

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

(Continued from page 3.)

Q—How do you mean—gone through?

A—That it had passed through my account to the Star. I could give him very much more information to-day than I could have given him then.

Q—You know no more than then that you have never been troubled about the notes?

A—No. I had never been asked to pay it.

Q—At that time you were still negotiating with regard to the elimination of the clauses?

A—Yes.

Q—And the memorandum that Mr. Wolvin sent you in Montreal?

A—Yes, this memorandum.

Q—This is a letter put in by Mr. Miller in examination with reference to this? He says (reads letter). (Letter dated Feb. 24th). Is that correct? Are you the high officer?

A—I have related to you my conversation with Mr. Wolvin.

COMMISSIONER—There seems to have been misunderstanding. From this letter I would conclude that Wolvin was referring to the \$46,000. He seems to have misunderstood you.

A—I misunderstood him.

Q—We will say that there was a misunderstanding in the conversation with Mr. Wolvin.

ATTORNEY GENERAL—Well, you cannot back then, Sir Richard?

A—I came back.

Q—I think that these auditors were then on their way?

A—Yes.

Q—There is a letter of March 6th, put in by Mr. Meaney, from Mr. Meaney to you with reference to this audit?

A—Yes. That is a letter put in by Mr. Lewis in Mr. Meaney's examination.

Q—I need not read the letter again. But it refers to the coming investigation of Mr. Miller's accounts. What did you do on receipt of that letter? Did you answer it?

A—No, when I got this letter, as I remember it, I telephoned Mr. Meaney and had an interview with him.

Q—Where?

A—That took place at the room of Dr. Campbell's house that we used as a committee room, as one of our committee rooms.

Q—Have you read, or seen, or heard Mr. Meaney's version of that interview?

A—I do not know that I have. I do not think that I was here when he gave his evidence. I may have read it. I do not remember just what he said. I can't tell you his version. I can give you mine.

COMMISSIONER—At Dr. Campbell's residence, that would be the interview.

A—Mr. Meaney said that these auditors were coming down as stated in his letter, and further Miller was to be proceeded against by way of embezzlement. That he understood the amount involved was in the neighborhood of thirty thousand dollars. That Miller was ill and his wife was also ill, and that they were both feeling very badly over the situation. I told Mr. Meaney that there was no reason why they should feel badly over any sums which involved anything that Jim Miller had done for me or my party. That if he was short because of any assistance that was given to the Star I was responsible in a way, and I would see him protected. Mr. Meaney repeats that the sum was thirty thousand dollars, and that was a pretty large amount. I said that the amount was not the matter of importance, but whether Miller had in good faith turned in any money for campaign purposes or for the Star, and if he had I would see that it was paid. Mr. Meaney expressed himself as rather surprised at my attitude, and was wholly satisfied with it. When the auditors came down Mr. Kempton came to see me almost immediately after his arrival, or very shortly after, and I told Mr. Kempton that if Miller had in good faith misappropriated monies of the Company, believing that he had authority, and actually having none, and he showed that that money had gone to my political organization in any way whatever, Star or otherwise, that I would see the money refunded. Mr. Kempton went off and I did not see him for some little time.

ATTORNEY GENERAL—Getting back to the conversation in Dr. Campbell's house.

A—Yes.

Q—Did you ask Mr. Meaney to fix it up with the auditors?

A—No. I told him that I would be responsible for the money. I asked him to get in touch with Mr. Miller in connection with the matter and assure Miller that I would be responsible if he were up against any charge of embezzlement for money that was used for my purposes. But I did not suggest that Meaney should pay the auditors.

COMMISSIONER—Did you complain to Meaney of his having written to you at all?

A—Yes. I did.

Q—He says that you began by asking him why he had written?

A—That is true. I did not like the

England. If the Plaintiff presents a witness, and the Defendant expects to deny the allegations, or testimony of that Plaintiff, he exercises his choice as to whether in the defence he will call a witness to deny them, or cross examine that witness before and give the version of explanation which, or about which his client intends to speak. So that, by that practice it is a mere matter of choice for counsel.

COMMISSIONER—If a plaintiff or defendant is called and gives his recollection of a conversation, and about three days later a different account is given by somebody else, which has not been put to the first witness in cross examination, there is a suspicion which arises when that account comes that it came into existence since the examination. That is the suspicion that surrounds belated stories.

MR. LEWIS—I can quite understand that, but I have said what has been my practice for thirty years.

COMMISSIONER—I think that it should not have been left in this way. But you say that this was your practice, and you have done it in this case. I accept your statement and will not throw any suspicion on the bona fides of this version.

COMMISSIONER—I understand the Attorney will be here in a moment now.

