

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

(Continued from page 5.)

the bank statements; but the statements you made and which were sent in to head office in Sydney from Wabana, that was what was doctored up in this case?

A.—No, sir. It was not doctored. COMMISSIONER—He has already said that nothing was doctored.

MR. LEWIS—Well, I don't see how he could explain the discrepancy between the bank balance, as shown by the bank statements, as it must necessarily have been shown.

COMMISSIONER—He says he does not know. The suggestion he makes is, the people in Sydney were hiding it, or that they did not see it.

MR. LEWIS—There was nothing on the statement to prevent their checking it, and if they did check it they would have found nothing they did not know?

(Witness' answer could not be heard.)

COMMISSIONER—He did not cover it, because it was covered already, according to him. We shall, I think, be better able to judge of those things when we see the documents, which, with Mr. Knight's kind co-operation, we may see. (To Witness): Who would be the person at Sydney before whom these monthly returns would go?

A.—Mr. A. S. Tasman.

Q.—And if he found anything that wanted a little explanation, to what person would he go at Sydney?

A.—He was chief accountant.

Q.—Was there a general manager or a managing director there? Who was head?

A.—Mr. McDougall was manager.

Q.—So that Mr. Tasman would likely go to Mr. McDougall?

A.—Either to him or to Mr. Gillis.

MR. LEWIS—How many workmen did you have at Wabana, Mr. Miller, say in August, 1920?

WITNESS—We had about 1200 or 1400.

MR. LEWIS—And that meant 1200 or 1400 pay roll cheques every month?

A.—Yes. Upon the Bank of Nova Scotia at Wabana.

Q.—And were these workmen all residents of Wabana? Or a large number?

A.—About 40% were transient.

Q.—Coming and going?

A.—Yes. New men taken on and old men dropping off.

Q.—And those dropping out would drop out generally at the time the pay roll cheques were given out, would they not?

A.—Not necessarily. They used to give eight days' notice, regardless of pay day and generally left the island.

Q.—Has it not happened in a good many cases that cheques issued were not actually presented at the bank and returned to your office until later, say a month later?

A.—There may have been a few.

Q.—And would a man leaving at the end of eight days carry with him all his earnings up to the date of leaving?

A.—Yes.

Q.—He would get his cheque as he left?

A.—Yes, with his discharge slip.

Q.—Mr. Miller, do you think that Mr. Tasman can supply all the information necessary about your office?

A.—Yes.

MR. LEWIS—I think you testified that you surrendered to Sir Richard Squires various cheques representing the various transactions. (Appended are cheques which were identified by witness and marked and put in evidence):—

August 7th, No. 1154	...	\$ 5,972.75
August 14th, No. 1155	...	5,000.00
August 16th, No. 1156	...	5,000.00

Q.—It is now nearly three years since this cheque for two thousand dollars was given to you as a voucher for your sister and all that time you do not know to whom you owe it?

A.—I paid it to my sister.

MR. LEWIS—That is what you did with the money; we want to know what you did with the cheque?

A.—I can get it from my sister and let you have it to-morrow.

COMMISSIONER—That will not do; she can tell about it herself.

MR. LEWIS—Did you give any promissory note at the time you borrowed that \$2000?

A.—I do not remember.

MR. LEWIS—I suppose you walked up to some good friend and asked him for a loan for a few days?

COMMISSIONER—No, that would not all the bill. You mean for a few years. Can that really be done in Newfoundland. One can go to a friend and ask him for a loan of a couple of thousand dollars for three years, need not pay him any interest, and his friend will hand over the money? I expect there is a snag somewhere.

MR. LEWIS—Did you make a memorandum of it?

A.—If I did I do not remember.

Q.—You are testifying only from memory as to all these transactions?

A.—Yes.

Q.—Did your sister tell you or did you tell her of the use to which this two thousand dollars was to be put?

A.—I do not remember anywhere in particular about the two thousand dollars, other than the total.

