

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

(Continued from page 7.)

COMMISSIONER—You think that the hostility first showed itself on his side?

MR. HUNT—In what way?

A.—Most decidedly.

A.—Well, Sir Richard Squires promised me my full appointment as Controller and he was hedging about it for over two years.

Q.—Would you explain that?

COMMISSIONER—And you say he had promised you that?

A.—Yes, and further than that I was informed that my appointment was made and subsequently cancelled.

MR. HUNT—Did you look upon that as hostility?

A.—Yes.

Q.—Shortly after the burglary you were suspended, I think?

A.—Yes.

Q.—From whom did you get the letter of suspension?

A.—From the Executive via the Colonial Secretary's Dept. signed by the Deputy Colonial Secretary.

MR. HOWLEY—I think that letter, if in existence, should be put in evidence.

COMMISSIONER—Is it in existence?

WITNESS—Yes, it is with some papers at my home. A messenger could get it in five minutes.

MR. HUNT—That letter is in your possession?

A.—Yes, I can produce it.

COMMISSIONER—Well then we shall have it presently if it is in existence. (Messenger despatched for letter.)

MR. HUNT—Up to the time you had received this letter of suspension had you brought to the notice of any person the L.O.U.'s and cheques which you held?

A.—No, with the exception of Miss Miller, who was a party to them.

COMMISSIONER—You said that Mr. James Miller knew something about them?

A.—He knew of money transactions but not of cheques or L.O.U.'s.

Q.—When did you first show them to anybody?

A.—When I produced them to my Solicitor.

Q.—Mr. Higgins, I think was your Solicitor?

A.—He was.

MR. HUNT—Q.—When and why did you produce them to Mr. Higgins?

A.—To show him the situation I was confronted with in view of the report of a possible action being brought against me by the Premier.

Q.—What possible action?

A.—I was informed that the Premier contemplated taking a criminal action against me because of the shortage in the department.

Q.—The reason why you showed them was because you did fear arrest for alleged shortages?

A.—I certainly did.

Q.—My learned friend drew your attention to your being in Halifax at one time with Mr. Miller?

A.—Yes.

Q.—When was that?

A.—In November I think. I do not really remember the date.

Q.—Last year were you in Halifax with Miller?

A.—Yes.

Q.—When did Miller go?

A.—Miller went to Halifax a week or ten days or perhaps longer before I did. I went to Halifax on a Red Cross boat. I left here on a Saturday. I think I was in Halifax 36 hours and returned by the next Red Cross steamer.

Q.—Did you request Miller to communicate to Sir Richard Squires on your behalf?

A.—No.

Q.—Did you negotiate with Sir Richard with reference to these matters?

A.—No.

Q.—Neither directly or indirectly?

A.—No.

Q.—It was suggested here that Miller sent a wire to Sir Richard?

A.—I knew nothing about it.

Q.—If he had wire, did he do it with your knowledge?

A.—He did it without my knowledge.

Q.—Did you know that Miller had sent a message until you learned it here from the examination?

A.—No, not till I learned it here.

COMMISSIONER—I do not think it was stated here that he sent a message it was just mentioned hypothetically.

A.—I never authorized or sent any such message. If a message was sent, MR. HOWLEY—Did you send any message to Miller?

A.—Yes.

Q.—When did you send it?

A.—That was after my return home from Halifax. I replied to an enquiry from Miller.

Q.—Is that paper amongst your others?

A.—It is and can be had. It had reference to Sir Richard Squires asking me to meet him.

COMMISSIONER—If that document is in existence have it produced.

MR. HUNT—Was there a Board of Control when you were in the Controller's Department?

A.—I meet a Board of Control. I understand there was a Board of

Control when I went there but they never met me.

Q.—If there was a Board of Control in existence you never saw them? Is that correct?

A.—I never saw them.

Q.—You never met them?

A.—I never met them in connection with the Department.

COMMISSIONER—Does the Statute call for any such body, Mr. Hunt?

A.—Yes, Sir.

Q.—In this same Act?

A.—No, sir, a later one. I think 1917.

Q.—I have here the Acts of 1915 and 1916.

A.—I think it is in the Act of 1917.

Q.—It was a body called the Board of Control and being a Board of Control it did not control the Controller.

MR. HUNT—Did they control the Department?

A.—At no time did I see them nor have any connection with them.

Q.—You spoke this morning about the acceptance of commissions from persons who sold liquor to the Controller's Department?

A.—Yes.

Q.—And you did accept commissions from these persons but these commissions were not on any fixed scale but would depend on the generosity of the party?

A.—Yes.

COMMISSIONER—Did you find that in the Statute?

A.—No, sir.

Q.—Where did you get your authority to do that?

A.—I don't think I said I had authority.

Q.—Well, what do you think now—you don't think it was right?

A.—No.

Q.—But you did it?

A.—Yes.

MR. HUNT—This is the Act, Mr. Commissioner.

COMMISSIONER reads the Act.

COMMISSIONER—While you were acting as Controller they did not superintend your Acts?

A.—No, Sir.

MR. HUNT—Was there any rules and regulations published?

A.—Prior to my going into the office, yes.

Q.—Did you carry on your duties having due regard to the regulations?

A.—I don't think I acted on the Rules and Regulations very much.

COMMISSIONER—Q.—You interpreted in your own way?

A.—Yes, there were different opinions about them. There was no official interpretation given me of the Rules and Regulations and I considered that the Act justified me in carrying on as I did.

Q.—I was asking about the commission—you said you did receive amounts from all, or a great number.

A.—The greater part of them.

Q.—I take it that you would get an invoice of this figure and you would give a cheque.

