

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

(Monday Morning's Proceedings Continued.)

Mr. Winter: Q—Will you look at this?

A—Yes, that is another I.O.U., dated March 6th, 1922.

Q—The date is written in pencil.

A—The proper date is 1922. I added the date with my own pencil.

Q—I take it that there really was a mistake about the year, which you corrected by adding 1922?

A—Yes. That is my recollection of it at the present time.

Mr. Winter: Q—Will you look at these documents?

A—They are all in Miss Miller's handwriting, same as the others.

Mr. Walker: Q—Read documents.

I.O.U. dated March 2nd, 1922 for \$100.00.

I.O.U. dated March 21st, 1922 for \$100.00.

I.O.U. dated April 2nd, 1922 for \$100.00.

I.O.U. dated May 1st, 1922 for \$300.00.

I.O.U. dated May 18th, 1922 for \$100.00.

I.O.U. dated May 18th, 1922 for \$300.00.

Mr. Winter: Q—Finally here are two more. (Hands them to witness.)

A—These are the ones which I made out in my own handwriting in the presence of Miss Miller, and they are signed by her. The date is June 1st, and the I.O.U. is for \$2,000.00.

Q—\$2,000 given on May 18th, and \$1,000 given on June 1st?

Q—This also is in your handwriting with the exception of the signature.

A—The amount and the date is in my writing but the signature is Miss Miller's.

Q—The last one is dated June 20th and is for \$1,000.00?

A—That is correct.

Q—When were these payments made?

A—Not these. I think there is a deposit slip from the Canadian Bank of Commerce.

Q—Is that it, Mr. Meaney?

A—Yes, that is it. The deposit was made by Miss Miller, and she brought the slip, because I asked her for a deposit.

Mr. Walker: Q—This is really a slip from the Bank which shows that an amount has been deposited?

A—Yes.

Q—And it purports to show that the Canadian Bank of Commerce has credited the account of Sir R. A. Squires with this amount deposited?

A—Miss Miller, Jean G. Miller, on the 7th of July, 1922.

Q—This slip suggests that she paid \$400.00 in cash and \$100.00 by cheque?

A—Yes. The cheque is my cheque, my own personal cheque.

Q—This is then a deposit note dated 7th July, 1922, for \$500.00.

Mr. Walker: Q—Then \$100.00 of that deposit was your personal cheque?

A—I speak subject to whether it is my personal cheque or not, but my recollection is that it was I who made it.

Q—And the rest was similar to the other transactions?

A—Yes, it was from the Department.

Q—How then did you become possessed of this document?

A—From Miss Miller. She was going to get \$2,500.00 from me to deposit to the credit of Sir Richard Squires at the Canadian Bank of Commerce.

me. I gave her \$500.00 and asked her to bring me the deposit slip, as I wanted to keep it as a matter of record, as I expected that the department would be reimbursed these sums.

Q—The voucher represented an I.O.U.

A—Yes.

Q—That is a regular deposit slip at the Bank?

A—Yes.

Q—It is a receipt from the Bank for that amount?

Mr. Walker: Q—This is the Bank's acknowledgment between it and the person who deposits the money, that the money was deposited there?

Q—And this deposited consisted of \$300.00 in cash and \$100.00 by cheque?

A—Yes.

Q—What is the total of all these amounts? Did you make up the total?

A—I made a memo which I think I placed on file with the papers.

Q—When did you make that?

A—When I was handing over the papers to the Department of Justice.

Q—I think it was \$22,885.00. (Twenty-two thousand, eight hundred and eighty-five dollars) I am not vouching for the exact amount.

Q—Is that the grand total including the cheques?

A—Including all, \$22,885.00.

MONDAY AFTERNOON.

Mr. Howley K.C.—Mr. Commissioner: I am prepared to proceed now with the Cross Examination of the Witness. I have taken this attitude with a view of expediting matters. During the cross examination situations may arise whereby I may have to ask for a short adjournment.

The Commissioner: I shall give the application every consideration, but I shall not say any reply will be until I hear the nature of the application.

Mr. T. J. Meaney Cross-Examined by Mr. W. R. Howley, K.C.

Q—I think Mr. Meaney, you told us this morning that the total amount advanced from time to time to Miss Miller are \$22,885.00 and that this amount is made up in the various amounts represented by the cheques and I.O.U.'s put in evidence, and that there is the total amount of monies that were paid or advanced by your Department to any private individual during your term of office?

A—That is the approximate sum.

Q—Would your accounts show that your cash was short of that amount?

A—The accounts of the Department would not show.

Q—Would the accounts show a shortage to any amount?

A—No.

Q—This money that you advanced to Miss Miller or the gross amount of it was cash belonging to your Department and not to your private account?

A—Yes.

Q—Therefore there should be a shortage to that extent in your cash? Would there not?

A—Yes.

Q—Why would not the accounts show that shortage?

A—The cash thus obtained would not go through the regular channels of the accounting department.

A—Yes.