Q.—You have included this cheque for \$2000 in the lump sum of \$46,000 and which you claim was a part of that amount, and you also claim that Sir Richard Squires received; and all you are able to say about it is that the \$2000 was turned over by you to your sister and without any knowledge whatever as to the use she was to make of it. You say it was borrowed from a friend; that you made no record of it; you cannot remember the name of your friend and you have no recollection as to the purpose it was turned over to your sister for?

A.—At the present moment I cannot remember. The forty-six thousand dollars covering all those cheques were verified and put to the credit of Sir Richard Squires' account.

Q.—By whom were they verified?

A.—By Mr. Meany first, and by Mr. Tasman and Mr. Kempton, the Sydney Auditors, afterwards.

Q.—Was there included in that statement the item of \$380 represented by this cheque?

A.—Yes, I think so.

Q.—I think you testified that that item represented some expenditure made by you of some character. Is that true?

A.—Yes, that was in connection with the Bay de Verde bye-election for sending the men home to vote.

Q.—When was that expenditure made?

A.—Likely in 1920.

Q.—Have you any recollection when it actually occurred?

A.—My recollection that the Bay de Verde bye-election took place in the early part of June, 1920.

MR. LEWIS—Had you made any claim or submitted any statement to Sir Richard of that expenditure in that connection at that time?

A.—My sister brought me a blank cheque to cover them all, but it was so much later that I did not know if it would be good or not then, so I advanced the cash. I had two alternatives: to make the payment on pay rolls or pay it myself; so I paid it myself.

Q.—Did you make a record to whom you paid the money?

A.—Yes, I got a receipt from Mr. Cramm for it. It is home, but I can find it.

COMMISSIONER—I would like to see it.

Q.—Was that bill rendered to you shortly after June 1920?

A.—I am not sure about the dates, but it was sometime after.

Q.—In what way was it paid?

A.—In cash.

Q.—And you never have been reimbursed down to March 19th, 1921?

A.—No.

Q.—Had you ever made any demand or claim upon Sir Richard Squires or any other person for re-payment to you of that \$380?

A.—I am not sure that I did.

Q.—Had you asked anyone to refund that money to you?

A.—I mentioned it to my sister.

COMMISSIONER—She was managing the affairs of Sir Richard's office. Did you ask her to refund it or did

you only tell her that you had paid it?

A.—I told her how much I had paid and left it at that.

A.—I am not sure.

MR. LEWIS—Did you at any time submit to Sir Richard Squires any statement for the money you paid out for his benefit and supported by vouchers or receipts sufficient to establish that as a liability in your favor and against Sir Richard Squires?

A.—Except the total amount for \$46,000.

COMMISSIONER—It is about the \$380 you are being asked?

MR. LEWIS—Did Sir Richard ever promise to pay you this money at any time?

A.—On the afternoon when I brought out the cheques for \$46,000 he said he did not want to be known in the matter, but that he would arrange the \$380 all right.

Q.—When he admitted the bill what did you say?

A.—He totalled up the cheque for \$46,000 and said he would arrange to meet the \$380.

Q.—Did you tell him that there was \$380 personal money which you had paid out of your own pocket for him or on his account, and for which you had been reimbursed?

A.—I do not remember.

Q.—You are not willing to swear that you did.

A.—I might have done so.

Q.—You say he went through various cheques?

A.—And checked them all over.

Q.—Did he not discuss with you the use that had been made of the various sums of money?

A.—No.

Q.—That was in no event, or in any manner a liability for which the Daily Star Publishing Company could be held to account, was it?

A.—I did not know this Daily Star matter at all.

COMMISSIONER—Mr. Miller will please return to the box.

MR. LEWIS—Were you ever in the drug business, Mr. Miller?

A.—Yes, sir, at Wabana.

Q.—Did you have a drug store there?

A.—I had one on third interest.

Q.—A partner, were you?

A.—A silent partner.

Q.—Just what does that mean in your understanding of the term Mr. Miller?

