

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

(Continued from page 7.)

have suspected that some misadventure was taking place. The suspicion was an obvious one.

A.—If Mr. Meany provided me with \$9,000 to my knowledge it would be a suspicious circumstance.

COMMISSIONER—Miss Miller says that she got that money for your benefit in 1921. If when you came back or afterwards in the spring of 1921 that that sum had been obtained from Mr. Meany in December that would have brought almost to your mind the suspicion that Mr. Meany was helping himself to department funds?

A.—If Miss Miller had told me it would have been immediately forwarded.

COMMISSIONER—My question was if you had been told that in the space of a month \$9,000 had been obtained from Mr. Meany would not that be suspicious that he was taking money from the public funds?

A.—Yes.

COMMISSIONER—You would have at once been suspicious that Mr. Meany was helping himself to the funds.

MR. WARREN—You had furnished Mr. Fraser with a list of amounts you had paid Meany which are now in that account in your hand?

A.—I furnished him with a list from which those were culled and charged to the Meany account; but I never told him that I had given him the list.

Q.—And having paid him yourself you made the memo of it and eventually gave it to Fraser to be made a record of?

A.—All these items were in a list I sent over to Mr. Fraser.

Q.—And if you paid that amount you made the note of it somewhere and gave it to Mr. Fraser to make a record in the books?

A.—If I made a payment in June of \$300.00 to Mr. Meany there would be a cheque stub representing that \$300.00 and the next cheque stub would be a payment to somebody else. When I would go through my cheque stubs I would list all the entries I wanted a permanent record of, and that would be sent to Mr. Fraser.

Q.—So that at all events you were keeping tabs. Would these deposit slips represent deposits made to your private account in the Canadian Bank of Commerce?

A.—To the account through which I handled the campaign funds I referred to.

Q.—It was private, that is it was Mr. Richard Spence's account, and nobody else could sign any cheques on it, and this was out of the same account you drew cheques, and entered up the amount on all the stubs. You kept a note of the payments you made and afterwards furnished Mr. Fraser with a copy of the payments made.

Q.—I ask you how you kept track of your bank account, and you say you telephoned the bank or asked for a statement.

A.—I have a bank book which I have here and every few months that book would be entered up.

Q.—And while you were keeping track of amounts paid out and you were not attending to your business books at all, \$3,000 was paid into your account and you knew nothing about it?

A.—\$3,000 was paid in December.

Q.—And when did you first discover that?

A.—I cannot give you any idea. I may be able to tell you from my pass book when it was balanced after that. (Looks up book.) The book was balanced on the 1st of December, 1921; balance brought forward of \$5202.55.

Q.—When did you find out that the \$3,000 had been put to your credit at the bank?

A.—I do not know. I presume I

found out when I examined this book. I did not personally check my deposits with any voucher.

Q.—But did you check up payments paid out?

COMMISSIONER—If it had not been for that payment there would have been a considerable difference in the balance.

ATTORNEY GENERAL—Did you make an enquiry about it?

A.—This was the account through which my political transactions were being handled. It was an account to which there were very substantial frequent deposits of \$4,000, \$5,000 and smaller amounts and my not noticing a deposit of \$3,000 on an account of that class which was handled for political purposes was a small matter.

COMMISSIONER—How delightful I do not quite realize the atmosphere.

A.—In a political account it was a very small item. It is quite possible that Miss Miller might have told me that she made the deposit. I have no definite recollection whether she did or not, but it is just the thing she would be likely to do, to tell me she had made the deposit.

COMMISSIONER—Not to tell you she had done so, but where she had got it?

A.—Any money she got was political; she always told me it was from her brother or through her brother's associates.

ATTORNEY GENERAL—She did make deposits?

A.—She made two.

Q.—And these are the only ones you refer to and she told you she got them from her brother or his associates.

A.—The \$500 deposit was made after I left town.

Q.—Did she tell you of any other deposits in any other bank?

A.—The Bank of Nova Scotia.

COMMISSIONER—The R. A. Squires account?

A.—I received these deposit slips this morning and I got this bundle too late to look through; but from January 21st the only deposit by Miss Miller is that of January 20th for \$15.00.

