

MAJESTIC

ENTIRE CHANGE OF BILL TO-DAY

THEATRE

"THE ROAD TO FRANCE"

SEVEN REELS.

SPECIAL ANNOUNCEMENT: MONDAY—"A TAILORED MADE MAN."

RAVIN and KELLY

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

(Continued from page 9.)

was being typed; you did not know there was anything in your own handwriting?

Q.—I knew that it was being typed. The door was open?

Q.—Did you suggest to Mr. Miller that he should get it typed instead of written?

Q.—I told him that Sir Richard said he was going to type it and he telephoned his brother and made an appointment.

Q.—Mr. Miller is his brother?

Q.—Yes. WARREN—You heard the argument with his sister?

Q.—Yes. COMMISSIONER—Which sister?

Q.—No, the other one.

COMMISSIONER—He asked her to type it?

Q.—Yes.

Q.—Now, Mr. Curtis, at the time Mr. Miller told you that he was going to send a copy of the statement to Mr. Winter?

Q.—It was for Mr. Winter that he was preparing it.

Q.—He asked Sir Richard to prepare a statement for Mr. Miller. Do you mean to tell me that you and Sir Richard and Mr. Miller were preparing a statement for Mr. Winter? Is that what you mean?

Q.—Mr. Miller was preparing a statement for Mr. Winter and I did not know of the details which were being sent to Sir Richard so the statement would be correct.

Q.—You discussed the matter with Sir Richard?

Q.—Yes.

Q.—This statement was to go to Mr. Winter?

Q.—Mr. Miller was anxious to have the statement correct.

Q.—Wasn't Sir Richard anxious to have the statement correct?

Q.—Yes.

Q.—If that was to go to Mr. Winter, why this refusal on the part of Sir Richard, or Squires and Curtis to type it in their office?

Q.—I don't know.

Q.—After it was typed you say Mr. Miller gave it back to you; the one in your handwriting?

Q.—Yes.

Q.—That did you do with it?

Q.—I put it in the drawer or my bag, or tore it up, I don't know.

COMMISSIONER—It is not so very long ago; only about a month ago, is it?

Q.—Yes, more; can't you really remember what you did with it?

Q.—I was probably torn up but I don't know. I don't know exactly.

Q.—Mr. Warren—This was a statement; revised by Sir Richard and Mr. Miller; it was the last statement absolutely in correct statement?

Q.—Yes.

Q.—And it was in your handwriting?

Q.—Yes.

Q.—And you were so keen and Sir Richard was so keen that a correct statement should be put before the court that you had transcribed it?

Q.—Yes.

Q.—It had been taken away to be typed?

Q.—Yes.

Q.—You decided, you think, to tear up the original?

Q.—Because Mr. Miller told me he was going to type it.

COMMISSIONER—I should have thought that this would have been an important document for you to keep in case Mr. Miller came here and said something different so that you could say "but isn't this what you said, isn't this what you told me, isn't this what you told me?"

Q.—I am going to be called against it should have thought that you should keep that statement.

Q.—I have him back his statement. I got a copy of it in your handwriting. I thought you had been careful to keep it so that you could see if he wandered out and said "you told me you would be making certain statements."

Q.—I would have thought that you would have wanted to keep it in order that you could confront him with it if he said anything when he came back.

Q.—I was not trying to trap him, was I?

COMMISSIONER—Oh no, but this is an ordinary thing. I am not trying to trap him. If you have a

statement of a witness against you, you will naturally take great care of it. In case he alters his story then you have this to confront him with. This is the ordinary course of advocacy. If you have a letter in handwriting from the man who is going to be called as a witness against you, you will want to keep it in order to see that you can confront him, to see if he changes his tale.

Q.—The point is that I kept Mr. Miller's original, not the revision to him.

MR. WARREN—What is the use of keeping that, that was not correct nor true.

COMMISSIONER—Then ultimately you did keep the document in some form.

Q.—I kept the original and when he asked me for it I gave it back to him.