Will you return to the box Sir Richard, please?

MR. WARREN—I must apologise for being so late.

COMMISSIONER—I quite understand that the public business has to be attended to. We were just dealing with that document which took some discovery. I think it was found just after the Court rose. The letter of 22nd of March, 1923.

(Letter handed to witness.)

COMMISSIONER—That was put in?

WITNESS—Yes. I think by Mr. Lewis.

MR. WARREN—Yes.

March 22nd, 1923. Letter read from Mr. Meaney.

Q—Did you send any answer to that letter?

A—Not that I am aware of.

Q—That referred to the discussion at Dr. Campbell's house; the version of which you gave this morning?

A—Yes.

Q—And eventually, or before I leave this Sir Richard, the matter we discussed at Dr. Campbell's house on the 7th inst. has been disposed of satisfactorily and will not be referred to you? You did not answer that letter?

A—Not that I am aware of.

Q—What did you understand by that?

A—That is was in connection with the visit of Mr. Kempton and Mr. Tasman. Which was the subject of the letter to Mr. Meaney from me of the 6th of the previous month.

Q—That the business with Mr. Kempton and Mr. Tasman had been disposed of satisfactorily; he says in this "has been disposed of satisfactorily."

A—I don't know what Mr. Meaney meant but Mr. Kempton came in to see me before he went.

Q—About the letter?

A—No. About the subject matter. He came in to see me subsequently.

Q—Do I take it that the matter you disposed of at Dr. Campbell's had been disposed of satisfactorily; did it convey anything to you?

A—He conveyed a reference of the subject matter of the letter it conveyed to me that it was disposed of.

Q—"And will not be referred to you."

A—I judged the matter had been disposed of.

Q—"Will not be referred to you?" what did you understand by that?

A—I understood that to mean that my statement that I would be responsible for any amount of money that Mr. Miller may have misappropriated; that I would not be called upon to pay it.

Q—You understood that the money that Mr. Miller got from the company you would not be recalled upon to repay it.

A—As I had always understood.

Q—As you have always understood?

A—With the original conversation of Mr. Miller which I have related

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several times.

COMMISSIONER—This conveyed to you that you would not be called upon to repay to the company any money which Mr. Miller had obtained.

A—I told Mr. Meaney that if there was.

Q—I am asking now about this letter; you need not go over that again. I did not have this letter before lunch. The statement of Mr. Meaney that the matter would not be referred to you meant that you would not be called upon to carry out your offer?

A—My chief object was to dispose of it in this manner.

MR. WARREN—Mr. Meaney's chief object was to see that you were not called upon personally?

A—Mr. Meaney's chief object was to assist Mr. Miller who was ill at that time.

Q—"The matter we discussed" according to you, you had told Mr. Meaney that if Mr. Miller was to be held responsible for the amounts he had advanced you that you would be prepared to pay them.

A—If he had misappropriated them, if he had taken the money that had gone into the "Star."

Q—Mr. Meaney understood that?

A—Clearly.

Q—According to you, Mr. Meaney went to Mr. Kempton and Mr. Tasman under your instructions?

A—Pardon me.

Q—You had seen him and had told him this and do you mean to say that you did not know that Mr. Meaney was going to see Mr. Tasman and Mr. Kempton?

A—Mr. Meaney had said that Mr. Kempton and Mr. Tasman were com-

ing down and that Mr. Miller was too ill to take up the matter himself.

COMMISSIONER—You told me more than that this morning?

A—Perhaps I did in other words but the same idea.

MR. WARREN—I put it to you, didn't you ask Mr. Meaney to get in touch with the auditors?

A—It is quite possible.

COMMISSIONER—That is what the Attorney was putting to you and you denied?

MR. WARREN—You see, Sir Richard you said you rang up Mr. Meaney and made the appointment for him at Dr. Campbell's house.

A—Mr. Meaney wrote me a letter and my reply to that was a telephone message some days later to ask Mr. Meaney to come to see me.

Q—A few days later, was it. That was the 7th.

A—I am not sure it was the 7th.

COMMISSIONER—It says so in the letter.

MR. WARREN—You say you telephoned Mr. Meaney to meet you and you say you told Mr. Meaney that if Mr. Miller was going to be embroiled in any trouble if he had misappropriated any funds which had gone to the Star you were prepared to repay them what was the use of telling that to Mr. Meaney if he was not to convey it to someone else?

A—He would convey it to Mr. Miller and one or other of both of them, probably Mr. Meaney would convey it to the auditors. I personally conveyed it to Mr. Kempton one of the auditors immediately after he came down here.

