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

(Continued from page 6.)

Q—In my mind for these companies to give subscriptions that were used to finance that paper.

Q—That is a matter of opinion?

A—And I must add that if, under Newfoundland conditions, party subscriptions could not be secured from companies, corporations, firms and individuals who are under obligations to the N.R. Government, there can be no party newspapers and no elections held.

Q—Perhaps the Colony would be worse off if there were not?

A—That may be quite true.

Q—All I can say after that is that the threat leaves me quite cold. Have you finished your cross-examination?

ATTORNEY GENERAL—Yes.

COMMISSIONER—Have you any questions to ask Mr. Knight or Mr. Lewis?

MR. LEWIS—In your direct evidence this morning I think the Commissioner said to you that there is a distinction between money paid to you and money paid to campaign agent to which you made no answer except that you said you had no recollection of it.

COMMISSIONER—The answer was given to it?

A—In a sense I did.

COMMISSIONER—In the long last, when a person starts a campaign there are no campaign funds as it assumes a responsibility; the campaign funds come along he relieved from the responsibility.

MR. LEWIS—The Attorney General is now in his cross-examination of Mr. Lewis. Did you mean to be understood that you had no recollection of it?

A—No, there was no appointment, merely met him. My recollection is that he called to see me at my room.

Q—You did not call upon him?

A—No, I made no appointment.

Q—In your cross-examination this morning on the subject of the telegrams in code you got from Miss Miller at Bell Island, can you recall that Miss Miller said that someone had advised of having completed an arrangement for another \$100,000 in addition to the \$40,000?

A—Yes.

Q—Did you at the time you received that telegram believe that anyone had arranged any additional \$100,000?

A—No.

Q—That was one of the features of the telegram which led you to characterize the telegram as an absurdity?

A—Yes.

Q—You also testified this morning that you saw both Mr. Meaney and Mr. Miller at Montreal and had conversations with both of them. Did you mean it to be understood as having seen both of them at the same time or did you meet them separately?

A—Separately; they called to see me separately. They were not together at any conference.

Q—In the cross-examination this morning the Attorney General asked did you make negotiations for the elimination of clauses. Is that true?

A—No, I was negotiating about labour.

COMMISSIONER—It was the companies who were asking for elimination of clauses.

A—Yes, they submitted a memo.

MR. LEWIS—But from the language to the conversation, I thought that Sir Richard was in Montreal for the purpose of negotiating for the elimination of the clauses.

A—I was there for labour troubles and they submitted a programme.

COMMISSIONER—You did not go away with them in 1923 but followed when labor troubles arose. Is there any other witness?

ATTORNEY GENERAL—There is one question I suggest that you ask the witness, because it has been suggested to me, Dr. Barnes' name has been mentioned here and he is not represented here. I think it ought to be asked if Barnes, who was a member of the Executive at the time, asked Sir Richard Squires for an explanation?

COMMISSIONER—I think you might answer that Sir Richard?

A—I do not know if he asked for an explanation but I had a conversation with him some little time before my resignation.

Q—What did he tell you?

A—We had a general conversation about rumours around town.

Q—What did you tell him about the \$40,000?

A—I do not think it was referred to.

MR. WINTER—I would like to call Mr. Frost again?

MR. WINTER—Would you look at this statement Mr. Frost? What is that?

A—That is a statement of current account of Sir Richard Squires' account at the Bank of Nova Scotia.

Q—Do you remember making up that account?

A—I had it prepared by clerks at the office.

Q—Has it been compared with the books?

A—Yes. And found correct.

MR. WINTER—Would you look at that?

A—That is a statement of the Current Trust Account.

MR. WINTER—And what is that one?

A—A statement of the Sir Richard Squires' collateral account.

COMMISSIONER—As to what relevancy these have I don't know. They will not be the slightest assistance to me.

MR. WINTER—Except to corroborate what has already been put in in connection with the various accounts.