COMMISSIONER—I do not remember whether she said she deposited any in the Bank of Nova Scotia.

A.—In the year 1921 that is from January 1921 to June 1922 there is only one she has identified with that and that is the 20th of January 1921 for \$15.00.

COMMISSIONER—Is there any other information you can give me? Have you also the slips of the Canadian Bank of Commerce?

A.—There is another bundle the Bank of Nova Scotia sent me this morning covering the 1920 period.

The enquiry then adjourned until Wednesday at 11 a.m.

MR. WARREN—You told us yesterday that you had authorized Mrs. Harcourt, or Miss Miller, as she was at that time, to collect campaign funds for you?

A.—In the same way that a dozen others were authorized, that is they did it out of interest in the party.

Q.—Did you give her any specific instructions, or authorization?

A.—I gave her no specific instructions.

Q.—And she collected some campaign funds for you and paid them over to you?

A.—She paid over to me amounts at various times which I understood were campaign funds, and amounts which I thought amounted to about \$2,000.00.

Q.—And you told us that you did not ask her where they came from?

A.—Nor did I ask any other agents who collected funds.

Q.—There were other agents?

A.—Yes. In one case an agent turned in over \$10,000.00, of which I had no memorandum of where \$8,000.00 came from. I had no memorandum as to the source. I did not ask who were the original subscribers.

Q.—And Miss Miller turned you in about \$2,000.00 campaign funds and you did not enquire where they came from?

A.—I understood that they were collected by her or secured from her brother.

Q.—How did you come to understand that her brother had subscribed these campaign funds?

A.—Mr. Miller was a political associate of mine during 1919 and in the election of 1920, and in the Bay de Verde bye election, and the Harbor Main election, and he gave me very valuable assistance and I could depend on him to help me out.

Q.—Then you depended on Mr. Miller to help you out?

A.—To help me out in connection with campaign matters.

Q.—You have referred several times to campaign funds, will you define what you call campaign funds?

A.—All monies which would be disbursed or collected for political purposes. All monies which were identified with political transactions. For instance the Daily Star was not a business proposition. It was a campaign newspaper from its inception.

And then there were the Morning Post.

MR. WARREN—That was only in existence for a short while?

WITNESS—That was in existence only for the purpose of a bye election, and its existence was purely of a political character.

Q.—Then I take it you regarded the financing of the Daily Star as a campaign matter?

A.—Oh, yes. Without the Daily Star it would have been impossible for us to have won in 1919 or to have successfully carried out the election.

Q.—You use the word "us"?

A.—I mean the political organization of which I was the leader. The Daily Star was with us as part of that political organization.

Q.—Did you have any shares in the Daily Star yourself?

A.—No. It is possible that at its inception a nominal share was issued to me. But there was no substantial block of shares issued to me.

Q.—Your version of campaign funds is monies identified with political transactions. The question of whether they were political transactions rested with you entirely?

A.—Yes.

Q.—And you talk of the account at the Canadian Bank of Commerce your major political account?

A.—It was an account which represented a comparatively small number of private matters and a very considerable number of political matters.

Q.—Then am I to understand that that account at the Canadian Bank of Commerce was almost entirely a political campaign account?

A.—No. Through that account passed accommodation paper for various people, and that might or might not be regarded as of a political character, but there are a number of instances in which

COMMISSIONER—Was it mainly political?

A.—The major portion of the deposits in the Canadian Bank of Commerce would be of a political character, but there were other things in it such as these accommodation matters.

MR. WARREN—Would you repeat that. Did you say that the deposits in that account were mainly of a political character?

A.—Yes. Speaking from memory.

Q.—You used the word "deposits." That is not what I asked you about. You stated in answer to the Commissioner that the deposits were mainly of a political character. Were the payments out mainly political?

A.—Yes.

Q.—I take it from that that there were ones that were not?

A.—Yes.

Q.—You say that the account was your major political account?

A.—During a certain period, yes.

Q.—And the question of whether the deposits in and the payments out were of a political character depended entirely upon you?

A.—Absolutely. No one else signed cheques against that account but myself.

Q.—When you say that the deposits to that account were mainly political who made them?