Q—Was there any limit to the amount that that deficit could have been or could be: \$20.00, \$25.00, or \$100.00?

A—Not necessary.

Q—You say that there was no limit to the shortage there might have been in your cash?

A—No.

Q—I suppose the limit would be shown in the amount of sales made.

A—In the gross amount of sales made.

Q—Although your accounts do not show any shortage, the actual shortage, do I understand, is \$22,885. No more or no less.

A—Approximately \$22,885.

Q—And all of which is represented by those cheques and I.O.U.'s given you by Miss Miller?

A—Yes.

Q—I think you told us this morning that there were two accounts in your department, one of sales and dealings with liquor through regularly filed prescriptions from medical men and another for sales of your own without medical prescriptions and that the money for the latter was to a certain extent kept separate.

A—Yes.

Q—Was there a Government Audit from time to time?

A—Yes.

Q—How often was there a Government Audit conducted?

A—Weekly.

Q—Has that gone on during the time you were in office?

A—Yes.

Q—Has that Government Audit gone on during the period that these funds that you advanced to Miss Miller were outstanding?

A—Yes.

Q—Has it gone on during the period when you held these cheques and I.O.U.'s?

A—Yes.

Q—Did these cheques and I.O.U.'s come under the notice of the Auditors?

A—No.

Q—Why?

A—I withheld those documents from the Auditors because I did not want it to be known that Sir Richard Squires had received temporary accommodation from the department. I did that for Sir Richard Squires' protection.

Q—Did the Audit system that was carried on reveal any irregularities or shortages?

A—No.

Q—In addition to that special account of sales which you told us of was there during your term of office any presents of liquors or wines made by you to any party?

A—At the present stage of the proceeding I do not care to answer that question.

The Commissioner: Witness declines to say whether any liquor was given by him as a present to anyone during his term of office.

Q—On what basis, Mr. Meaney, do you decline to answer my question?

A—I decline for this reason, that the paragraph in the terms of reference does not indicate to me that I was to give evidence along the line that you ask for. I shall answer as laid down in the terms of reference.

Q—Do I understand that you are declining from answering my question on the grounds of incrimination?

A—No.

The Commissioner: If you do not take that stand, Witness, you must give satisfactory grounds to uphold your objection. You are not bound to answer anything that may incriminate you if you say you will not answer on the ground of incrimination. I shall not order you to answer the question.

Witness: I would like to defer answering it until I consult my Solicitor.

The Commissioner: Would you be able to consult your Solicitor by tomorrow, Witness?

Witness: Yes.

The Commissioner: I think under these circumstances it would be better to defer that question until tomorrow. I think it would be only fair to give Witness that opportunity.

Mr. Howley: Permit me to say sir, that in order to help along the investigation and to prevent delays, if Mr. Meaney sees fit to answer question on tomorrow I shall then have to ask him for details at the same time.

The Commissioner: When that time comes I shall consider the matter.

Mr. Howley (Cont.): Witness was there during your term of tenure of office any sales of liquor or wines made by you to provide individuals on credit?

A—Yes, at various times.

Q—Would these sales on credit be entered in the books of the Department?

A—Any liquor given by me without immediate payment, monies would be kept against it by myself.

Q—Would there be any other record of the transaction?

A—No.

Q—When the Auditors went to make their weekly audit would they have access to these memos?

A—No.

The Commissioner: You did not show them these memos?

A—No.

In addition to the actual shortage represented by your cash transactions with Miss Miller, would there not also be shortages representing your credit transactions that you had not accounted for to the Auditors?

A—Shortages of what?

Q—Shortages of assets or goods. You stated that there were so many gallons of liquors there so much cash.

A—I generally collected the money and deposited it to special accounts.

Q—Was there on the date of your severing your connections with the Controller's Department any outstanding accounts for liquor supplied on credit?

A—Yes.

Q—Credits of which nobody else in the Department had any knowledge or any record of except yourself?

A—My foreman had a record of some in his possession.

Q—Did you have a record of all such credits?

A—I had.

Q—Have you got it now?

A—No.

Q—Have all the credits been paid since you left the Department?

A—I don't know.

Q—How have these records been disposed of?

A—When the amounts would be paid I would place the money to special account on deposit.

Q—I am speaking of the amounts that were due when you went out of office.

A—Yes.

A—I paid some of them myself.

Q—Have all others been paid since?

A—I do not know.

Q—Have you any of these records now?

A—No.

Q—What did you do with them?

A—I have none of the outstanding ones. Some of these I had no record of. Others were paid to the present Controller since I left.

Q—Would you have any idea speaking from memory as to the extent all those credits of which there is no record would amount to?

A—No.

Q—Have you any idea as to the identity of the persons who got these credits?

A—No.

Q—You mean the outstanding amounts when I left the Department. I cannot answer that question.

The Commissioner: Was it hundreds or thousands?

A—The amounts were very small as far as I can recollect.

