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

(Continued from page 6.)

COMMISSIONER reads letter. This is an extraordinary letter, when everybody has told us that the firm had nothing to do with any insurance monies. Everybody has told me that Mr. Curtis had no more to do with the insurance monies than I had.

MR. HOWLEY—The evidence is that Mr. Curtis had no interest in the insurance business, and that the returns from it belonged entirely to Sir Richard Squires.

COMMISSIONER—This did not suggest that to the Bank.

MR. HOWLEY—I think at a later date you received a further communication with regard to the same account.

A—Yes.

COMMISSIONER—These were instructions given considerably after the opening of the trust account as far as I know.

This is another letter from Mr. Curtis to the bank dated 27th of June 1922.

COMMISSIONER—Mr. Fraser told us that at a later date he was given the power to sign.

MR. WARREN—I would like to draw your attention to the fact that I have not proceeded with any further examination of Mr. Frost because he was only brought here for the causes which arose this morning.

COMMISSIONER—Very well, we will leave him for the present and ask Mr. Miller to return to the box. I think these things had better go back into the custody of the clerk.

Mr. James J. Miller, Recalled (Previously Sworn) Cross-Examined by Mr. Lewis.

Q—When did you first learn of the fact that your sister held a power of attorney for Sir Richard Squires?

A—After the general elections of 1919.

Q—From whom did you get that information?

A—I didn't get it officially, any more than I noticed that she signed cheques.

Q—Did you have cheques signed by her as attorney for Sir Richard in 1919?

A—No, only calling at her office I noticed that she did sign.

MR. LEWIS—Did you talk with her about it at all?

A—No.

Q—Then you knew, as you have testified that she had the power of attorney before Sir Richard left for England in August 1920. You knew that fact before that date? That is true?

COMMISSIONER—He just said he learned it in 1919; that was before Sir Richard left.

Q—You say you knew it in 1919; that was prior to his departure?

A—Yes.

COMMISSIONER—I am getting a little impatient; we are taking a lot of time with this witness.

MR. LEWIS—I shall not detain you any longer than I can help.

Q—We have not had any explanation for the reasons for keeping three notes; one demand note, one 30 day note and one 60 day note or if we have had such explanation I have forgotten it.

A—I have already done so.

Q—I don't recollect it.

A—When I met Mr. Glennie in St. John's in connection with the \$20,000.00 accommodation; I gave my own note signed by J. J. Miller.

Q—Endorsed by you?

A—Yes. For some reason or other Mr. Glennie was not satisfied with my signature and he returned it to Wabana to get Mr. McDonald's signature. Mr. McDonald after some persuasion and telling him that Sir Richard had promised me security in the Daily Star papers; he signed it. The cheque went back to St. John's and was returned again for the Dominion Iron and Steel Company's stamp, and manager and accountant.

Q—Which one of these was that?

A—The third. The sixty day one.

Q—You have retained the demand note and the thirty day note in your possession?

A—I gave them to the auditors last March when they came down to verify this amount.

Q—Did you recover them from the auditors for the purpose of this hearing?

A—I held them until the auditors came.

Q—You gave them to them and they returned them to you?

A—No. They checked them with the Bank and they told them they were their property.

Q—Have you any way of determining whether you were in St. John's on Nov. 24th 1920?

A—No sir.

Q—I show witness message.

A—Yes, that was in connection with Labor troubles at Wabana.

Q—You sent that message?

A—Yes.

COMMISSIONER—Message dated Nov. 24th 1920 sent by you to Sir Richard Squires. You say it was about labor troubles?

A—Yes.

(Message put in and marked Exhibit J. J. M. 32.)

MR. LEWIS—You were interested in the Harbor Main district?

A—I was in connection with Wabana workings.

Q—You know that they were advocating drastic measures by the Government on their behalf?

A—Yes. So I was informed.

Q—Was this intended to induce Sir Richard to adopt drastic measures in connection with his control over the Government?

A—Nothing more than to inform them what was going on.

Q—Was it your thought that he would take drastic measures to aid the labor men at that time?

A—I expected he would do so.

Q—I show witness another telegram. Was that sent by you?

MR. WARREN—Is that the original sent or is it a copy?

MR. LEWIS—I think it is a copy.

MR. WARREN—I would like to know where the originals are.

COMMISSIONER—Just look at that document. Have you sent it or a copy of it?

WITNESS—This is not my message.

Q—Did you not send the original of that?

A—Part of it, but I would like to see the original, but I do not remember mentioning Mr. Main.

Q—Have you the original?

A—No.

COMMISSIONER—The recipient would have it, not the sender.

MR. LEWIS—Oh yes! Wait just a moment. (Refers to papers).

Q—You sent that message, did you?

MR. WARREN—We ought to have the originals in before any copies are given to him.

COMMISSIONER—This is put to him as an original; does that purport to be an original copy?

MR. WARREN—It has been put to him as an original.

