

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

January 7, 1924.

The Commissioner—This which I hold in my hand is the document which has been issued to me to institute an enquiry touching the conduct of the affairs of this Colony, which matters are most clearly and specifically set forth in the document itself. I propose to present at the outset of the Commission in full. (Reads the Commission.) These are the terms of reference and this the foundation and sole source of my authority. It measures the entire scope of the enquiry which I have to conduct and outside and beyond it I have of course no jurisdiction whatever. The allegations appear to me to be lengthy and complicated which suggests that some consideration may be required for full elucidation and I should desire I am anxious indeed to get to grips with the real issues of the matter at the earliest possible moment and I shall therefore not deem it necessary to make lengthy preliminary observations, but it struck me that there might be one or two matters more particularly with regard to the procedure which I propose to adopt might be helpful for any person interested in this to know at once and the first is as you will have noticed, that this Commission is divided into paragraphs and it appears to me that though it is of course always possible that certain amounts of overlapping may take place that in the main those paragraphs are separate and distinct, and I propose to take them one by one in the order which they appear in the Commission itself. I do not announce this as a hard and fast rule and if at any time anybody interested should apply to me to have the order changed I should certainly give their application serious consideration. But prima facie and in absence of good reason shown my intention is to take each paragraph one by one in the order in which it appears therein. With one exception the paragraphs give no names and do not indicate individuals though all them necessarily refer to acts done which acts must have been done by individuals, and it can be hardly otherwise than at an early stage individuals will be indicated and probable names named. I shall desire to give to all persons indicated and all persons named, also to all persons not indicated and named, who can show to me that they have interest in the matter every opportunity to be heard to the full. I shall allow them to ask all relevant questions in cross-examination and I shall reserve for myself, which I am entitled to do to limit the cross-examination if the occasion requires it. But all relevant questions and cross-examinations of witnesses they may desire to have before me I shall help to procure, and I shall give them or their legal representatives every opportunity to address upon evidence or the effect of the evidence after the evidence is complete. One other matter I ought to mention and that is that I propose to sit every day except Saturday and Sunday at eleven o'clock, subject to meet adjustment which I imagine is usual here as in other places and to sit until five o'clock in the afternoon. I have been accorded by the Department of Justice in this matter the assistance of certain eminent legal gentlemen in your city and I have readily and gratefully accepted their assistance, and one of the things which I propose to ask of them is to help me as each section of the enquiry comes up. As every paragraph of the Commission is reached I want one of them to make short and rather general opening statements. I don't want of course every detail given which will come out in the evidence, but I think it will be of assistance for me to know how the charge arises and its main points.

Mr. C. E. Hunt then addressed the Commissioner, outlining the allegations contained in the first paragraph of the terms of reference which dealt entirely with the Department of the Controller under Mr. John T. Meaney as Acting Controller and from August 1920 until June 1923. During that time, the alleged wrong doing took place. He and his colleagues did not appear as prosecutors but in the capacity of assisting the Commissioner to bring out all the facts possible and to discover the truth or otherwise of the several allegations. The statements he would make would be in general terms and were briefly that during 1921 and subsequently, Mr. Meaney paid to Miss M. Miller, Secretary and Treasurer, Sir Richard Squires, sum of money, Sir Richard Squires was not only Prime Minister and Colonial Secretary, during the time these payments were made, but was also Acting Minister of Finance and Customs and as such, the Controller had to take all the money from him. That the money was alleged to have been paid to Miss Miller in the name of the private bank of Sir Richard Squires, and that the money was paid into the Public Treasury, the latter department had no record of the money, that of the Controller for the

hibition Act and read Section 18. Commissioner—That section says that the Controller controlled the importation, distribution and sale of liquor and that he was to be subject to rules and regulations made by the Governor-in-Council. Were there any rules made under which you were appointed?

Witness—Yes, for the distribution of liquor, such as outlining how to handle druggists and the quantity of liquor to give them on special prescriptions.

Commissioner—What did you do with regard to importations?

Witness—All liquors were ordered by me from the Agents or Manufacturers of liquor in the various countries. Commissioner—What about distribution and sale and under whose directions and orders did you carry on the distribution and sale?

Witness—Liquors were distributed and sold by the Department of Controller and by Licensed Druggists on doctors' prescriptions. Liquors that were required and dispensed to persons other than those who held prescription were given on my orders.

Mr. Walker Q.—You saw to the stock of the Department from time to time?

Witness—I gave the orders to agents or manufacturers of liquors, as required, and these liquors would be imported here and placed in bond and delivered at the Controller's retail department on Duckworth St.

Q.—What staff did you have employed generally?

A.—We had a foreman and eight or nine clerks, men and women. Q.—Did you have an Accountant?

A.—Yes, Miss Power was Accountant when I was there. Q.—Did all monies pass through her hands?

A.—All monies passed through her hands and were deposited in the Bank of Montreal.

Q.—To the credit of what account were monies deposited?

A.—To General Exchange Account after passing through the Controller's Department.

Q.—Did you handle the monies yourself?

A.—No, the monies that came into the Department on scripts I had nothing to do with, but the monies that came in outside of scripts I did handle and transferred them to Miss Power.