COMMISSIONER—For the present we will leave them in the custody of the clerk of the court with the rest of the exhibits, and if any question does arise in the future, we need not send for Mr. Frost again. I better mark them.

Q—Mr. Frost, just look at that for example. That is a credit item on August 23rd, \$5,000.00.

A—August 23rd. That is the L. R. Curtis Trust Account.

Q—Was there a large deposit in that account after that, or about that time?

A—There were daily deposits, or rather every two or three days.

Q—I notice they are under \$1,000.00 for the next few days.

Q—The account was overdrawn, was it not?

A—Yes.

Q—And how long was it before the account was put in funds again, irrespective of that \$5,000.00?

A—The account did not show a credit balance of \$5,000.00 or over till Dec. 2nd, 1921.

Q—Finally, Mr. Frost, this account shows the state of the account from day to day?

A—The daily balances are extended.

Q—Did the Daily Star Publishing Company, Limited, have an account in your Bank?

A—They did have an account at one time.

Q—When?

A—It was closed in December 1919.

Q—Did they have any other account after that?

A—No. They have not had an account there since.

Q—The account was conducted in the name of the St. John's Daily Star Publishing Company, Limited?

A—Yes.

Q—Was there any other account in any name like that since?

A—I have only looked for that particular account.

ATTORNEY GENERAL—We do not desire to have these published. We only wanted them for checking purposes.

COMMISSIONER—I shall watch over the publication of any details. I shall mark them at any rate.

ATTORNEY GENERAL—With regard to this cheque—just take that Mr. Frost. That purports to be a cheque drawn on the Bank of Nova Scotia by the St. John's Daily Star Publishing Company, Limited. Did they have an account at the time that is dated?

A—Not at this date, in March, 1923.

Q—Can you tell from that cheque its passage through the Bank or its branches? What dates are on the back of that cheque?

A—There is a March 28th stamp.

Q—Is it not March 28th?

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TWO STORES:
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Q—It was he March 28th. It is stamped by the Bank of Nova Scotia at Bell Island.

Q—What is that date?

A—March 28th.

Q—That is at Bell Island?

A—The Bank of Nova Scotia, Bell Island.

COMMISSIONER—It is drawn on the Bank at St. John's?

A—Drawn on the Bank of Nova Scotia, St. John's.

Q—Then it would be next sent to the St. John's Branch?

A—Sent by mail.

ATTORNEY GENERAL—Is there any date on it to show when it reached St. John's?

A—There is a date here which I should think would correspond with the date upon which it arrived at St. John's. It is a paid stamp, and then there is a paid in error stamp on April 2nd, 1921.

Q—Is that a stamp here at St. John's?

A—Yes.

Q—And that indicates that it was stamped when it reached the Bank here?

A—Yes.

Q—Then there is a paid in error stamp? Is there any other stamp on the back?

A—I see a date on the back. It looks like April 2nd. A stamp of Bell Island.

Q—What does that stamp represent?

A—This is a stamp "Pay to the order of any Bank or Banker, Bank of Nova Scotia, St. John's, Newfoundland. That is a stamp we put on cheques sent out to the branches for collection or passing through clearing local. G. G. Glennie, Manager.

Q—So this stamp is on the back?

A—Apart from the stamp we have spoken of before.

Q—Is there any stamp there which shows when it was returned dishonoured?

MR. LEWIS—I notice that. It is endorsed by Mr. J. J. Miller. Nobody has mentioned that before.

COMMISSIONER—I thought that Mr. Miller told us himself that he had endorsed it. It is an order cheque, and when you get an order cheque you generally expect it to be endorsed.

MR. LEWIS—I do not quite understand why it is endorsed on the back "pay to the order of any Banker or Trust Company."

ATTORNEY GENERAL—When that was presented to the Bank at Wabana that first stamp was put on it, March 28th.

A—Yes.

Q—Why was that other stamp put on?

A—It is customary to endorse all cheques sent out for collection.

