

SOME INTERESTING INFORMATION ABOUT THE NOW FAMOUS TIMBER LAND STEAL

Extract From Report of the Royal Commission---Nearly \$72,000 Extorted From the Lumberman With the Connivance of Ex-Premier Flemming
Nearly \$72,000 Was Gathered in---Bill Berry Pocketed \$16,500.

The electors of New Brunswick, when making up their minds how to cast their ballots in the approaching election, should not forget the timber land steal which so shocked the province during the spring and summer of 1914. The then Premier and Minister of Lands and Mines, Mr. J. Kidd Flemming, a high minded purist who could almost make one believe that he was in league with the angels, was charged by Mr. L. A. Dugal, M. P. E., with having extorted a sum equal to \$15 per mile from certain lumber operators on their holdings of Crown timber lands. The charge was made by Mr. Dugal from his place in the Legislature, and was as follows:

"That the Honorable James Kidd Flemming, through the agency of William H. Berry, Chief Superintendent of Scalers, of the Crown Land Department of this Province, and under the direct control of the said Hon. James Kidd Flemming, in the year A. D. 1913, did unlawfully extort from divers large lessees of Crown Timber limits within the province, a sum equal to fifteen dollars a square mile of their said timber limits, over and above the amount of bonus paid by them respectively, as set forth in the fifty-third Annual Report of the

Crown Land Department of the Province of New Brunswick, for the year ending the 31st day of October, A. D. 1913, in pages 23 to 27 thereof, both inclusive, which said amounts so unlawfully extorted from said lessees amount in the whole to the sum of one hundred thousand dollars, no portion of which sum was accounted for or paid into the revenues of this province, and said moneys were extorted from said lessees and paid to the said William H. Berry, with the knowledge and consent and under the direction of the Hon. James Kidd Flemming, while occupying the offices of Premier and Minister of Lands and Mines, and all of said moneys were so paid before the lands were classified under the provisions of Chapter 11 of the Statutes of New Brunswick for the year A. D. 1913."

Mr. Dugal's charges took the Legislature completely by surprise and Premier Flemming looked for the moment as if he had been struck by a cyclone. He did not offer a word of explanation, and soon afterwards left the House. He did not appear on the following day and the explanation was given that he was ill. He turned up at an evening session a few days later, however, and brought down the bill to grant additional assistance to the railway, but still ignored the charges. He left the House after completing this task never to return.

Mr. Dugal's charges were dealt with by the House a few days later and the government, under the leadership of Acting Premier Clarke, decided to appoint a Royal Commission to probe them. Hon. Mr. Clarke stood up in his place and declared that he was authorized by Flemming to say that there was not one word of truth in the charges, a statement which he has since no doubt regretted having made.

Legislation Passed.

A special act was passed for the purpose and in due time the Commission was appointed. The late Chief Justice Barker was named chairman, but declined to act, and Judge McKeown, now Chief Justice, was appointed in his stead. Judge Wells, of Ottawa, and Mr. W. S. Fisher, of St. John, were appointed members.

Berry Crosses the Border.

The commission assembled at St. John to take evidence early in June, 1915. The night before the meeting Mr. W. H. Berry, the superintendent of scalers, met and conferred with Mr. Flemming at McAdam Junction and then took his departure for the United States. A subpoena to testify before the Commission was subsequently served on him in Boston, but he ignored it. The government, knowing that his testimony would be of the greatest importance to the Commission, did not make the slightest effort to secure his attendance. Premier Flemming re-

fused to sign a telegram ordering him to return, and the Attorney General claimed to be powerless to act. Berry wisely remained in the States until the enquiry was concluded, and then returned to the province. He was dismissed from his position, but so far as known no attempt has been made to compel him to disgorge the sum of \$16,500 belonging to the timber land fund, which the Royal Commission found that he had switched into his own pocket.

Lumbermen Bled.

Everybody will recall the meetings of the Royal Commission held in St. John during the summer of 1914, and it is therefore not necessary to recall the evidence at any great length. One after another of the big lumbermen of the province came forward and related how they had been approached by Berry and compelled to contribute large sums to a political fund. It was shown that about \$72,000 had been extorted, the bulk of which was turned over to the custody of Mr. E. R. Teed of Woodstock, a close personal friend of the then Premier, who had recommended him as a suitable person to handle the swag.

