

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?

A—Most decidedly.

MR. HUNT—In what way?

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, 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 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?

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 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—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.

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 now 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 Commission.

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

am quite sure I have not got it myself as I did not consider it was worth keeping.

COMMISSIONER—I think you ought to obtain the message before you read the reply. You might bring it at 11 o'clock to-morrow morning. Have you found your appointment?

A—No, Sir.

COMMISSIONER—One of the things that we were very anxious to see was your appointment. Do you think you could get that?

A—Yes, Sir.

MR. WARREN—We have it here sir.

COMMISSIONER—Just look at that and see if you think that is a copy?

WITNESS—Yes that is a copy of my appointment dated August 11th, 1920.

MR. HOWLEY—I would ask to have it read.

COMMISSIONER—If you give it to me I shall read it.

MR. Meaney's appointment is read.

COMMISSIONER—(Pausing while reading appointment)—Did you read this Mr. Meaney?

A—Yes, I read that before.

Q—Had you forgotten it when these persons came with the commissions?

A—I am sure I could refer to it.

Q—Then it was not a matter of forgetting it, it was a matter of delaying it?

A—(Witness shrugs his shoulders).

Q—I don't suppose you can tell me that you interpreted the Act as allowing your commission. You did, in fact, take these presents to a considerable sum?

A—Yes.

Appointment dated August 11th, 1920 put in and marked exhibit.

MR. WINTER—That is all at present.

COMMISSIONER—Would you like to call any other witness, Mr. Howley and would you like my assistance in doing so?

MR. HOWLEY—I might like your assistance, Sir. But I would ask now if you would be good enough to give me until Monday to prepare my case. Just now I am ready to examine Mr. Curtis.

COMMISSIONER—I am rather loathe to adjourn from now until Monday and if a witness like Mr. Curtis can be called here to fill up the time in that way, by all means let that be done. Can you call witnesses to-morrow?

MR. HOWLEY—You see sir, my time has been so engaged in dealing with the subject matters I have not had an opportunity to go into anything more than an outline of the other story and that has been sufficient to show me that I shall have to call on numerous records. Since I have come into court I have acquainted myself with the fact that I have to go through the bank accounts of Sir Richard Squires and his office for a period of about three years. That work is being done so far as I know. It is not quite finished. I am hoping to have it every day. I am asking for this postponement until Monday I am not asking for it in undue delay. I am asking it for the purpose of informing myself of matters lately come to my notice and in asking you I am mindful of the fact that such opportunity of preparing my case now will shorten any delay later.

COMMISSIONER—I am here to carry on the enquiry at the highest speed possible and I don't think it quite right to have a day of idleness if I can help it by calling some other witness and so be getting on with the enquiry.

MR. HOWLEY—I shall not ask for more time. If you can give me until to-morrow I shall do my utmost to begin to-morrow.

But when I say that I do not anticipate that I shall be ready, I may as well say frankly.

COMMISSIONER—I do not want to bring everyone here to-morrow if you think you are not going to be ready. I would rather say that I could not sit again until Monday. What do you say to that, Mr. Attorney?

MR. WARREN—We have no objection for an adjournment until Monday.

(To be Continued.)

Ladies' Tan Hockey Boots
\$6.00 at SMALLWOOD'S.
dec24,tf

In for Repairs

SHIP HAS STEERING GEAR OUT OF ORDER.

S.S. Eskridge, 24 days out from Fowey, England, arrived in port yesterday morning for repairs to her steering gear and other machinery, damaged during a violent storm. The ship has a cargo of Chinese clay and is bound to Philadelphia. According to Lloyd's Register, the Eskridge is a steel screw steamer of 3,194 gross and 2,167 net tons. She was built in 1912 by W. Pickersill & Sons Ltd., Sunderland, and is owned by the North of England S.S. Company, Ltd., Crosby Magee & Co. managers. The ship is 331 feet long, 48.2 feet beam, and 23.2 deep.

SPECIAL TO HOUSEKEEPERS—Jam in Bulk, bring your crocks; 25c per pound. Choice Apple and Partridgeberry. STEWART'S FANCY BAKERY, Water Street, East.—Jan10,tf

Job Wool Underwear Very Special Quality



We have just received a shipment of All Wool Underwear, which we are selling at an exceptionally low price.

The present cold weather will make this piece of store news doubly interesting.

Very special quality, of English manufacture, made especially for the British Army.

Here you have quality Underwear, warmth giving, without extra weight, that can be worn in comfort by anyone.

Perhaps you have let the matter slide until now, you can make amends here, at a price that will astound you, for such Quality Underwear. We think, the climax of value giving in Underwear has been reached, when we offer you such value as this, at a price you seldom see equalled.

We have a full assortment of sizes from 34 up to 44 inch. These would be special value for \$2.50.

\$1.89

The Royal Stores, Ltd.

Great Mark-Down Sale!

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ON
REMNANTS,
DRESS
GOODS
and
COATINGS.

We are offering exceptionally low prices on the following goods—

Misses' and Children's Spats, 10 button, - 79c pr.
In Black, Grey, Brown, Navy.

Ladies' Cloth Spats, 10 and 12 button, - 99c pr.
In Black, Fawn, Navy, Brown, Grey.

Ladies' Rubbers, first quality, spool heel, 49c pr.

Canvas & Linoleum Mats, asstd. sizes, 26c to 1.65 ea.

Blouses, - - - 98c, 1.19, 1.59, 1.99, 2.99

Middy Smocks and Blouses, 59c, 89c, 99c, 1.39

Ladies' Hats and Tams, - - - 59c, 99c

Wool Scarves, - - - 79c, 98c, 1.10, 1.25

Wool Cap and Scarf Sets, - - - 1.29 set

Wool Flannelette Scarves, - - - 49c, 59c, 1.29

SPECIALS

BOYS' BRACES 18c, pair
MEN'S BRACES 29c, pair
COMBINATION CLOTHES HANGERS 23c, set
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MEN'S BACKFOLD CAPS—Large sizes 1.70 each

Ayre & Sons
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Fashions and Fads.

White satin is used for the collar and cuffs of a frock of black velvet finished at the hem with a deep band of brown fox.

Alternate bands of rep with their weaves running in different directions and inserts of pleated crepe make a charming sports frock.

Emerald green crepe de chine lines the overskirt of a tightly wrapped

gown of gold lame with gorgeously jeweled girdle.

The fashionable boucled effect is achieved on a black satin suit by bands of imitation broadtail which accends to point in front.

Two rhinestone buckles mark the low waistline of a frock of crepe-back satin trimmed with bands of the reverse side of the material.

MINARD'S LINIMENT
FOR NEURALGIA.
dec24,tf

EXPRESS PASSENGERS.—The following passengers are on the incoming express, having left Port au Prince 4:45 p.m. yesterday—E. Ford, J. Maddigan, T. Snow, Miss L. Harvey, Miss P. Seymour, Mrs. R. Mosdell, L. Mosdell.

Barratts English medium priced Boots and Oxfords for Ladies' and Gent's at SMALLWOOD'S.

dec24,tf

Susu in Port

S.S. Susu, Capt. Roberts, arrived from ports as far as Change Island on Saturday. The steamer, which was put into Port au Prince, was reported short of fuel. At the time she had been replenished the assistance of the tug John G. port was made without further delay. The Susu towed to port schooner C. A. Rossmussen from C. tima. She brought a part cargo of oil and two passengers, Miss Moore and Cobb. The Susu has completed her charter and will now up for the winter.

"K" Boots, Brogues, Pumps at SMALLWOOD'S.
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for