A.—The deposits were usually made by myself.

Q.—When did that account start?

A.—I do not remember. I think it was in 1919, probably, or in 1920, however, I could find that out from the Bank.

COMMISSIONER—Have you a copy of that account?

A.—I have it, but not with me.

Q.—I thought you had got a copy.

A.—It starts between 1918 and 1920. I can very easily get the information.

MR. WARREN—You say that the deposits were generally made by you and about 1919 or the account starts somewhere about 1919 or 1920?

WITNESS—Somewhere between 1918 and 1920.

Q.—We had an election in 1919. Was the account started before then?

A.—I do not know. That is information that I can find out in two minutes by telephoning the Bank.

Q.—Do you know if that account was started in July of 1920?

A.—Yes, I think so. I think it was started before July 1920.

Q.—And you say that the deposits were generally made by yourself?

A.—By myself personally or by my authority.

Q.—Now, who had that authority?

A.—Anybody might deposit amounts. No person had any specific authority to make deposits, unless they were expressly instructed by me at the time. If I wanted a deposit made I would usually make it myself or

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Grief and Worry
Childbirth
La Grippe
Excesses and
Overstrain
cause
Nervous Exhaustion
Take the new remedy
Asaya-Neural

(TRADE MARK)
which contains the form of phone
phone required for nerve repair.

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sent somebody with it. This deposit of \$3000.00 was made in my absence.

Q.—I mean apart from that.

A.—That deposit and the deposit of \$500.00 were made in my absence.

Q.—Apart from those were all the other deposits made with your knowledge?

A.—I could not say that without referring to the duplicate deposit slips.

MR. WARREN—You need not go into it now, but I shall want you to tell us later whether any other deposits were made without your knowledge.

The \$500.00 and \$3000.00 deposits made by Miss Miller have been identified by you, and I suppose you could identify any other deposits made at any other time. We shall come back to that later.

With regard to campaign funds you regarded all payments on account of the Daily Star as campaign funds, and when you say that Miss Miller at some time brought you \$2000.00, or approximately \$2000.00, as campaign funds, do you mean that that money was brought to you for the purposes of the Daily Star?

A.—Not necessarily. The campaign funds would include the Daily Star and the Morning Post and election petitions.

Q.—So that when you referred to the Canadian Bank of Commerce account as your major political account

A.—I said for a certain period.

Q.—What period was that?

A.—We were talking of the period of 1921 now.

Q.—No. I am not talking of 1921.

A.—My observations have been with respect to that period. Then in 1919 as I have said I am not sure whether that account was opened or not.

Q.—What period do you refer to when you say that for a period that account was your major political account?

A.—I was referring to the year 1921.

Q.—When did it cease to be your political account?

A.—It still is.

Q.—If it started as a political account and still is—

A.—When I referred to it as my major political account during a certain period, the year 1921, I meant that there were many transactions of a political character that passed through the account then there were private ones. But as to whether it was a political account during the year 1919 and 1920 I could not tell that without referring to the records.

Q.—It still is your political account?

A.—Yes.

Q.—That is that account, in addition to the \$3000.00 that Miss Miller handed you personally, she deposited \$3500.00?

A.—That is correct.

Q.—That deposit of \$3000.00 was made in December 1921 according to the slip, and you said that you understood that that came from her brother. How did you understand that?

A.—As I have already said, her brother was generally interested in political matters, and I understood that she had got the money from him.

Q.—Do you mean that she told you that?

A.—I mean that it was generally understood between her and myself that her brother was supplying money, when there was any conversation about it.

Q.—That was the only time that she had paid anything into that account up to that, can you say did she tell you where it came from?

A.—I can say positively that I never had the faintest shadow of a thought that it came from anyone but her brother. Every transaction that I had with her during that year was her brother's transactions so far as I was concerned, and was so understood by her and by me.

Q.—Then she did not tell you where some money came from?

A.—If they had reference to campaign matters.

Q.—But you have sworn that you not know where the money came from at all.

A.—Neither did I. I did not know where Miss Miller got it. I believed that it came as a result of the associations that she had with her brother, Jim.

Q.—How did you know that?