Q.—You gave it back without retaining a copy; you kept nothing at all; I thought you said you had torn something up.

Q.—Did you not keep any document at all out of all this series?

Q.—Not finally.

Q.—After Mr. Miller had gone had you any document at all in your possession.

Q.—When Mr. Miller left me I retained his original.

Q.—That was the statement in your own handwriting?

Q.—Yes.

Q.—Had you on that original statement made or inserted any of the alterations which at the instance of Sir Richard you had put there?

Q.—Yes.

Q.—Why would not that have been just as useful as any other?

Q.—I kept that and when he asked me for it I gave it to him.

Q.—What did you tear up?

Q.—The one in my own handwriting.

Q.—He has a copy?

Q.—Yes.

Q.—You have got there a document which would look like a note made at the time, showing the phrases which you had agreed upon were true.

Q.—Yes.

Q.—Having got that document I should have thought that you would have kept it.

Q.—I did keep it with me at first; the original and afterwards I did not want that one of my own handwriting at all; and when Mr. Miller asked me for it I gave it back to him.

COMMISSIONER—And then you had nothing.

Q.—No.

Q.—You knew the story pretty well?

Q.—I had heard it.

COMMISSIONER—You might want something a little more when it is in your own handwriting. You never know when he will alter his story; it is not an unknown thing even now.

COMMISSIONER—Mr. Miller knew nothing about this alleged transaction of his sister?

Q.—He told me that he knew practically nothing about the liquor con-

trol department.

ATTORNEY GENERAL—Did he tell you he did not know anything about the cheques and the I.O.U.'s that his sister had been concerned with?

Q.—All he told me was that the cheques and the I.O.U.'s amounted to between ten and fifteen thousand dollars.

Q.—That is not what you told us already. Your evidence yesterday was that Mr. Meaney told you that when you went to the Newfoundland Coal and Trading Office?

Q.—And Mr. Miller told me the same thing previously.

Q.—You told us yesterday that it was for more curiosity that you expressed a desire to see Meaney's statement?

Q.—Yes.

Q.—And if I understand what you said correctly it was because you thought that Meaney was using Miller?

Q.—Yes.

Q.—Now what were you going to do with the statement after you had seen it?

Q.—I was just curious to see it.

Q.—But after you had seen it you thought that Meaney was using Miller and you wanted to see what Meaney's statement was. That is what you said. Now what were you going to do with it after seeing it?

Q.—I do not know.

ATTORNEY GENERAL—Of course you were not going to tell Sir Richard Squires what was in it, were you?

Q.—If I had seen it I might probably have told Sir Richard what was in it.

Q.—Was there any chance of correcting that one if he had got it?

Q.—I do not think.

Q.—When was it that this interview took place about the obtaining of that statement of Meaney's?

Q.—I understand it was on the same Saturday as the other one, but I am not sure about that.

Q.—What time of the day was it when it took place; morning or evening?

Q.—During the afternoon.

Q.—You say you were told the documents were kept in a joint cash box?

Q.—Miller told me that Meaney trusted him implicitly, that all their papers were together in the joint cash box in the vault at the office of the Newfoundland Coal and Trading Company. He also told me that, if I was interested at all, he would show them to me, and also show me some statements on you and other public men.

Q.—I am awfully sorry you did not go.

Q.—I wish I had gone.

Q.—You might have a chance of knowing something?

COMMISSIONER—Have you got any keys, Mr. Warren?

ATTORNEY GENERAL—I could offer you a few, sir, if they would be of any use to you. Anyway, Mr. Curtis, you did not go?

Q.—No.

Q.—You said that Miller told you that Meaney trusted him so implicitly that he left all his papers with him?

Q.—Yes.

ATTORNEY GENERAL—But you thought you said that Meaney was using Miller as a tool?

Q.—I thought there was something fishy about it when Meaney had not shown Miller his statement.

COMMISSIONER—But, according to your own evidence, he had left it where Miller could get it.

