

# PROGRESS.

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## FIFTY THOUSAND GONE.

Three Banks Lose That Amount of Money by Discounting Forged Notes—Many Names Used.

When Judge Ritchie entered and took his seat in the police court Wednesday afternoon, a minute or two before half past two o'clock the small number present would not indicate that any particular interest was being felt in the preliminary examination of so prominent and well known a citizen as Frederick S. Whittaker, who stands charged with one of the most serious crimes a business man can be guilty of.

The unusual secrecy that had hovered around the proceedings may account for the absence of the usual curious crowd. When PROGRESS looked around the clerk, Mr. Henderson, was seated at his desk and two or three of the usual assortment of constables lounged near the doors. Inspector of buildings Maher was reading the morning paper and two or three gentlemen from Nova Scotia, witnesses in the case, were seated within the railing. Just then the portly form of President Manchester of the Bank of New Brunswick appeared in the area usually assigned to spectators. Police courts are not common with this gentleman and he may be excused for taking a seat upon the prisoners bench which he quickly changed when a heaving constable informed him of his error. Recorder Chas. N. Skinner and Judge A. I. Trueman were observed sitting about in the ante rooms and soon entered the court room accompanied by Manager Schofield of the Bank of New Brunswick. Mr. L. A. Currey then followed and Sergeant Hipwell left the room with an order for the accused. He soon returned and Mr. Whittaker was with him. Without glancing at any person he took a chair near Mr. Currey and kept his eyes upon the floor. His face spoke of the fearful strain he has been under, and those who have known and respected him for years felt the greatest regret that he was in such a position.

The charge was not read because it had been on a previous day but in brief it was an information laid by the Bank of New Brunswick through its manager that F. S. Whittaker had issued forged notes and had them discounted in the bank. Several of them were produced in the court and three merchants from Nova Scotia, Messrs Smith of Windsor and S. A. Crowell of Yarmouth were present to give evidence. The Messrs Smith do a shipping business in Windsor. It seems they operate individually and in partnership. The names of Chas. De Wolfe Smith, John M. Smith and Bennett Smith & Son's were signed to the notes and each of them was endorsed by Whittaker & Co. and Manager Schofield said in his information, discounted for his benefit. There was another note signed by S. A. Crowell & Co. and Mr. Crowell was there to deny that the signature was his. He agreed though that there was a decided resemblance to his handwriting and that in his opinion it was calculated to deceive any bank manager. All of the notes were made payable six months after date. This it seems is the custom in marine insurance business and this was Mr. Whittaker's business. Most of those produced in court would not fall due for two or three months but the Bank of New Brunswick has a custom of notifying the maker of a note when it is discounted of the transaction and if there is anything wrong detection is apt to follow. When Mr. C. de W. Smith was notified that his note in favor of Whittaker & Co. for \$501 dated May 17 had been discounted by the bank he knew of no transaction calling for such a piece of paper and he wrote the bank to that effect. This caused investigation and discovery.

The evidence of the Messrs. Smith and Mr. Crowell was about the same. Each and all of them denied having given Mr. Whittaker any notes and denied that the signatures were theirs. They also denied giving anybody authority to sign. Each of the witnesses signed his name on a slip of paper and it was attached to the forged note and put in evidence. PROGRESS is able to print facsimiles of those signatures and readers may judge for themselves how closely the forged and the real agree.

The notes were passed around for inspection and it was seen that in every case the body of the note was filled out by the same hand that wrote the endorsement "Whittaker & Co." The memos in the

corner of some of the notes were in the same handwriting. For example John M. Smith owns or manages a vessel called "Melba." On a note for \$450 purported to be signed by him the name "Melba" was written in the left hand corner. This would seem to indicate that the note was given for insurance in connection with

that vessel. On another note for \$601 signed by Bennett Smith & Sons the words "Nebuka, \$5,000 @ 12 per cent" were written in the corner. Messrs. Bennett Smith & Sons manage the vessel Nebuka but Mr. Smith said no such transaction had taken place.

This was about the sum and substance of the evidence. Mr. Currey who appeared for Mr. Whittaker, did not ask any questions but contented himself with making an objection or two to certain evidence. Only once did Mr. Whittaker take any interest in the proceedings and that was when the \$112 note was being inquired into. Then he leaned over and whispered

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## FACSIMILES OF SIGNATURE.

The Forgeries are First and the Genuine Signature as Signed in Court are Directly Underneath—What The Endorsement Looked Like.

*S. A. Crowell*

*S. A. Crowell*

*Chas. De W. Smith*

*Chas. De W. Smith*

*Bennett Smith & Sons*

*Bennett Smith & Sons*

*John M. Smith*

*John M. Smith*

*Whittaker & Co.*

## PROGRESS

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## SPENT A NIGHT IN A CELL.

Young O'Donnell of Halifax Arrested on Request was Not Used Right, Says the Judge.

Early visitors to the police station Thursday morning saw a tall good looking gentleman talking to the sergeant in charge upstairs. Nothing about him would indicate that he was connected with any police force, yet inquiry revealed that he was Detective Power of Halifax. He was here after Percy O'Donnell, a young gentleman who has been here for

some months and seemed to be doing some business from an office in the Walker building. O'Donnell, it seems, had been in the insurance business in Halifax and the charge against him was that he received money for a policy that he had never applied for or delivered. That may be called theft but the court may not give it so hard a name when the case comes up.

Detective King was ordered to apprehend O'Donnell on the strength of a telegram sent from Halifax to the effect that there was a warrant out for his arrest. He found him at his office and gave the young man a great surprise. There was no warrant and had O'Donnell been wise he could have given the officer a good deal of trouble. But the latter gave him every opportunity to communicate with his

friends, to send telegrams etc., before he took him to the station and after spending two or three hours in the guard room he was sent down to a cell. He protested against this and there is no doubt he was right in his protest but in this case might was right and a foul smelling den below had another decent occupant.

When the judge learned of the fact the next morning he was much annoyed and in unmistakable terms he told O'Donnell that nobody had a right to lock him up without a warrant but the police would have been quite justified in keeping him under surveillance. This was said before he endorsed the warrant presented by Detective Power. After he had done so of course Power had O'Donnell in charge and he went below to the guard room where he had breakfast brought to him.

Before this, however, he had a stormy chat with the chief of police and called upon those about him to witness his protest of his innocence and against his illegal arrest and detention. If O'Donnell is right his case is a hard one. His talk however, had no effect on Power or Chief Clarke who even at that early official hour of the morning had so far forgotten his dignity as to smoke his pipe while he issued his instructions. The young man, O'Donnell, made up his mind to make the best out of a bad case and after using the telephone said nothing more. His uncle, Mr. C. M. Bostwick, had seen him the night before and tried to get him clear but did not succeed.

## Everybody Has to Use It

McAlpine's City and County directory is out of the publisher's hands and it anything is an improvement on former years. It is carefully and conscientiously compiled with a number of new features for the convenience of those using it, and printed and bound in a finished style. The book contains an alphabetical arrangement of the streets, business directory, street directory for north, south, east and west ends. Also a list of St. John county inhabitants.



PERCY O'DONNELL IN COURT.

How the Halifax Man Looked as He Appeared in the Police Court.