A.—One third interest.

Q.—Did your name appear in the firm?

A.—No, sir.

Q.—What was the firm name?

A.—The Bell Island Drug Store.

Q.—Who were the partners?

A.—Dr. Giovannetti was manager, and a partner and Mrs. Brown was also a partner.

Q.—The business was carried on in the name of...

A.—The Bell Island Drug Store.

Q.—Have you still an interest in that firm?

A.—No, sir. I sold out last year (in July, 1923).

Q.—Then in regard to your connection with your business the public was not aware of the fact that you had an interest, nor of the fact that you were a silent partner?

A.—The people at Bell Island knew that I had an interest in it.

Q.—And you were not so silent as you expected to be. I think you recalled this \$2,000 cheque on March 19th 1921 given you by your sister, signed by her as attorney, in fact, for Sir Richard Squires, do you not? One of the series of cheques that you identified yesterday. This cheque (shows witness cheque) does that represent the amount of money that you borrowed from your friend?

A.—This was a cash transaction.

COMMISSIONER—Can't you say yes or no to the question? Does that represent the amount of money you borrowed from your friend?

The Greatest Action Picture Ever Made—at the NICKEL TO-DAY

SELZNICK PICTURES Present

"OWEN MOORE" in "REPORTED MISSING"

A Thrill Drama—A Laugh Drama—7 Wonderful Reels 7

SHIPWRECK SCENES

that make your heart beat faster.

A SEAPLANE & SEA SLED

race that is easily one of the biggest thrills ever presented on the screen.

THURSDAY—HELENE CHADWICK, in "GIMME!" the great Domestic Comedy Drama, by Rupert Hughes.
COMING—Mile-a-Minute Serial Story: "THE YELLOW ARM."

Great Heart-Interest Story At the CRESCENT TO-DAY.

METRO Presents
GARRETH HUGHES
in the story of thrilling interest
"FORGET-ME-NOT"
Produced in 7 Big Acts 7.

NEXT FRIDAY BIG SPECIAL CONTEST.

Watch for our New Serial—Ruth Roland in "THE YELLOW ARM"—15 Weeks 15

WEDNESDAY NIGHT NEXT
WONDERFUL BIG
LOCAL VAUDEVILLE SHOW.
Singers—Dancers—Musicians
Comedians—All New Programme.

WITNESS—Do you wish to get the disbursements?

COMMISSIONER—You have told us that you borrowed \$2,000.00 from a friend can you tell us does that cheque represent the \$2,000.00 that you borrowed from your friend?

A.—Yes.

MR. LEWIS—Does the date upon the cheque, March 19th, 1921, indicate to you that the loan which you negotiated with your friend was at or about the same date?

A.—It was made up of two or three different amounts.

Q.—Then it does not represent the \$2,000.00 that you borrowed from your friend?

A.—The total, yes.

COMMISSIONER—He says now that he borrowed it at different times. The \$2,000.00 was borrowed in several sums?

WITNESS—In two or three amounts.

COMMISSIONER—Were they all from the same friend?

WITNESS—From two parties, I think.

MR. LEWIS—Then you had two friends?

A.—Yes.

Q.—Can you tell me how much you borrowed from each friend?

A.—About \$900.00 from one party and about \$1100 from the other.

Q.—Why do you say about \$1100?

A.—I borrowed about between \$900 and \$1100 from one, and between \$1000 and \$1100 from the other.

Q.—You are not able to state the exact amount from each friend?

A.—Not exactly.

Q.—Now, you made no memorandum at the time of the amount that you borrowed from either friend?

A.—No.

Q.—And you gave no promissory notes either?

A.—It was all cash.

Q.—Did you give anything in the way of an I.O.U. or a memorandum of any character?

A.—I might have given him an I.O.U. at the time. I am not sure.

Q.—You kept no copy of it, if you did, I assume?

A.—No.

Q.—Are you prepared at this time to give us the names of the friends from whom you borrowed the money?