Q—So the cheque is endorsed, and credited to a certain person's account before you find out whether there are funds to meet it?

A—It depends upon the standing of the account.

Q—That was payable to J. J. Miller?

A—Yes.

Q—Was the standing of Mr. J. J. Miller's account sufficiently wrong to credit it with \$45,000 at that date?

A—I could not tell you that.

Q—Well, who could tell me? It is endorsed to the Steel Company?

A—No, endorsed generally.

Q—By Miller?

A—Yes.

Q—Who would have the deposit slip for that?

A—It would be at the Bank of Nova Scotia, Bell Island.

Q—Did you say it all depends upon the strength of the account whether you would credit the cheque before you knew whether there were funds to meet it?

A—That is so.

Q—Would that be the Steel Company or the Star that you were referring to?

A—I do not just get what you mean.

Q—You say that a cheque is sometimes credited to an account before you find out where there are funds to meet it?

A—Yes.

Q—Now, that cheque was deposited at Wabana?

A—Yes.

Q—And you say that if the account was strong enough you would credit the cheque before you found out, if there were funds to meet it. Whose account would have to be strong enough?

A—It might be either account, but

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Q—Yes. But apparently it is the careless error of a clerk.

Q—When these cheques are sent on from a branch who opens the envelope?

A—The Mail Clerk.

Q—And he opens them and takes out the cheques?

A—Yes.

Q—And what does he do with them?

A—He passes them on to another clerk—the credit mail clerk.

Q—And what is his duty?

A—He looks them over, and gets the stenographer to list them on a certain advice.

Q—Then you receive an advice with the cheques?

A—No, this is an advice which we make.

Q—Do you get anything from the branch bank?

A—Yes. A list of the cheques enclosed, in the particular remittance.

Q—Will you get the advice you got with that cheque, Mr. Frost?

A—I will endeavour to.

Q—Now the credit mail clerk is the last clerk that we get to?

A—Yes.

Q—He lists the cheques in this advice. Then what happens?

A—He passes that to the teller.

Q—What for?

A—He checks over the advice and enters them in his daily cash book.

Q—Why is that done? Does he pay out any cash?

A—No. It is a matter of bookkeeping.

Q—Then he enters them in the book before he knows whether the cheque is good or not?

A—Yes.

Q—And who does he pass them on to?

A—The ledger keeper.

Q—And he is the final man. He decides whether there are funds to meet them or not?

A—In a general case. There may be particular cases in which a cheque had to be referred to a higher official.

Q—Are there any initials on that cheque?

A—No. A. N. M. We had a clerk A. N. Murphy. It may be he.

Q—And was it the duty of the ledger keeper to write "paid in error" across that cheque?

A—That would be the teller.

Q—Describe what would happen if the ledger keeper found that there were no funds.

A—He would pass the cheque back to the teller, he would then stamp it paid in error, and the paid stamp would be cancelled.

Q—And then what happened the cheque?

A—The teller would delete the entry in the column of the cash book, and put it under another column—cheques to be returned to branches, and he would pass it out to the debit mail clerk.

Q—And the debit mail clerk would . . .

A—List it in a certain list to be forwarded to the branch for which it was received.

Q—And then mail it back to Wabana?

A—Yes.

Q—So that on the face of that cheque how many days was it in the hands of the Bank?

A—Unable to tell because it does not show the date that it was received by the Wabana Branch. That is received from the Bank at St. John's.

Q—The cheque itself is dated March 28th?

A—Yes.

Q—It is first stamped March 28th?

A—Yes.

Q—Then it must have been in the hands of the Bank on that day?

A—Yes.

Q—Then there is March 30, 30th, and 31st, and April 1st, and 2nd. That is as far as you can go?

A—Yes.

Q—It was in the hands of the Bank all that time?

A—Yes.

Q—And it was not until April 2nd, that it was discovered that there were (Continued on page 8.)

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