Report was Held Up.

The Commission's report, although dated "September, 1914," was not given to the public through the newspapers until November 20th. There was no explanation of the delay, but it was pretty well known at the time that it was sent to Ottawa for perusal by members of the Dominion cabinet and afterwards went on a jaunt around the province. The accused Premier was allowed to read it over so he could prepare a reply, by which he hoped to break the force of the Commission's finding. On November 20th the report was published in the newspapers.

The Commissioners found from the evidence submitted that the following sums had been extorted from the lumbering concerns named:

J. P. Burchill	\$ 2,000.00
Bathurst Lumber Co.	20,000.00
J. B. Snowball Co., Ltd.	7,200.00
Allan Ritchie	4,500.00
Sinclair Lumber Co.	3,000.00
James Robinson	2,167.50
T. Lynch Estate	1,830.00
James A. Rundle	832.50
Dominion Pulp Co.	4,500.00
Partington Pulp & Paper Co.	3,250.00
Stetson, Cutler & Co.	20,000.00
Louison Lumber Co.	2,000.00
Total	\$71,280.00

After reviewing the evidence at some length, the Commissioners in their report said:

"Having in view the testimony given by the different contributors, THE ONLY CONCLUSION THAT SEEMS POSSIBLE TO US IS THAT THE MONEY WAS ACTUALLY EXTORTED. Under the conditions which prevailed, it was impossible for any of the license holders to exercise freedom of mind or will when the proposition was made to them by Berry that the extra amount should be raised. The fact is that the request, if it can be so termed, was made by the Crown Land official to whom each license holder knew the classification of all lands was entrusted. They knew further that the decision of the same man, Berry, would prevail in regard to whatever disputes might arise between any of them and the government scaler. In each season's cut, he was the one official in the Crown Land Department whom it was absolutely imperative that each license holder should appease and placate, and all that being so, it would seem of less moment what the actual conversation was when Berry asked for the money. It was the very relationship between each donor and Berry that gave weight, in fact men-ace, to the suggestion, and accounts for the fact that so few out of all approached had strength of mind to refuse a contribution.

"All of the above indicated conversations and payments, except the ones above referred to and above excepted, took place before the orders in council classifying the lands and fixing the amounts of bonus payable under each classification.

"were being made to get moneys from certain holders of Crown timber licenses, HE KNEW FROM TIME TO TIME SUCH MONEYS WERE COMING INTO MR. TEED'S HANDS. HE SET HIS SEAL OF APPROVAL ON THE TRANSACTION BY INTRODUCING HIS CHOSEN TREASURER TO MR. BRANKLEY WITH THE WORDS, 'ANYTHING MR. BERRY TELLS YOU ABOUT THIS MAN (TEED) IS ALL RIGHT.' AT THE TIME OF SUCH REMARK THE PREMIER, WITH MESSRS. BERRY, TEED AND BRANKLEY, WAS IN HIS ROOM AT THE BARKER HOUSE, IN FREDERICTON, AND BERRY HAD ACQUAINTED HIM WITH THE FACT THAT BRANKLEY WAS ACTING FOR THE LUMBERMEN IN HOLDING THE FUND PRIOR TO ITS BEING PASSED OVER."

"In the case of the Partington Pulp and Paper Company, the Premier was aware that Berry was urging a contribution, and backed by all these facts and circumstances, the view was strongly pressed upon the Commission that Hon. Mr. Flemming could not possibly have been in ignorance of Berry's activities and of the methods he employed. THERE IS A GREAT DEAL TO SUPPORT SUCH A VIEW, BUT IN OUR OPINION IT STOPS SHORT OF SUCH SUFFICIENT PROOF AS WOULD JUSTIFY THE COMMISSION IN DECLARING THE CHARGE OF DIRECTING THE EXTORTION PROVED. THAT THE MONEY WAS IN FACT EXTORTED BY BERRY IS FULLY PROVED; THAT THE PREMIER WAS WELL AWARE THAT MONEYS WERE BEING COLLECTED FOR A PURPOSE UNQUESTIONABLY IMPROPER, IS ALSO AMPLY SHOWN. IT IS ALSO MANIFEST THAT HE DIRECTED THE DISPOSITION OF SUCH MONEYS WHEN COLLECTED, AL- SO THAT HE ACQUIRED IN THE COLLECTION OF SUCH MONEYS AT A TIME AND FROM A SOURCE HIGHLY AND GRIEVOUSLY IM-

"PROPER."