A.—Mr. R. G. Ross of Bowring Brothers was one.

Q.—How much did you borrow from Mr. Ross?

A.—Between \$900 and \$1000.

Q.—Will you give us the name of the other friend from whom you borrowed the balance?

A.—It was one of the merchants at Wabana.

Q.—That does not inform us as to which particular one. I suppose there were several?

COMMISSIONER—What was his name?

A.—Mr. Martin.

MR. LEWIS—Is that your testimony, that you borrowed from Mr. Martin between \$1000 and \$1100?

A.—To the best of my recollection, yes.

Q.—And now can you tell us any more specifically when you borrowed these sums?

A.—No.

Q.—And you are still unable to fix the date with any definiteness?

A.—My sister would likely have a record of it.

Q.—If that sum of money was borrowed, the next step would be to turn it over to your sister, would it not? It was borrowed for her use in connection with Sir Richard Squires' office.

A.—In the first case I was called to St. John's by my sister on a Saturday afternoon.

Q.—What month?

A.—My sister could likely tell.

Q.—In 1921, was it?

A.—Likely in 1921.

Q.—Was it prior to the receipt by you of the \$2,000.00 cheque?

A.—The cheques were all given to me together afterwards.

COMMISSIONER—Then that was prior, my sister called me to St. John's on a Saturday before March 19th, 1921.

WITNESS—Saturday afternoon. To pay the Daily Star wages.

MR. LEWIS—And this \$2,000.00 was borrowed from your friends and turned over to your sister on this Saturday?

A.—Between \$900.00 and \$1,000.00.

Q.—And when was the balance turned over, and under what circumstances?

A.—It was to cover the balance of the Bay de Verde bye-election.

Q.—How much was that balance?

A.—We sent home about 300 men averaging about \$2.50 a day. It would likely be between \$2,000.00 and \$2,500.00.

Q.—These men were sent home to vote?

A.—Yes.

MR. LEWIS—That was money of your own, Mr. Miller that you expended?

A.—Clear of what I had borrowed.

COMMISSIONER—You spent some and borrowed the rest. Is that what you mean?

A.—Yes.

MR. LEWIS—How much of your own money did you expend?

A.—It must have cost me about \$700.00 or \$800.00.

Q.—Was any of the money of the Dominion Iron and Steel Company expended by you for election purposes at that time?

A.—Nothing clear of that cheque.

Q.—Does that cheque represent any money that belonged to the Dominion Iron and Steel Company expended by you for election purposes?

A.—No, that cheque was separate.

Q.—This cheque then is what you originally said it was, borrowed money?

A.—Yes.

Q.—Does the money that you expended for sending the men home, or any part of that money represent money that was the property of the Dominion Iron and Steel Company?

A.—No, the balance was my own.

Q.—You testified yesterday, I think, that there was money due and owing to you on March 19th, 1921, for expenses incurred in connection with the Bay de Verde election amounting to \$380, and my recollection is, that you stated that that money was money that you expended in connection with the Bay de Verde election.

A.—That cheque for \$380, yes.

Q.—Will you be good enough to explain how it happens that you had one cheque for \$380 representing monies advanced by you in connection with the Bay de Verde bye election, and another cheque for \$2000 a considerable part of which you say also represented expenses incurred in connection with the Bay de Verde bye election?

A.—A part of that cheque was the balance for the Bay de Verde bye-election.

Q.—Why did you not get a cheque representing the entire expenditure?

A.—Because I had to give Cramm this amount.

Q.—Then you paid it to Cramm prior to the receipt of this cheque?

A.—Yes.

COMMISSIONER—I think you told us yesterday that you had a document or receipt from Mr. Cramm, did you find that?

A.—No, I could not find it, but Mr. Cramm can confirm it.

MR. LEWIS—There was no particular reason for keeping a separate account of monies that you paid to Mr. Cramm, from monies that you paid to other people, was there?

A.—No more than that all the bills were not put in at the time.

