

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

(Continued from page 9.)

and would indicate the destination of the money.

Q.—Do you mean to say that Besco or Besco's subsidiary companies was going to take this up?

A.—That was my idea.

Q.—Then you considered that Miller's principals were Besco?

A.—That was what I said. That is exactly what Mr. James Miller told me.

Q.—By what you have now expressed and stated, that is recognized as a fact?

A.—Exactly. I had no authority for that from any official of Besco.

ATTORNEY GENERAL.—So that on the mere ipse dixit of Miller you gave this cheque, thinking it would be taken up by Besco?

A.—If they did not, they would have an opportunity of coming back.

Q.—Who had?

A.—Anybody.

Q.—That Mr. Miller could have come back I see, but how could Besco have come back?

A.—Mr. Miller had an opportunity of communicating with me and asking me for payment.

Q.—He could only ask the Star. But you gave him a cheque that he could not ask for payment of.

A.—He could have come back very easily.

A.—He only had a voucher from you?

A.—I do not deny propositions of that kind.

COMMISSIONER.—You seem to have been right. It seems to have been treated as a subscription from Besco.

A.—No demand has ever been made upon me by Miller.

Q.—No demand has ever been made upon you by Besco or by Miller?

A.—No.

Q.—What I want to know in this, when did you first know that this money came out of the Dominion Iron and Steel Company's funds in the bank?

A.—The information as to its coming out of the funds as indicated came to my knowledge here at the enquiry.

Q.—Did you never know till you got to this enquiry that the money had gone direct in the Nova Scotia bank out of the account of the Dominion Iron & Steel Co. and placed into your account in that bank in August, 1920?

A.—I knew in Montreal in 1923.

Q.—You never knew it until 1923?

A.—I had no definite knowledge.

Q.—Had you heard of it?

A.—No. That was \$46,000 that had gone to the Star.

Q.—Did you know that it came from the Dominion Iron & Steel Company?

A.—I presumed that it came from that source.

Q.—When did you first get that information?

A.—I did not get that information.

Q.—When did you first come to that conclusion?

A.—When there was no demand made upon me by Miller. I came to the conclusion that the matter might have been arranged by him.

Q.—In August this sum was drawn out of the accounts of the Dominion Iron & Steel Company and placed to your credit in the bank?

A.—Yes.

Q.—I want to know when you first heard that this had been done?

A.—I do not know that date.

Q.—Can you give the period?

A.—The actual bank account showing the debit and credit entries did not come to my notice until, I think, after my resignation.

Q.—That would be one way you might have ascertained it. Did you hear of it?

A.—I do not remember any occasion on which I heard that it had passed through my account in any way.

COMMISSIONER.—It is extraordinary. I am not accustomed to this kind of finance. It seems extraordinary that in August, 1920 \$46,000 can be put in to your credit, out of the funds of somebody else and you don't know that deposit has taken place until years after.

A.—I knew the transaction had taken place.

Q.—Did you know the nature of it; where the money came from?

A.—It came from Mr. Miller.

Q.—How it came?

A.—Through him.

Q.—You knew it had come through him but you knew it had not come from him.

MR. WARREN.—When did you know it had come from the Dominion Iron & Steel Company?

A.—The idea that I had in that matter was that if the Star cheque was handed over to him and the money not having been demanded and hearing nothing further about it, I took it for granted that the statement made to me by Miss Miller was correct.

COMMISSIONER.—(Repeating)—"I took it for granted that the money had been paid to my credit by the Dominion Iron & Steel Company." I still remind you again, we have positive evidence which I am inclined to

support, as no one has said that the bank manager was trying to deceive me; that as long as 1920 money was taken out of one account in the bank and put to your credit; when did you first know of that or hear of it?

A.—The first I heard of it was in March at the time the personal cheques were surrendered and the Star cheque given. Miss Miller told me she had got accommodation to the amount of \$46,000 from the Star. That was the first knowledge I had of the transaction.

Q.—I am not asking you about your first knowledge of a transaction; I am asking you about your definite knowledge of a definite fact. The paying of this money to Sir Richard Squires by the Dominion Iron & Steel Company.

A.—I cannot tell you when that money was transferred by the Dominion Iron & Steel Company and paid to me.

Q.—But I know that. The bank manager, I think it was Mr. Frost, told me that. I want to know when you first knew that money had been paid to you by the Dominion Iron & Steel Company?