Commissioner—Do I understand that a great deal of this liquor was distributed in return for what you call scripts?

Witness—Yes. Commissioner—Were those documents signed by medical practitioners?

Witness—Yes. Commissioner—And that on presentation at the retail premises of the Controller's Department and at the various licensed druggists accompanied by the cash requisite they were covered by a supply of liquor?

Witness—Yes. Commissioner—When a script was entered by Miss Power where did the money go?

A.—It went through the regular channels. Commissioner—As far as you know it reached the Bank of Montreal?

Witness—Yes, I have no reason to believe otherwise. Commissioner—Was that what happened the whole of the monies that were paid into your Department?

Witness—Monies that were paid for liquor without scripts were deposited to special account but went through Miss Power's hands the same as the other monies.

Commissioner—When you say it went through her hands would you explain what you mean?

Witness—It was deposited by her in the Bank of Montreal to Exchange Account, that is, the monies I handed over to her.

Mr. Walker Q.—With regard to these monies that you say were handed over by you and put to some other account. Now was there anything to distinguish them from other monies?

Witness—A.—Yes, I endorsed the cheques and they were entered in the pass books or deposit books and they are on file in the Controller's Department now. Each year's deposit slips are together and the ones I refer to are among them.

Mr. Walker Q.—Was this system of special account in existence in the department when you went there?

Witness—Yes. Mr. Walker Q.—Who was there in charge before you?

Witness—A.—My predecessor was the late Mr. Devereux.

Mr. Walker—It is alleged that certain monies were paid by your department to certain persons. Are you aware of that?

Witness—A.—Yes. Mr. Walker—By whom were these monies paid?

Witness—I paid them. Mr. Walker Q.—Out of what did you pay them?

Witness—Out of money obtained for liquor sold out without scripts. Commissioner—That is money that should have gone through Miss Power's hands and been put to Exchange Account, but did not. Now where did it go?

Witness—I paid it over, on request, to Miss Miller, who was acting for Sir Richard Squires in his employ and

having his Power of Attorney to do business for him. Mr. Walker—When do you remember having made the first of those payments?

Witness—In December 1920, I am pretty sure on that speaking from memory. Mr. Walker—Was the payment made to Miss Miller personally?

Witness—The money was given to her for cheques drawn in my favour. It was cheques at first and later on I.O.U.s and all signed J. G. Miller. Mr. Walker—There were a number of payments made. Over how long a time do they extend?

Witness—Up to some time during the latter part of 1922. Mr. Walker—Were any amounts paid other than by cheques of I.O.U.s?

Witness—No. Commissioner—How were payments made by you to Miss Miller?

Witness—In bank notes. Commissioner—Were payments made on every occasion for cheques or I.O.U.s in bank notes?

Witness—I am not sure if I ever paid by cheques. Commissioner—Apparently the cheques and I.O.U.s were all made out in the one handwriting.

Witness—Yes. Commissioner—Do you know the handwriting?

Witness—Yes, it is that of Miss Miller. Mr. Walker—Is that one of the cheques you refer to?

Witness—Yes. Mr. Walker—There are five cheques here. Are these all the cheques?

Witness—There are no others on file but there was one or two other cheques issued in the same way as the five produced in evidence and which were redeemed later—sometimes in the winter of 1921.

Mr. Walker—Were these five cheques ever redeemable?

Witness—No. Commissioner—You never paid them into the Bank?

Witness—No, I paid them at the request of Miss Miller on behalf of Sir Richard Squires. The others that I held were redeemable at the request of Miss Miller.

Commissioner—When you say the cheques were redeemed what do you mean?

Witness—I was urging Miss Miller to get the adjustment of this amount from Sir Richard Squires and in the winter of 1921 I do not remember the month but I think it was in December—Miss Miller came to me with four thousand dollars.

Commissioner—What did you do with that four thousand dollars?

Witness—Part of it was my own funds, the balance I deposited in the Bank to the credit of Exchange Account.

Mr. Walker—There are five cheques referred to are dated from December 11th, 1920 to March 19th, 1921.

Mr. Walker—I have marked these cheques in the following manner. J. T. M. 1 cheque for \$500.00 dated 11 December, 1920.

J. T. M. 2 cheque for \$500.00 dated 14 January, 1921.

J. T. M. 3 cheque for \$500.00 dated 14 January, 1921.

J. T. M. 4 cheque for \$500.00 dated 26 January, 1921.

J. T. M. 5 cheque for \$1000.00 dated March 19, 1921.

Mr. Walker—Now then Mr. Meaney, do you remember if money was given against these cheques?

A.—Yes. In bank notes. Q.—For instance would bank notes be given for that cheque for \$1000?

A.—I do not know. It was all in bank notes, there might have been some silver. At any rate it would be paid in currency.

Q.—Those cheques issued in March 1921, were there any more afterwards?

A.—Not to my knowledge. Q.—Why were the cheques discontinued?

A.—Miss Miller came to the office and told me that some of the clerks at Sir Richard's office had been making enquiries as to the meaning of certain cheques the stubs of which did not show the reason for payment. She could not explain for some reason and she had consulted Sir Richard Squires and the said that he had told her to discontinue the cheques and give her I.O.U.s to me, so as to avoid the enquiries which were being made at the office.