A.—The invoice would be given to the accountant who would make out a cheque for the amount of the invoice as presented by the shipper direct to the Department of Controller, and the cheque would be paid from the Department funds through the Bank of Montreal.

Q.—Then the commission you received was deducted from those cheques?

A.—At no time did I receive any commission on any moneys paid on the Department cheques.

Q.—Nothing was taken off the Department cheques. The cheque was paid in full and then you would receive your commission?

A.—For instance, a man might be agent for White Horse Whiskey. He would order a thousand cases of whiskey, and the sale price would be invoiced to the Department and go into the hands of the Accountant who would draw a cheque, get the draft and forward it to the firm in Scotland. That would be the procedure. As to the payment of the commission, it may be a matter of some time later. It may be a matter of weeks or some months before the commission would be paid.

Q.—What I want to ascertain is this. Do you know of your own knowledge of any commission upon which your commission was computed and added to the cost of the liquor on the other side?

A.—The prices would be sent to me by the agents. The prices fluctuated considerably. The prices submitted on the different brands of whiskey would not always be the same.

COMMISSIONER—The prices fluctuated. But I suppose if an agent had an order from you and paid you a commission on if the next time you gave him an order he would give you a price to cover that?

A.—I had no connection in that manner of commissions.

Q.—In fixing the price wouldn't he say, this time I must remember what Mr. Meaney expects.

A.—I have no more knowledge of that than Mr. Hunt or anyone else.

Q.—No more knowledge than any of us, the knowledge of common sense.

MR. HUNT—All these commissions were paid to you in cash?

A.—Yes.

Q.—Reference has been made to some possible commission between Mr. J. Miller and yourself?

A.—Yes.

Q.—I want to ask you definitely and straightly if any of these amounts that were paid by you to Miss Miller, went with your knowledge to Mr. Miller or anyone else?

A.—I have no knowledge what Miss Miller did with the money after she got it from me, up to the investigation I did not know that Mr. Miller knew anything about it. Nothing further did I do. I don't know if Miss Miller knew anything about it.

Q.—There was no connection between Mr. J. Miller and yourself?

A.—No, I swear that there was no connection and no suggestion of a connection. None whatever.

Q.—Did you say that Miss Miller said these amounts were wanted for Sir Richard Squires?

A.—Yes, and she got them.

Mr. Meaney reads letter of suspension dated June 26th, 1923.

Q.—That is the actual letter?

A.—Yes, sir.

Q.—There was a telegram you said you had sent with reference to meeting Sir Richard?

A.—Yes.

MR. HOWLEY—One moment, I have no desire to exclude from this enquiry any matter which will show light on the subject, but I think I must, in justice to my client, take the position that any message that transpired between Mr. Meaney and Mr. Miller be not put in evidence.

COMMISSIONER—It would not be in evidence at all if it had not been broached by you. But having been mentioned by you I am only now considering how far the relations between Mr. Meaney and Mr. Miller relates to it. You suggested that Mr. Miller might have a connection with Sir Richard Squires and you asked Mr. Meaney if he was himself a party to the communication. Now here is a document which shows that there was some communication between Mr. Meaney and Mr. Miller. Isn't Mr. Hunt entitled to clear up this? There was a communication but not the one you referred to.

MR. HOWLEY—I asked with regard to a communication with regard to Sir Richard Squires. We now have the question as to a communication between Mr. Meaney and another party, who is not in any way connected with or associated with Sir Richard Squires.

COMMISSIONER—We are told that it had reference to a meeting with Sir Richard Squires.

MR. HOWLEY—Possibly sir, but how can that be evidence against Sir Richard?

MR. HUNT—It is not evidence against him.

COMMISSIONER—It is not put in that way. You raised the question yourself as to the communication between these two gentlemen that this document which passed between them on that very subject ought to be put in. Perhaps if you pressed the question you may be technically right.

MR. HOWLEY—I believe that I am technically right. I do not want to do any pressing. I do not want to exclude anything but I do reserve to myself the right to question upon it. I imagine that I am about to be confronted with a message that I know nothing of. There is no evidence to connect my client with it.

COMMISSIONER—Your own suggestion was that there was the evidence. Your suggestion was that Mr. Miller was communicating with your client on the instructions of Mr. Meaney.

MR. HOWLEY—I enquired not suggested.

COMMISSIONER—Do you think it is of sufficient importance to press Mr. Hunt?

MR. HUNT—I think so sir. My learned friend in his cross-examination had a letter or a telegram.

COMMISSIONER—A piece of paper.

MR. HUNT—Yes, a piece of paper and he asked Mr. Meaney was it correct that he and Mr. Miller had some message about meeting Sir Richard Squires and Mr. Meaney said no. I asked him to-day if he was in Halifax with Mr. Miller and he said yes and I asked him if there was any message while he was in Halifax or dealing with the time he was in Halifax as to the meeting between Sir Richard and himself. I have no desire to press the matter but I think it should be brought before the Commissioner.

COMMISSIONER—Well, then it shall be. Will you read that message Mr. Meaney.

WITNESS—The first part of this is private business.

COMMISSIONER—I think Mr. Howley is entitled to have the right to look at it and if he is content to have it left out I am sure I shall be.

MR. HOWLEY—I am quite satisfied to leave it out.

MR. HUNT—What is the date.

A.—November 4th, 1923.

Q.—This is a reply to a message received from Mr. Miller. Have you got the one you received?

MR. HOWLEY—I should like to say sir, if this is a reply surely we ought to have the message to which it is a reply?

COMMISSIONER—Have you got it Mr. Meaney?

A.—I have not got it in my own possession but I could obtain a copy of it from the Telegraph Office. I

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(To be Continued)

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