

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

(Continued from page 8.)

soon after you left for England in 1920. Did not that note cause you some concern?

A.—No, it was a note that had been put in the Bank of Nova Scotia as accommodation. It had been renewed a number of times and the thought that it would not be renewed again never occurred to me.

COMMISSIONER—Was Mr. Glennie Manager of the Bank of Nova Scotia at the time?

A.—Yes, I think it was. In accordance with your suggestion this morning, Mr. Commissioner, I had my accountant go through the files in the short time at his disposal and he has found a series of notes in connection with this \$14,000.

COMMISSIONER—The \$14,000 had been renewed many times before?

A.—Yes.

Q.—And renewed without any reduction and no interest paid?

A.—I could not say.

Q.—Can you get your notes renewed as often as you like without paying for the accommodation?

A.—I presume the interest was charged.

Q.—You presume the interest was charged somewhere. That is the series of the \$14,000 renewals and I take it that the \$14,000 note had been renewed before several times.

MR. HOWLEY—It is not the entire series, the last one is not there.

COMMISSIONER—But these documents confirm it. I suppose at last these notes will have to be paid. Did you ever hear that Mr. Glennie would not renew this note any more?

A.—Not until I heard the statement made that he desired his payment.

ATTORNEY GENERAL—Apparently the note for \$14,000 came due from time to time. They are all in the handwriting of Miss Miller are they not?

A.—Yes.

Q.—Endorsed not by you but by Miss Miller, per R. A. Squires and Squires and Winter, per J. G. Miller, and suddenly although she had been endorsing these notes month after month, in August, 1920, you decided that you would leave blank notes and endorsed by yourself personally?

A.—I decided to have them signed by myself personally and I decided to leave them with Miss Saunders.

COMMISSIONER—I thought this morning you said that \$14,000 was too big a sum to be carried over Miss Miller's signature?

A.—Absolutely, but while these notes were running I was in town always, then going away for a lengthy trip I did not know whether the Bank would accept her signature for this large amount or not.

COMMISSIONER—That is rather different from what you told this morning. It was not the amount; it was really because of your absence?

ATTORNEY GENERAL—And although Miss Miller had been in the habit of endorsing all these cheques

actions which are not associated with the matter now before the court.

ATTORNEY GENERAL—This note was due in August 1920 was it not?

A.—Yes.

Q.—You went away and left this note outstanding?

A.—Yes.

Q.—Was it a thirty days' note?

A.—I have no knowledge.

COMMISSIONER—It was sufficient that it was coming due shortly after when you went away.

ATTORNEY GENERAL—You went away leaving this note outstanding you say. Now did you or did you not make any arrangements with Miss Miller about that note before you went?

A.—I have no recollection of any conversation about it before I left.

Q.—The note was outstanding and you do not remember whether you took up the matter with Miss Miller or not except that you left blank notes for two reasons?

A.—For two reasons; one so that she could sign herself and secondly to have blank notes available.

Q.—After you went did you make any enquiries as to how she got on about this note?

A.—I have no recollection of having made any enquiries.

Q.—Did you communicate with her and ask her what happened the notes generally?

A.—I have no recollection whatever concerning the note.

ATTORNEY GENERAL—Do you remember sending her a wireless message from the "Digby"?

A.—In her evidence I think she said she received one.

Q.—I ask you again do you remember sending her a wireless message from the "Digby"?

A.—I have no definite remembrance.

COMMISSIONER—Is that the ship you left on in August?

A.—I travelled on the "Digby."

Q.—Did you send Miss Miller a wireless message?

A.—I do not recollect exactly. I may have sent a wireless to her.

ATTORNEY GENERAL—So that anything Miss Miller did was done gratuitously and under implied authority from you?

A.—Anything she did was in the interest of the "Daily Star" and for the general benefit of all concerned.

Q.—Anything she did for the "Daily Star" was done gratuitously and from a sense of duty, is that it?

A.—I have no recollection of giving her any instructions in connection with the "Daily Star" after I left town.

ATTORNEY GENERAL—Just look at that! (Produces wireless message and hands it to witness.)

A.—Yes.

Q.—Does that refresh your memory?

A.—It gives me an idea of what probably happened.

Q.—I thought you had an idea of what probably happened before this?

A.—I recall that discourteous remark.

Q.—It is not a discourteous remark. Will you just read out that message?

COMMISSIONER—Is the telegram produced the one that you sent to Miss Miller?

A.—Probably.

ATTORNEY GENERAL—Did you or did you not send that telegram?

A.—From the contents I probably did send it; but I am not prepared to swear that I sent it.

MR. HOWLEY—Why was not this telegram produced at the examination of Mrs. Harsant?

ATTORNEY GENERAL—I did not know about it then. The first time it came in my hands was yesterday, I tell you frankly.

COMMISSIONER—I cannot see that it gives you any point for objection MR. HOWLEY. It illustrates—

COMMISSIONER—Your time for making a speech will be later. The Attorney General has produced this and it is quite in order for him to produce it when he pleases and you can make comment when you please during the course of your speech. Do not let us have the evidence interrupted by speeches. We got that probably Sir Richard may have sent the message.

WITNESS—Probably I sent it.

ATTORNEY GENERAL—You really did not father it?