ATTORNEY GENERAL—Miller told you he could go and get it any

time, did he not?

Q.—Yes.

Q.—And you thought it funny he had not done it?

Q.—I thought it peculiar if he did not see it.

Q.—Was Miller in a hurry that particular afternoon to get the statement?

Q.—He had planned to send the statement into Mr. Winter that evening.

Q.—Therefore, Miller was in a hurry to see Meaney's statement?

Q.—He probably was.

Q.—Have you got a telephone in your office?

Q.—Yes.

Q.—Did Miller suggest telephoning to Meaney and to ask to see his statement?

Q.—No.

Q.—Did he suggest getting hold of Meaney in any other way to get his statement?

Q.—No.

Q.—Well, then, why did he get the keys?

Q.—He got the keys from me for a while, if he could not find his own; but later I refused to give them to him.

ATTORNEY GENERAL—Now, Mr. Curtis, you said yesterday that Miller asked you to arrange a meeting between him and Sir Richard Squires and that Sir Richard said he would not do it?

Q.—Yes.

Q.—And that he would not meet him because Miller was a witness on the other side?

Q.—Yes.

Q.—Then after that you offered Miller keys to go up and get that statement of Meaney's?

Q.—Miller asked me if I had any keys and I said there were some around the office.

Q.—As a matter of fact did you get the keys out of your drawer for him? And did you not open the drawer where there were something like two hundred keys?

Q.—Yes.

MR. LEWIS—I am not surprised at that.

COMMISSIONER—I am less surprised than I was when I came.

ATTORNEY GENERAL—You offered him all those keys in that box from which he could choose the one he wanted to go and open the joint cash box to get Meaney's statement. If Meaney refused to give it to Miller, is not that the position?

Q.—He told me he knew the key.

Q.—And you offered him a selection of two hundred?

Q.—I told him to take any one he wanted.

Q.—Can you tell me, Mr. Curtis, what were all those keys there for?

Q.—They have always been accumulating from time to time. I happened to see all those on the box's desk and I put them in my drawer.

COMMISSIONER—They probably had been waiting there for this great day.

ATTORNEY GENERAL—Well, Mr. Curtis, after Miller took the keys from you when did you see him afterwards?

Q.—The following day, Sunday.

Q.—Where?

Q.—I was at a residence on Le Marchant Road and he dropped along and left me the keys. He came by appointment, which was made by telephone by us the day before, and I told him where I would be.

Q.—And he came along all right with the keys?

Q.—Yes, and he told me that he did not want to use the key to open the cash box as Meaney had shown him the statement.

Q.—Did he tell you then what was in it?

Q.—Yes.

Q.—What did he say was in it?

Q.—He said there was nothing in it.

Q.—And you were quite satisfied?

Q.—Yes.

Q.—And you took the keys back?

Q.—Yes.

Q.—And what did you do with them then?

Q.—I put them in the box's desk wherein I got them.

Q.—Now, Mr. Curtis, I am going to draw your attention again to the fact when Miller first saw you and asked you to arrange a meeting between him and Sir Richard Squires. Sir Richard refused, did he not, to meet Miller on the ground that Miller was a witness for the other side?

Q.—Yes.

Q.—When you took Miller's statement to Sir Richard Squires, did Sir Richard refuse to look at it?

Q.—No.

MR. LEWIS—Re-examines Mr. Curtis.

MR. LEWIS—In the examination of the Attorney General have you testified to all the facts which came out in your original conversation with Mr. Miller and which led to the preparation of the statement of December 20th?

Q.—No, I referred to only such parts as his questions indicated.

Q.—Were you not in the court room when Miller was on the witness stand?

Q.—I think I was.

Q.—Did you hear that part of his testimony in which he testified as to the plan for the obtaining of a payment of \$100,000?

Q.—No, I did not know he gave such evidence.

Q.—Did you hear him testify as to the plan for the obtaining of a payment of \$300,000?

Q.—No.