Q—I am referring to your conversation with Mr. Meaney at Dr. Campbell's house, you expected that Mr. Meaney would convey to the auditors that if Mr. Miller had misappropriated funds you were prepared to repay them?

COMMISSIONER—If they had been used for the "Star."

A—If they had been applied to the "Star" purposes.

Q—Naturally, I take it that Mr. Meaney having heard it from you that that was his object in going to see Mr. Tasman and Mr. Kempton?

A—Yes.

Q—When he says "my chief object was to dispose of it in this manner" it was to convey to the auditors that you were prepared to repay the money?

A—I cannot tell you what was in Mr. Meaney's mind when he wrote that sentence.

Q—According to your evidence you had put it into Mr. Meaney's mind that that was his object in going to see Mr. Tasman and Mr. Kempton?

A—Yes.

Q—Doesn't that mean your chief object was to dispose of it in this manner?

A—The idea was that it was settled to the satisfaction of all concerned and that I would hear no more about it and that disposed of it. If you let me see the letter I will read it.

March 22nd, 1923.

Dear Sir Richard—The matter we discussed at Dr. Campbell's on Wednesday night, the 7th inst., has been disposed of satisfactorily to all concerned and will not be referred to you. My chief object was to dispose of it in this manner and I directed it along

to see them and writes you a letter that letter; and he says he has taken it away from you. He says that his object? Was that right or wrong?

A—I don't know what his object was.

COMMISSIONER—Looking at this now, do you think you may have taken it away from you? He says that his object? Was that right or wrong?

A—I don't know what his object was.

COMMISSIONER—I have got this in my head long, long ago.

A—I think Mr. Meaney had got this in his head too.

COMMISSIONER—I have got two versions in my head. When you get two diametrically different accounts and a contemporaneous document, I found you look into it to see which of the two versions corresponds with it. This letter much more corresponds with his version than with yours. Do you think it does?

A—My view of the matter is that.

Q—I don't want your version of the matter, I want your view of the letter.

A—My view of the letter is that he says it was disposed of satisfactorily.

Q—He says it will not be referred to you. What is put to you is if your story is true then the right thing for him to do was to tell them to refer it to you.

A—In the event of the money being misappropriated by James Miller, I was willing to refund the money.

COMMISSIONER—It is suggested to you that it looks as if Mr. Meaney says had some truth in it. His chief object was to prevent it being referred to you.

A—If the money was embezzled by Mr. Miller the authorities would naturally refer it to me. Mr. Kempton saw me.

COMMISSIONER—I have a note of that. Exactly what Mr. Kempton said to you.

A—Mr. Kempton came back after the thing was over and told me that he had given a memo to Mr. Miller in connection with the matter and that it had been disposed of and a demand was made upon me for the money.

MR. WARREN—Try to connect these things together. There was Mr. Meaney's letter of March 6th in which he drew attention to the present enquiry and of Miller's account, then the next evidence was when Mr. Meaney telephoned Meaney to come to see you about it, then the next evidence was that Meaney went to see you and the conversation took place; Mr. Meaney's version of the conversation and your version are entirely different. But on top of this is this letter to which you did not reply?

A—The letter did not call for a reply.

Q—I don't know about that; if you had been relieved of the burden of the liability to pay \$46,000 don't you think you might have acknowledged it in some way? You had offered to pay \$46,000 and according to Mr. Meaney had got you out of repaying that.

Q—Mr. Meaney had not got me out of repaying it. Mr. Kempton said he had given a memo to Mr. Miller in connection with the matter and told me the matter had been disposed of.

Q—How many times did Kempton go to see you?

A—I have been trying to tell you first when he came to town I told him the same as I told Mr. Meaney, that if Mr. Miller had a misappropriation of monies of the Company in connection with the Star I would be responsible for the repayment of the money, and later Mr. Kempton called to see me and told me that he had been to Mr. Miller and had given him a memo in connection with the transaction and the matter was disposed of. No demand was made on me.

Q—Was that all the conversation?

Q—He merely told you he had given Mr. Miller a letter exculpating him?

A—I don't know of course if there were the words.

Q—Mr. Kempton went to you and told you he had given Mr. Miller a memorandum?

(Continued on page 11.)

### MUTT AND JEFF

MY WIFE WON'T ANSWER THE PHONE WHEN I CALL HER UP TO BEG FORGIVENESS, SO I'M GOING TO THE RADIO! SHE'S A RADIO QUE!



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NOW I'LL CUT IN AND GET HER ANSWER! THIS IS A GREAT IDEA! THAT DRAMATIC APPEAL WOULD MELT A HEART OF STONE!



NO!



—By Bud Fisher.