A.—I did not know it. I did not come to the conclusion that she had borrowed it on L.O.B.'s or stolen it.

Q.—You say that you understood that that money came from Miss Miller?

(Continued on 9th page.)

THE CANADIAN BANK OF COMMERCE

At the Annual Meeting held in Toronto on the 8th instant, Sir John Aird reviewed the banking situation in Canada. He expressed the view that a gradual improvement in business was becoming evident.

THE BANK'S STRONG POSITION WELL MAINTAINED.

The history of the past year in the financial world can be no stretch of the imagination be termed a happy one. The after effects of the Great War, with its enormous destruction of real wealth, have at length reached the financial world of Canada. People became alarmed because they understood not and when one small bank foundered, and others prudently shortened sail, disturbing rumors impaired the confidence of many people.

Yet in the midst of it all, Canada has reaped the largest crop of wheat in its history and become the largest exporter of wheat in the world, and despite low prices for some of her agricultural products has put many millions of dollars into the pockets of her farmer citizens. She has increased her exports, invested several hundred millions of dollars in her own securities, reduced the deficit on her National Railway, seen little unemployment and bids fair, in spite of all, to win her way back to prosperity.

Indeed much progress, even though slow, has already been made in that direction, and I think that this is the lesson we may learn from the balance sheet we have the honour to submit to you to-day.

New Bank Act.

On July 1st last the greater part of the new Bank Act, which was passed by the last session of Parliament, became law, although a few of its sections, notably those affecting the monthly returns to the Government, did not come into force until October, in order to give the banks time to make the necessary changes in their book-keeping, and to gather the information now required by the law. In the case of some other sections of the Act, such as those affecting the shareholders' dividends, the practical effect will only be seen during the coming year.

While the Act contains some improvements upon its predecessor, and we believe that this is true of the more important of the changes which have been made, yet these are accompanied by an increased number of restrictions which measurably increase the cost of banking and limit the power of the bank to serve the public. The Canadian Bank Act was originally, in large measure, the embodiment in the statute law of the best banking practices adopted up to that time by experienced Canadian bankers. It will be a great misfortune if, by the introduction of a number of unnecessary minor regulations, the full effect of which is not understood by those who propose them, the usefulness of the banks should be materially curtailed. I believe the time has come for the creation of a body of informed public opinion on the subject, both among customers as well as shareholders. It is to Great Britain that we look for some guidance in the matter of banking, and there we find that the banks are unusually free from legislative restrictions.

Two Remedies.

There are two remedies which have met with the approval of a small section of the public for such a situation as that produced by the Home Bank disaster. They are government inspection and the guarantee of deposits by some sort of an insurance plan.

Frankly, our contact with government inspection in those foreign countries where we come closest to it does not impress us favourably. In the United States where it has its fullest development it has become a factor impeding the successful future of the National banking system, because of its inherent tendency to develop only a restrictive policy. The President of the Canadian Pacific Railway Company pointed out in a recent address that corporations only succeed when they embody the eager spirit of the pioneer; that the moment they become static, they decay. Were this not so, a code of rules could be framed to meet every emergency, and the good judgment of an experienced manager would cease to command a premium in the world of business.

If the spirit of good citizenship be absent in the conduct of any business the Government may well step in and regulate, but the work of that business is best done in the spirit of the individual and with all the self-reliance and initiative that this implies. The past history of Canadian banking includes many a crisis avoided by courage and initiative, of which Canadian bankers are justly proud, when all precedents were waived aside, and the situation faced in a manner that might not have been possible under government inspection.

Not a Prevention.

Nor has government inspection in the United States proved a preventive of fraudulent failures. Mr. Kane, the veteran Comptroller of the Currency, recently published an account of his experience which shows that under the regime of every Comptroller of the Currency, are one, since 1863, when the bureau was organized and the National Banking System founded, failures due to fraud and wrong-doing have taken place. Another illustration of the dangers in

Sir John Aird then gave the following table of bank failures in the United States for nine years, with the corresponding figures of Canadian banks for the past ten and a half years:

CANADA.
(10½ years ending December, 1923)

No. of failures. No. of branches. Liabilities.

2.