COMMISSIONER—There is some difficulty in saying which is the original there is the message handed at the telegram office and that received at the receiving office; is this put to him as that it purports to be the one received at the receiving office? I am asking you did you send it or receive it or what it is. He can look at it as if it was a piece of paper with hieroglyphics on it. If you did send it I shall not stand on technicalities.

A—It is not the exact wording but Mr. Lewis should have the original.

Q—This is not the original?

A—No.

MR. LEWIS—Do you say it is not a copy?

A—I cannot remember. As far as I can remember it is a copy.

COMMISSIONER—If you think those are the words, or may have been the words; I shall allow it to be put in. Do you wish it put in?

MR. LEWIS—This is the one that was put in.

COMMISSIONER—Marked and read?

MR. LEWIS—Yes, your honour.

COMMISSIONER—Then it is past praying for.

MR. LEWIS—Did you deliver any message of which this is a copy to the telegram office?

A—Yes, that message.

Q—You delivered it yourself?

A—Either my sister or myself.

MR. LEWIS—Does that refresh your recollection as to where you would be on November 24th 1920.

A—I would like to see the original from the telegram office.

COMMISSIONER—Then it does not do you know, apart from that where you were on November 25th, 1920. I shant be surprised if you say you don't.

A—I think I might have been in St. John's.

MR. LEWIS—Are you now prepared to say that you did not send that message?

A—Part of it. I am not sure, I would like to see the original.

Q—Did you authorise your sister to send a message on your behalf and sign your name to it?

A—No.

Q—You did not send the message in this form?

A—I might have, but I would like to see the original.

Q—If I cannot produce the original do you still say this is a copy.

A—I can get a copy of it.

Q—Will you try to get it?

A—Yes.

Q—I now show you another telegram, Mr. Miller. You sent that telegram?

A—Yes.

COMMISSIONER—This looks like the real thing.

(Reads message.)

Q—What does that refer to, Mr. Miller? "Get something from the Company."

A—As far as I can remember it was in connection with the opening of the mines at Wabana.

(Exhibit put in and marked J. J. M. 33.)

MR. LEWIS—I now show you a letter addressed to Miss J. G. Miller, Bank of Nova Scotia Building, St. John's, and purporting to bear your signature.

COMMISSIONER—Just look at the signature and say if it is yours?

A—Yes, that is mine.

COMMISSIONER—It was sent to your sister and produced by Mr. Lewis.

(Letter read.)

Q—Who is B. C.?

A—Sir Richard.

Q—I may be asking for secrets, seeing that his initials are R. A. S.

Exhibit put in and marked J. J. M. 34.)

MR. LEWIS—I now show the witness another letter purporting to be signed by him.

COMMISSIONER—Just look at that and say if that is yours?

A—Yes, that is mine.

(Letter read, written to Sir Richard, dated December 19th, 1922. It is written to Sir Richard himself. Exhibit No. 35, J. J. M.)

MR. LEWIS—Do you recall, Mr. Miller, whether you received a reply to this letter of December 19th, 1922?

A—I do not remember, sir.

MR. LEWIS—I shall show the witness a paper and ask him if it is a copy

of a letter received by him from Sir Richard Squires on or about the date of the letter you sent. It is dated the 11th of January. (Presents letter to witness.)

COMMISSIONER—Three weeks afterwards, did you get that letter, Mr. Miller?

WITNESS—I received a letter on the eve of my departure by the S. S. Rosalind in January, 1923.

COMMISSIONER—Is that a copy of the letter you received?

WITNESS—I would like to see the original.

COMMISSIONER—But you must have the original if anyone has. That was a letter which you received, and you can't expect anybody else to produce the original. We have had some originals produced from queer places, but you could not expect anybody else to produce the original unless it was a case of burglary.

WITNESS—I would like to know if it is an exact copy of the original?

MR. LEWIS—It seems to be a carbon copy, does it not, Mr. Miller?

WITNESS—It does not appear to be the same as the one I received.

COMMISSIONER—We must wait until somebody says that it is before I can receive it.

MR. LEWIS—Mr. Miller, how does it vary from the letter you received?

A—I would like to see Mr. Meaney about that.

Q—I don't want Mr. Meaney's testimony. I want yours. You received a letter, you testified to that.

A—Yes.

Q—And this letter is dated at the time of your departure, is it not?

A—I got the letter just as the steamer was leaving.

COMMISSIONER—And that purports to be a copy of something written about that time.

WITNESS—Yes, sir.

Q—Is that a copy of the letter or not? If you say it is not, of course I cannot receive it at present. Later it may or may not be proved to be the copy.

WITNESS—I would suggest leaving it stand over until to-morrow, sir.

COMMISSIONER—You see, Mr. Lewis, he does not agree that it is a copy, and I shall not receive it unless he does at this juncture.

MR. LEWIS—Mr. Miller, you say you received a letter on the eve of your departure?

A—Yes, on this eve of my departure for Montreal.