Q.—You testified yesterday, I think, that the statement you have on the desk dated December 20th was prepared immediately after you returned from lunch on that day and that you had your conversation with Miller immediately before going to lunch?

Q.—Yes.

Q.—And does that statement, as prepared by you, faithfully and fairly and correctly set forth the conversation which you had with Miller on that day?

ATTORNEY GENERAL—I object to any reference being made to the memorandum containing that conversation. That statement was made after the conversation took place and I object to any reference being made to its contents whether it correctly or incorrectly describes what happened.

COMMISSIONER—One cannot make evidence for themselves.

MR. LEWIS—I do not claim it is evidence now.

COMMISSIONER—It was a document brought into existence closely after the transaction with Miller, but I do not think you should go so far as to question whether the contents of that document is correct or not. The only proper use you can make of it, if it is brought in, is to allow a man to refresh his memory.

MR. LEWIS—I have no thought of offering it as evidence, but I regard it as sufficiently contemporaneous with the conversation as to establish the credibility of the document at that time and under those circumstances.

COMMISSIONER—I do not think I shall rule on the matter unless I am invited to rule on it.

MR. LEWIS—Was there as a matter of fact anything said by Miller on the day of the conversation—December 20th—on the subject of any evidence to be given by him relating to the solicitation of \$100,000?

Q.—No.

Q.—Was anything said by him at that time on the subject of the solicitation of the payment of \$300,000?

Q.—No.

Q.—He submitted to you a statement which you had previously prepared and permitted you to read that statement, is that so?

Q.—Yes.

Q.—Was there anything in that statement on the subject of the

solicitation of the payment of \$100,000?

Q.—No.

Q.—Was there anything in that statement on the subject of the solicitation of the payment of \$300,000?

Q.—No.

COMMISSIONER—Was there anything in that statement on the subject of \$40,000?

Q.—Yes.

MR. LEWIS—I was just coming to that. Was there anything in the statement relating to the \$40,000 matter?

Q.—Yes.

Q.—Tell us what you recall?

COMMISSIONER—He had already testified that the statement was substantially the same as the evidence given by Miller here.

MR. LEWIS—When you were asked by the Attorney General yesterday as to whether that statement, as it left your office in Miller's possession, conformed to the testimony which Miller subsequently gave and you replied that it did so conform. Had you at the time you made that reply heard Miller's statement in relation to the \$100,000 item?

Q.—No.

COMMISSIONER—You mean you did not know or hear Miller's evidence?

Q.—If I remember rightly Miller had been in the box all the morning and he had only referred to the \$40,000 matter up to the time I got here. I was late in getting here that day and I only heard the close of his evidence.

ATTORNEY GENERAL—But did you not read his evidence?

Q.—I never read his evidence.

COMMISSIONER—I thought that some people were taking an interest in this Enquiry and I thought that you as a member of the law firm of Squires and Curtis would be one of these people. Do you mean to say that you have not read the evidence of Miller?

Q.—I never read it. I was only present here when he was being examined on the \$40,000 matter. I was not here when he was being examined on the other amounts.

COMMISSIONER—You pledged yourself that the evidence given by Miller here was substantially the same as his statement. You mean to say now that you want to modify it and that his evidence was only substantially the same as regards the portion you heard of it. As a matter of fact you had not heard all his evidence and now you know you had not. That is the modification you want to put upon that now, is it?

Q.—Yes.

MR. LEWIS—Have you any further recollection Mr. Curtis of the conversation between you and Miller on the day of the making of that statement of facts which you have not heretofore testified to and which came to light at the time that conversation was held?

Q.—There are some facts but concerning which I have not been questioned.

Q.—And for the purpose of testifying to such facts can you refresh your memory by the examination of these notes?

Q.—Yes.

MR. WINTER—How does he know they are facts?

WITNESS—I have already seen the document.

MR. WINTER—The Commissioner has not ruled on the question.

COMMISSIONER—I have not been asked to rule on it yet.

MR. LEWIS—I said some little time ago that we would like the entire truth