A.—I cannot tell you that because I don't know.

MR. WARREN.—Well, then, Sir Richard, Miss Miller told us that she had given these cheques to her brother; and in reading your examination in chief I would like to ask you how it was that Mr. Miller came to see you very soon afterwards with the cheques?

A.—I cannot tell you that; I told Miss Miller that the cheques had to be surrendered and the Star cheque or voucher substituted, and later Mr. Miller called to see me bringing the cheques.

Q.—Just came in to see you with the cheques. Is he correct when he states that it was a Sunday afternoon?

A.—I don't remember.

Q.—Then if you don't remember we can take it that Mr. Miller was correct; it was a Sunday afternoon; rather an unusual day for discussing matters of this sort; but you don't remember whether you told Miss Miller to tell her brother to come along with the cheques?

A.—No, I don't remember my conversation with Miss Miller.

Q.—I only ask you did you or did you not tell her to tell her brother to come along with the cheques?

A.—I don't remember that.

Q.—All you remember is that Mr. Miller came into your house on a Sunday afternoon with these cheques?

A.—All I told Miss Miller was...

Q.—I don't want that; but the next thing you know was that Mr. Miller came in to you with these cheques?

A.—Came in to my house, as he says.

Q.—Do you remember why he came?

A.—I cannot recite the conversation I had with him.

Q.—He brought in the cheques amounting to \$46,000 which were, so far as he was concerned, the only vouchers; did you ask him for them or did he hand them to you?

A.—I cannot tell you about the first incident but I do know that I had them in my hand and I made a list of them.

Q.—He had them in his hand first of all; now how did they get from his hand into your hands?

A.—I cannot say whether he handed them to me with his own hands or put them on a tray and handed them to me.

Q.—A silver salver. They would hardly have been put on a silver salver according to the value you put on them. Surely, Sir Richard, you remember some parts of the conversation?

A.—He gave me the cheques and I listed them. My recollection is that he left the cheques with me.

Q.—You know that he left the cheques with you?

A.—I would not swear that he did or not at that moment. He might have given them to his sister and she might have given them to me the next morning.

Q.—He swears that he gave them to you this afternoon?

A.—I am not denying it.

Q.—With that recollection of yours that is so dim it might be well to rely on someone else's.

MR. HOWLEY.—Are you making a speech or asking a question?

MR. WARREN.—I am not asking for anything from you.

COMMISSIONER.—Which are you doing, Mr. Howley? If you have anything to say will you kindly say it to me?

MR. HOWLEY.—Might I ask you if my learned friend making a speech or asking a question. If he is making a speech I think he should be confined to asking questions?

COMMISSIONER.—I think he should. I think we all should and I will call his attention to it and ask him not to repeat it.

MR. WARREN.—Can you not remember any part of this conversation when Mr. Miller gave you the cheques. He gave them to you some time that Sunday afternoon and you made a list

of them; did he hand them over without a word or did you ask him to hand them over?

A.—I don't remember if he handed them over when he came in; a detail of that sort is not of sufficient importance to burden my memory with. I got the cheques.

COMMISSIONER.—And it does not much matter whether you got them Sunday afternoon or Monday morning.

MR. WARREN.—What did you say to him when you got the cheques?

A.—I said I would get a "Star" voucher in connection with the matter.

Q.—Voucher?

A.—Or cheque so formed, as to whether it was a voucher in the form of a receipt or a cheque is of no importance.

Q.—What did you say to him?

A.—I am telling you what I remember.

Q.—But what did you tell him?

A.—I can't tell you that because I don't remember.

MR. WARREN.—I am asking you because I want to see if your evidence agrees with some of the other evidence.

COMMISSIONER.—It would be a delightful change if some of the evidence did agree.

MR. WARREN.—Mr. Miller gave you \$46,000.00 in cheques the only voucher he had and you don't remember what you said to him?

A.—I made it clear to him that he would get a voucher from the "Star" the next day. Which he got.

Q.—Of course if you call this a voucher, which is all it is. You did not say you would give him a cheque?

A.—I may have used the word cheque.

Q.—Which did you use "cheque" or "voucher"?

A.—I could not say.

Q.—You do not recollect?

A.—No, the nature of the transaction was very clear in my mind.

Q.—It is about the only thing that is clear. Are you clear about what took place between you and Mr. Miller when he handed the cheque to you?