Q—Is this the position. At the present time by reason of absence of records or by reason of incomplete records it is impossible for this Tribunal or Government Auditors or anyone else to know what the position in Controller's Department was when you went out of office? If there were transactions of which there is no record then it is impossible to find out the true position. Is that so?

A—Possibly, I don't know.

Q—But you do say that there were transactions of which there is no record. If this money represented by the I.O.U.'s and cheques that were given were used in any other transaction to which you referred, and if you used the same system in the Department how is it we have not got something to verify it?

A—I never said that.

Q—Excuse me, you have here a number of papers that purported to be cheques drawn by Miss Miller and I.O.U.'s, signed by Miss Miller. Now I am asking you, if you pursued the same system with regard to all the other transactions what have you got to show us for it?

A—I did not come here prepared. I came here to answer questions as laid down in the terms of reference and not to answer as to what was given to private individuals.

Q—And you came here to give evidence with regard to payments made to Sir Richard Squires and nobody else. Now you are not prepared to answer my question about anybody else to whom you gave liquor.

A—It does not come under that paragraph in my estimation, and I am not going to answer any such question before consulting my Solicitor.

Q—Have you consulted with your Solicitor before Sir Richard Squires came here this morning?

A—I have consulted with my Solicitor since the trouble arose.

Q—But you have not consulted with your Solicitor with regard to any of the irregularities or wrong doing that have been going on in your Department. Now, Mr. Meaney, do you know as a matter of fact what the total amount of the shortage is in your Department?

A—The total amount of shortage of cash is represented by Cheques and I.O.U.'s, plus any payments made in respect of outstanding credit sales.

Q—Do you know whether a comprehensive audit of your Department was held since you went out of office?

A—No.

Q—Do you know that your accounts were in such shape that such an audit could take place?

A—I don't.

Q—When you went out of office did you take these cheques and I.O.U.'s with you?

A—Decidedly, before I went out of office.

Q—But in the meantime when you went out of office you took these documents with you?

A—Yes.

Q—So that lack of records for a perfect audit which existed while you were in office and while you retained these documents continued after you went out of office because the documents were not there.

Mr. Meaney cross examined by Mr. Howley, K.C.

Mr. Howley: Have you retained these documents ever since you went out of office?

A—No.

Q—When I say that, I mean have these been retained by you?

A—No.

Q—Were they retained by anyone representing you?

A—No.

Q—Then who retained them?

A—The Minister of Justice in whose hands they were placed.

Q—Who placed them in the hands of the Minister of Justice?

A—I forwarded them to the Minister of Justice myself, but not through my Solicitor when I went out of office. I do not know the date.

Q—Did you give the Minister of Justice any explanation as to why you had these documents in your private possession?

A—Not that I recollect. I had not any conversation with the Minister of Justice about it.

Q—This series of transactions apparently began on the 11th of December, 1920?

A—That is the record. I do not know if that was the beginning, but that is the date of the first cheque.

Q—You cashed a cheque for \$500.00. That was a cheque on the Bank of Nova Scotia, payable to cash and signed R. A. Squires per J. G. Miller?

A—Yes.

Q—For whom did you cash that?

A—For Miss Miller.

Q—Do you, of your own knowledge, know what disposition Miss Miller made of the proceeds of that cheque?

A—No.

Q—The second transaction was on Jan. 14th, 1921. A cheque for \$350.00 payable to cash, drawn on the Bank of Nova Scotia and signed R. A. Squires per J. G. Miller. Did you cash that?

A—Yes.

Q—For whom?

A—For Miss Miller.

Q—Do you know of your own knowledge what became of the proceeds of that cheque?

A—No.

Q—On the same date there is another cheque for \$100.00 payable to cash and signed R. A. Squires per J. G. Miller. Did you pay that to Miss Miller?

A—I did.

Q—Do you know what became of the proceeds of that cheque?

A—No.

Q—On Jan. 26th, 1921 there is another cheque payable to cash for \$500.00, signed R. A. Squires, per J. G. Miller. Did you cash that?

A—Yes.

Q—Do you know what became of the proceeds of that cheque?

A—No.

Q—And finally, so far as the cheques are concerned, on the 19th of March, 1921, there is a cheque payable to cash or bearer for \$1100.00, signed R. A. Squires, per J. G. Miller. Did you cash that for Miss Miller?

A—Yes.

Q—Do you know what became of the proceeds?

A—No.

Q—Before we leave these cheques for a moment, did you keep any record, other than the cheques themselves, of these transactions?

A—No.

Q—Did you not?

A—No.

Q—Are you able to say whether the dates on the cheques correspond with the dates on which you gave Miss Miller the money?

A—Yes, in all cases.

Q—Take for instance the last cheque on March 19, 1921, "Pay to cash or bearer \$1100.00." That would have been cashed on March 19th?

A—I do not know. It may have been made on the 19th of March, or on some day afterwards.

Q—Then I take it that that cheque would have been cashed on March 19th, 1921, or on some day subsequent?

A—Yes.

Q—We have here a number of I.O.U.'s. The first one is dated March