Q.—Did you agree to that?

A.—After discussing the matter more fully I did. Q.—I have here several I.O.U.s. Do you recognise these?

A.—(After perusing I.O.U.) This is Miss Miller's I.O.U.

Mr. Walker—This is a typical one? A.—Yes.

Q.—This is apparently in the same handwriting? Yes, Miss Miller's.

Q.—This is dated March 19th, 1921, apparently the same date as the cheque, so that apparently she had already begun to give the I.O.U.s while still giving the cheques. I thought there was an interval between the giving of the cheques and the I.O.U.s?

A.—No, there was no interval. Q.—Yes, that is quite possible because I see two cheques the same date.

A.—Yes, she might have given a cheque in the forenoon and in the afternoon she might have given an I.O.U. under the new system.

Q.—This is dated March 19th, 1921.

Would that be the first in order of date?

Mr. Walker—Yes, I think so. Mr. Walker—This is another I.O.U. of Miss Miller's?

A.—Yes, dated 7th of May, for \$1,000.00.

Q.—There is, I think, a memorandum attached to that I.O.U.?

A.—There is a memorandum. That Memorandum is explained in this way. Miss Miller came to me with certain cheques drawn in favour of Messrs. Squires and Curtis or Sir R. Squires, and asked me to cash them and hold them for a few days. The amounts were \$421.00 and \$78.75. I think these were to be taken up in a few days.

Mr. Walker—Q.—These papers that are pinned together here, the first seems to be an I.O.U. in her handwriting. Then the second written in another handwriting?

A.—Yes, that is my handwriting. These are my figures. Miss Miller came later and she asked the cheques for immediate use, so I made a note of the cheques.

Q.—Then that note is in your writing?

A.—Yes. The total amount of the two sums added gives the amount. Q.—What is the date?

A.—May 29th, 1921. Mr. Walker—Q.—Then this is an I.O.U. dated May 29th, 1921, for \$480.75?

Mr. Walker—Q.—This another one, Mr. Meaney?

A.—Yes, that is an I.O.U. for \$200.00 dated July 8th, 1921.

Q.—I will put a number of these in together, will you look at these? (Witness looks over papers. These are running through 1921?)

A.—Yes. The last one is dated July 18th, 1921 and is for \$100.00 and the rest are—

July 11th \$200.00
August 1st 300.00
August 11th 200.00
August 17th 300.00
August 23rd 200.00
September 1921 500.00
September 19th 300.00
October 19th 500.00
November 21st 300.00

Mr. Walker—Q.—Here is another note?

A.—Yes, that is another. Dated December 6th, 1921 for \$3,000.00.

Q.—That is a considerably larger amount than before? Is not always get the amount she wanted, she only got what amount I had on hand. I had it at that time so I gave it to her.

Q.—Is that I. O. U. from Miss Miller?

A.—No. That is only a record of an I. O. U. that got mislaid, but the money was taken by Miss Miller.

Q.—This is not in her writing?

A.—No, that is my own. Q.—Was it made at the time?

A.—It was made at the time that the original I. O. U. or request got mislaid.

Q.—This is an I. O. U. which purports to have been made on December 15th, 1921, and to deal with an amount of \$3,000.00?

A.—Yes. What happened was that on December 15th I let her have \$2,000.00 and she gave me an I.O.U. which got mislaid or lost. She gave me the request in the usual way.

Q.—What became of it?

A.—It became mislaid. How, I do not know.

Q.—Then that is not the I. O. U. or anything coming from Miss Miller, subsequent to the delivery of the money?

A.—Yes. Q.—You remember the amount of the money?

A.—Yes. When I went to look for the document I found it was mislaid so I made a note with the intention of getting the original renewed. I laid the original on my desk, possibly for an hour.

Q.—This is another I.O.U. Mr. Meaney?

A.—Yes. That is an I. O. U. dated December 19th, 1921, for \$4,000.00.

Q.—Was that paid in the same way?

A.—Yes, it was paid in cash. Mr. Walker—

I see this particular I.O.U. is written on the paper of the Department?

A.—Yes, that was made out in my office, and several of the others were made in my office, because Miss Miller would not know how much was available until she came there.

Mr. Walker—Q.—Here is another I.O.U.?

A.—The typed writing on this has no reference to the I.O.U. This typed stuff there has no bearing on it at all. That was only a piece of paper that was used, and the typing was on it already when the I.O.U. was made out.

Mr. Walker—Q.—That was the only available piece of paper?

A.—Yes. Q.—You must have been hard up at that time?

This is an I.O.U. dated January 28, 1922, for \$250.00.

(To be continued).

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Moll Buzzer—"The Gentle Antelope", Miss Marion Correll.
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Ned Blake—John Enlow's Secty., Mr. May Colton.
Nan—Buzzer's Grandchild, Miss Hatty Roberts.

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Seacoast Banking Company, Mr. Ed. Cranford.

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Sir Arthur Choke—A British Aristocrat, Mr. Roy Nurse.

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