A.—I am clear that I made a list at the time and that the next morning the cheques were in the hands of Miss Miller who made a typewritten list in number of date showing \$46,000.00 and some odd dollars.

Q.—You don't remember whether you told him you would give him a

cheque or voucher?

A.—I don't remember the exact words I used.

Q.—At any rate the next morning you went to his sister?

A.—The next morning his sister listed the cheques.

Q.—Just a minute. Don't jump too fast. Next morning did you go to his sister?

A.—I went to my law office probably; I am not sure it might have been the Prime Minister's office.

Q.—Next day did you see his sister?

A.—Yes.

COMMISSIONER.—It was the "go to" that was the trouble.

MR. WARREN.—You saw her next day?

A.—Yes.

Q.—What conversation did you have with her?

A.—I asked her to list the cheques which she did in typewriting making up the total amount; she handed me back the cheques with the list she had typed and I told her to make out a Star cheque in place of that; which she did.

Q.—Did you tell her to make out a Star cheque?

A.—Yes.

Q.—What would that convey to her?

A.—That she was to take a blank form and make out a cheque to be signed by the Star.

Q.—What has she got to do with typing the Star on the cheque?

A.—I don't understand.

Q.—What did the Star matter to her; she had nothing to do with it. There is nothing about the Star on the cheque except the stamp and she did not put that on?

A.—She did not. It was a cheque to be signed by the Star.

COMMISSIONER.—It might have been signed by anybody. Star was not on it when it was in her hands.

A.—No. It was a blank cheque.

MR. WARREN.—Did you tell her to take it out of the regular cheque book?

A.—I don't remember but I was not likely to and she would not be likely to do it.

Q.—Is there any number on that Shows voucher and cheque?

A.—No.

(Continued on page 11.)

## 28th Annual February



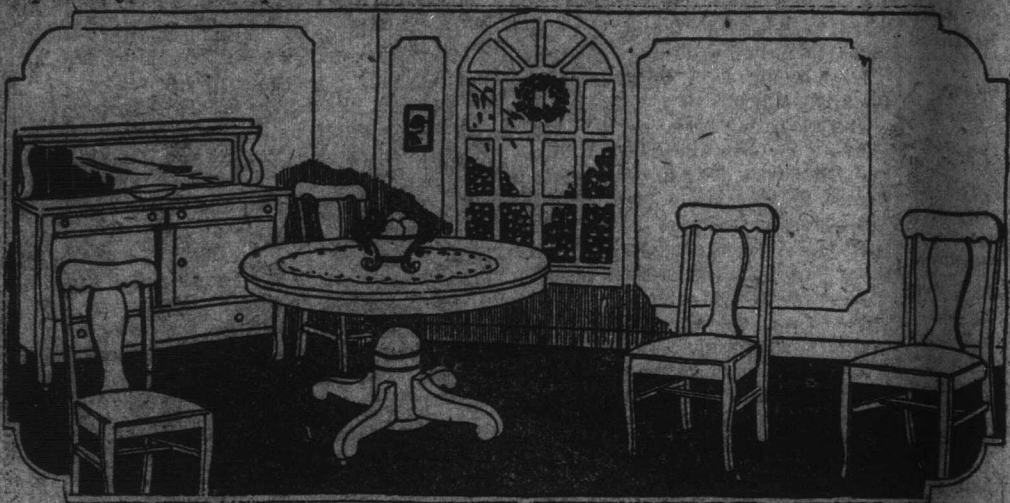
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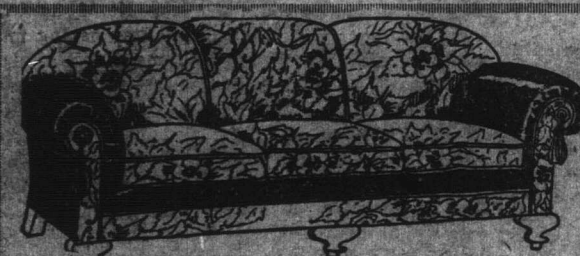
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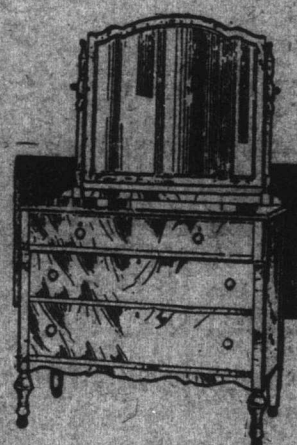
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