Q—What was the eve of your departure?

A—Early in January, 1923.

Q—Would it be on or about the 10th, 11th or 12 of January?

A—Round about the 7th or 10th.

Q—May it not have been as late as the 11th or 12th?

A—It might have been the 11th.

Q—It was a letter addressed to you, sent by Sir Richard Squires?

A—Yes.

Q—Did it relate to the matters referred to in this, which purports to be a copy of that letter?

A—There are parts of the letter I remember.

Q—What became of the original of the letter you received?

A—I gave it to Mr. Meaney.

Q—Have you seen it since?

A—No.

Q—Do you know where it is?

A—I was asking Mr. Meaney about it, and he said he did not know what he did with it.

Q—Then there is no hope of your being able to produce it, unless Mr. Meaney can?

A—Yes.

Q—And you have little hope of his being able to produce it?

A—No.

Q—Do you still assert that this is not a copy of the letter that you received?

A—I do not deny it, but I would like to let it stand over until to-morrow.

COMMISSIONER—I don't quite know why you want to let it stand over until to-morrow, Mr. Miller, unless it is to discuss it with Mr. Meaney?

WITNESS—Well, then, let it go in, sir.

COMMISSIONER—Oh, don't put it on me like that. You have been asked if it is a copy or not. If you say it is not, then for the present it stands over. If later on Mr. Lewis satisfies me that it is, I shall see what it says. If you say it is a copy now, then I shall receive it. If you are not satisfied that it is a copy, then I cannot do so.

MR. LEWIS—He said that he does not deny that it is a copy.

A—I shall not admit it or deny it.

MR. LEWIS—Very well, then, Now, then, I shall come back, if your Honour please, to a letter of July 7th, 1923, which has already been put in evidence, addressed by Mr. J. J. Miller.

(Letter read.)

Q—By whom was it promised you?

A—By Mr. McDonald.

Q—How were you to clean it up?

A—By sending down the auditors to verify the account.

Q—That meant that you were to

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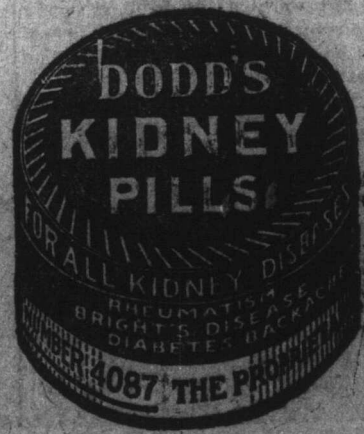
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satisfy the auditors on what phase of the matter? That you had not used the money?

A—Sir Richard had denied that he ever received a cent of it.

Q—And it was your business to satisfy the auditors that he had received it?

A—Yes.

Q—And that was the condition of your appointment as agent of St. John's?

A—Well, I would get my appointment.

Q—Well, now, answer that question?

MR. LEWIS—I think that is all now, if your honour please, except that I presume that some further cross-examination may be required by our friends representing the Beeco.

In the meantime, I reserve my right to further cross-examine if necessary.

COMMISSIONER—I do not know that you have that right, Mr. Lewis.

MR. LEWIS—Then I shall ask it as a privilege.

COMMISSIONER—Very well, Mr. Lewis. Circumstances may arise

when you may ask me with success. I think you had better leave it with me until the time comes.

MR. KNIGHT, do you wish to ask any questions of the witness?

MR. KNIGHT—Yes, sir. I would like to ask a very few questions to clear up some matters, but would suggest that it would be more convenient if I defer my cross-examination until these statements which were asked for yesterday are produced, and they will shortly be on hand.

COMMISSIONER—You shall have the opportunity of putting them to better advantage. Well, is there any re-examination?

MR. WARREN—There was a letter, sir, which was asked for in the Examination in Chief.

COMMISSIONER—Do you mean the telegram of 1st of August? That is one of the things I shall want presently, and it is one of the things he was asked to produce.

MR. WARREN—It was a letter from Mr. Glennie to Mr. Miller, Feb. 1923. (To witness) I ask you, is that the letter to which you refer?

WITNESS—(Examines letter) Yes.

(Letter put in evidence marked J. J. M. 36.)

MR. WARREN—I should like that to be read, sir, as it refers to the last question and answer of the witness.

COMMISSIONER—This is:

Dominion Iron & Steel Company, Limited.  
 February 24th, 1923.

J. J. MILLER, Esq.,  
 Nfld. Coal & Trading Co.,  
 St. John's, Newfoundland.

Dear Sir:—I have received a letter from Montreal under date of February 17th, instructing me to make no further payments to Mr. J. J. Miller either for salary or expenses. The letter further stated that the collection of the amount overdrawn by you while in charge of our office at Wabana was to be taken in hand by the Comptroller. I am given to understand this action has been taken on account of some statements made by high officials of Newfoundland to the effect that your story as to the disposal of this money is absolutely in error.

(Continued on Page 8.)