.—The cash book had been written by Miss Reader, a clerk who had left when I came—she had written it up to apparently March 19th, 1921.

Q.—On from March 1920?

A.—It is all in Miss Reader's writing, with the exception of about two months in Miss Millers own writing.

Q.—What two months are those?

A.—Miss Miller wrote April, May and June and Miss Reader began writing in July 1920.

Q—Do I understand that Miss Miller did not write up the cash book after July 1920?

A.—No. It is all in Miss Reader's handwriting.

COMMISSIONER—Up to what date is that. What are the dates of Miss Miller's writing?

A.—The last of Miss Miller's entries of regular office transactions is June 30th, 1920.

Q.—And after that it was all done by Miss Reader?

A.—It has been written up by Miss Reader.

MR. WINTER—Just to sum this up. This $11,072.00 represents the balance there should be from the debit and credit columns in the cash? The cash received is that much greater than the cash paid out. Have you checked up the Bank column at all?

A.—No. I have not added it up at all.

Q.—So that it is possible that a large amount could have been deposited and the entry not put in?

A.—The deposits have been checked over. The actual deposits received by the Bank.

Q.—But not withdrawals?

A.—No.

Q.—There are no bank deposits that did not appear in the cash?

A.—Unless they were skipped in checking over. All the deposits made by the office to the Bank account appear in the cash book, and they are credited in the cash column.

COMMISSIONER — You mean the Bank of Nova Scotia?

A.—Yes.

Q.—You have not yourself made any deposits in the Canadian Bank of Commerce?

A.—No.

COMMISSIONER—That was where the campaign funds were kept mostly.

MR. WINTER—You have looked over this statement, have you not?

A.—The statement of Sir Richard Squires' Account—yes, I have a copy of it.

Q.—Have you checked up at the deposits in that?

A.—Yes.

Q.—How does the Bank account show in the cash book at, let us say June 30th, 1920?

A.—The Bank account was not added up at all.

Q.—Can you say what would be the balance then?

A.—There is no way except by adding back to March, 1920. I just added up the cash column.

MR. HOWLEY—Might I ask that Mr. Rowsell be allowed to interpose for the purpose of answering one question.

(Permission granted. Mr. Rowsell recalled).

MR. HOWLEY—You were asked by my learned friend Mr. Warren to give him a statement of the collaterals held by the Bank on June 30th, 1920. Is that a correct statement?

A.—A correct statement. Four per cent. Newfoundland Government Debentures par value $5000. Newfoundland four per cent. Government Debentures, par value $700. A total of $12,000.

MR. WARREN—Is that a copy of what is in your books?

A.—That is a copy of our collateral ledger.

Q.—A full copy—nothing left out?

A.—A copy up to the end of July 31st, 1920.

Q.—A full copy of everything that is in your books?

A.—In that particular book, yes. There may have been others registered before that. I copied that from the page.

Q.—Those are four per cent. Government bonds?

A.—Debenture bonds.

Q.—Is there any description of those—when due?

A.—Yes. I think so.

Q.—I wanted a copy of what was in your books.

COMMISSIONER—You asked for a report, that was the word you used. I thought you said you would produce a report. If you want any more information. I think, perhaps, you are entitled to ask the Bank for an exact copy.

MR. WARREN—Does the book state that it is against Sir Richard Squires' account.

A.—The book does not state that it is Sir Richard Squires, the page is headed up R. A. Squires account.

Q.—And shows that you held this amount on the face value of the bonds?

A.—Yes.

Q.—Do you know anything about the actual value of those bonds?

A.—I do not know, sir.

Cross-Examination of Donald Frazer Resumed.

ATTORNEY GENERAL—This morning you have been quoting from your books certain balances that ought to be there. According to the books there ought to have been $11,072.00 cash there in June 1921, but you have not said anything about the Bank account and yet you state that amounts were put to your credit in the Bank that did not go throuh the books. Take for instance this $5000.00. There is no record of that in the books at all?

A.—No.

Q.—That was after you had taken charge of the books?

A.—Yes.

(Continued on page 8.)

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