A.—I really do not remember that I sent it.

Q.—Then you did send it?

A.—I believe I did.

Q.—To whom did you send it? Now would you kindly read it?

A.—(Witness reads telegram as follows:—

"Have telegraphed Goodland to give you list Star accounts, pay Murphy immediately, credit arranged, also one thousand Steer note Canadian bank, reserve balance—Squires."

COMMISSIONER—It looks as if it were instructions to pay \$1000 and renew the balance. Do you think that is what it would mean, the first is Goodland, second one is Murphy and the third one is Steer. It reads to me as though there was some note of Steer's and she was instructed to pay \$1000 and renew the balance. That is my interpretation of it.

WITNESS—I know that there was a Steer accommodation note running in connection with the "Star." I do not remember exactly but that record can be got.

ATTORNEY GENERAL—This telegram I am asking to have put in?

COMMISSIONER—What is the date of it?

ATTORNEY GENERAL—August 4, 1920.

COMMISSIONER—Evidently that was the first day out of the "Digby."

COMMISSIONER—The "Digby" is one of the boats that goes direct?

A.—Yes.

Telegram put in marked Exhibit R. A.S. 4.

MR. WARREN—Q.—About then Sir Richard you were on the S.S. Digby on August 4th, 1920?

A.—Yes.

Q.—And you say you believe you sent this telegram to Miss Miller?

A.—It is quite clear no other person could have sent it.

Q.—Well then, will you correct your evidence, that she was acting on implied authority from you in dealing with certain matters? That telegram refers to certain particular matters which she was instructed to attend to.

Q.—Who is Goodland?

A.—He is at the Daily Star office.

Q.—In your cable you say to give her list of accounts. What was that for? Why did you telegraph that Goodland should submit to Miss Miller the Daily Star account?

A.—Because I wanted her to continue what she had been doing.

Q.—Was she ordered to pay them?

A.—I don't know if it was accounts receivable or accounts payable. I think they would be accounts payable.

Q.—The suggestion is that she should get a list of accounts from Mr. Goodland and do the best she could with them?

A.—Yes.

Q.—They were accounts that needed paying?

A.—Yes.

Q.—Well then, what was that expected to convey to Miss Miller? What was Mr. Goodland to give her a list of accounts for?

A.—She was to do the best she could do.

Q.—Then there was something more than implied authority?

A.—On that subject she had express authority.

Q.—Then there is a sentence, "Pay Murphy." Who is Murphy?

A.—I don't know. It may be possible to find out from the books.

Q.—And then "credit arranged" and also "one thousand Steer note, for the Bank of Nova Scotia renew." What did that mean?

A.—That she was to give the \$1000.00 on the Steer note and renew the balance. But I cannot tell you without looking up the records and ascertaining.

Q.—Did you send any more messages from the "Digby" to Miss Miller?

A.—I have no recollection of any, any more than I had the recollection of the other.

Q.—Look at that one.

A.—This is a message dated August 7th, "Cable me London."

COMMISSIONER—That looks like a message from you?

A.—Yes, it is undoubtedly.

Exhibit put in marked R.A.S. 5.

Q.—So that you were in communication with Miss Miller after you left. With some financial or Star matters, according to the first telegram?

A.—Yes.

Q.—And Miss Miller was to get the \$1000.00 Steer Note. On your account apparently from this.

A.—I don't know if Steer was a note or how she was to pay the \$1000 but as I say we could get it.

Q.—So that Miss Miller was not acting altogether upon the desire to keep things going that had not been expressed by you?

A.—That telegram gave her specific instructions.

Q.—Did you ever give her any other instructions about finance or finding money?

A.—I have no recollection of any other instructions. Not other than her general authority.

Q.—In which you gave her no instructions about the Star account?

A.—I did not say I didn't.

Q.—I understood you to say she acted on implied authority. I asked you if you instructed her, and you said no.

A.—I have no recollection whatever. I am speaking of three years ago and I have no recollection whatever.

Q.—You find it a little difficult to remember anything that happened three years ago?

A.—If you had been as busy as I was three years at that time, you would appreciate that fact.

Q.—Then you may appreciate the fact that other witnesses may not remember either? Why did you cable to Mr. Goodland and send the account to Miss Miller?

A.—I cannot tell you what my reasons were.

Q.—Have you any idea what they came to?

A.—No.

Q.—Did you ever see the accounts yourself?

A.—Not to my knowledge.

Q.—You never saw a Daily Star account?

A.—I didn't say that. I mean this particular time.

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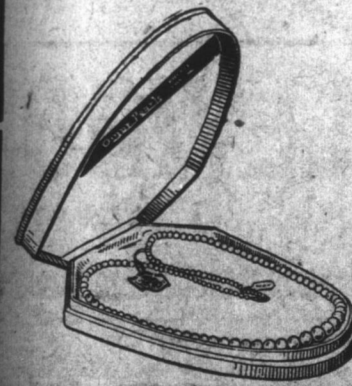
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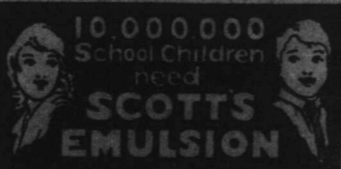
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