Berry Pocketed \$16,500. "Berry was not disinterested in his zeal in behalf of the unscrupulous and corrupt enterprise, but, as appears by the evidence, SWITCHED FROM THE FUND WHICH HE PRETENDED WAS BEING RAISED FOR PARTY PURPOSES, INTO HIS OWN POCKETS, THE AMOUNT OF \$16,500."

After mentioning some small payments from the fund made by Teed, the Commissioners conclude:

"With the exceptions above noted, the entire amount, which was paid over to Mr. Teed as aforesaid, was in Mr. Teed's possession at the time he gave evidence before the Commission, and he is now, or then was, holding the same as a fund to be used in the interests of the Local Government party in the province."

AND HE GOT IT.

"Just a moment," interrupted The Man, patiently. "I may have an objection to testing this article you are trying to substitute, all other things being equal—but are they? For example, what I want can be used internally for coughs, colds, sore throat, cramps, chills, etc., as well as externally for sprains, strains, muscular rheumatism, various other aches, pains and almost any soreness anywhere. Now can you guarantee me this double value of internal and external use? Can you also guarantee that yours is the favorite prescription of an old family physician? Do you also guarantee that it has a wonderful record of over 100 years of splendid success? Do you also guarantee—"

"Oh, of course," interposed the now embarrassed storekeeper, "I can't guarantee all that, but—"

"Then," said the Man wearily, "give me my bottle of Johnson's Anodyne Liniment and let me be on my way."

And he got it.

Mr. O. G. Kelly of Millville is a guest at the Barker House.

Mr. W. E. Bell, of Moncton, is in the city.

Mr. H. W. Woods, of Welsford, was at the Barker House Sunday.

MOTHER! YOUR CHILD IS CROSS, FEVERISH, FROM CONSTIPATION

If Tongue is Coated, Breath Bad, the Stomach Sour, Clean Liver and Bowels.

Give "California Syrup of Figs" at once—a teaspoonful today often saves a sick child tomorrow.

If your little one is out of sorts, half sick, isn't resting, eating and acting naturally—look, Mother! see its tongue is coated. This is a sure sign that its little stomach, liver and bowels are clogged with waste. When cross, irritable, feverish, stomach sour, breath bad or has stomach-ache, diarrhoea, sore throat, full of cold, give a teaspoonful of "California Syrup of Figs" and in a few hours all the constipated poison, undigested food and sour bile gently moves out of its little bowels without griping and you have a well, playful child again.

Mother can rest easy after giving this harmless "Fruit Laxative," because it never fails to cleanse the little one's liver and bowels and sweeten the stomach, and they dearly love its pleasant taste. Full directions for babies, children of all ages and for grown-ups, printed on each bottle.

Beware of counterfeit fig syrups. Ask your druggist for a 50-cent bottle of "California Syrup of Figs," then see that it is made by the "California Fig Syrup Company."

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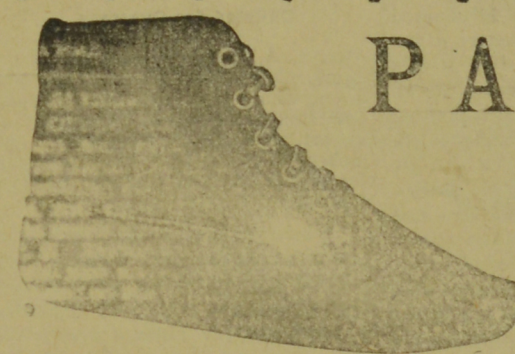
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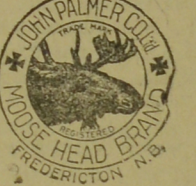
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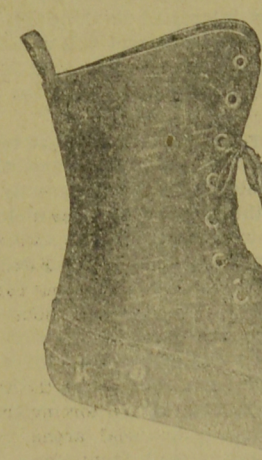
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