Q.—Can you tell us just how much money you expended or claim to have expended in connection with the Bay de Verde bye-election, for which you required repayment from Sir Richard Squires?

A.—There was \$1000 on the \$2000 cheque and \$380. That was all that was outstanding.

MR. LEWIS—Now, will you honour turn to your notes, and see if Mr. Miller did not say only five minutes ago that he spent between \$2000 and \$2500 sending these men home to vote. Now his last answer is that the total amount was \$1380.

COMMISSIONER—You have also told us that the total amount spent to send the men home was between \$2,000.00 and \$2,500.00. How was the balance paid?

A.—It was never paid. It is still outstanding.

Q.—To whom is it due?

A.—To me.

MR. LEWIS—How much is still due to you on that account?

A.—There would be about \$800.00 of \$900.00.

Q.—And the election occurred in June, 1920?

MR. WARREN—The election was in June 1920.

COMMISSIONER—It is agreed that the election was in June 1920. If you can agree upon that it will be all right.

MR. LEWIS—It is agreed that it was on June 24th. Are you still of opinion that in March 1921, and in the fact that a date considerably later than March 1921 you received a cheque from your sister.

COMMISSIONER—It can't be later than March.

MR. LEWIS—The cheque is dated March, but.....

COMMISSIONER—These cheques were changed for the Daily Star cheque which is itself dated in March 1921.

COMMISSIONER—Nine months after the election had some of the bills not been given in?

A.—They were all paid by myself.

Q.—If you paid the bills before March then the question still was, answering, why did you not include the cheques for the balance?

A.—Because when Sir Richard arrived home the amount was completed for \$46,000.00. It was held up.

Q.—When he came home you agreed with him on a figure of \$46,000.00. Why did you not include all the sums that you had expended.

A.—That was all the records that Miss Miller had at the time.

Q.—Had you not got the bills?

A.—No, I just had the memo.

Q.—Why was your memo not complete showing all you had paid.

A.—Because I was trying to get the first amounts paid first.

Q.—You included the \$2,000.00 and the \$380.00 and what I don't understand for the moment is, why you did not include the eight or nine hundred dollars which you say is still left outstanding. Can you give us any reason why that was not included at the time when you got the \$46,000.00 other cheque?

A.—I don't know why I didn't put it in, sir.

MR. LEWIS—You never called upon Sir Richard for the payment of that nine hundred or eight hundred dollars, you never put in any claim for it?

A.—No.

COMMISSIONER—(Repeating)—"I have never made any claim for the balance."

MR. LEWIS—The claims represented by the \$2,000.00 cheque, I suppose you turned over to your sister at the time you got it, did you not?

A.—The Daily Star amount was turned over to my sister.

Q.—The balance, when was that turned over?

A.—That was paid at Wabana.

COMMISSIONER—Did your sister give you any documents regarding the transactions?

A.—No.

MR. LEWIS—Did you turn over to your sister at the time the cheque was issued to you, any memo, any written evidence of your claim against Sir Richard aggregating \$2,000.00 at that time?

A.—No.

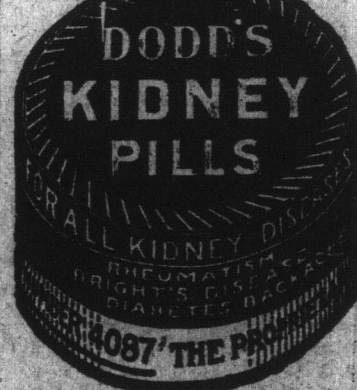
Q.—And she issued the cheque to

The Kodak Stores Developing and Printing

Service is the best in the city. You like to see the result of your "snapping" as quickly as possible, don't you? Well—The Kodak Store gives prompt and perfect work in the shortest possible time.

If its service, speed and satisfaction you're looking for, bring your roll films along to us.

TOOTON'S The Kodak Store
Water Street 'Phone 131



BILLY'S UNCLE

