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DAILY HERALD.

THURSDAY, SEPTEMBER 27, 1906.

#### SWINDLING CHARGED.

"We (The Foresters) have been swindled out of \$55,000, and the swindlers will have to account for it."

"What are you going to do about the matter?"

"We are waiting the result of this investigation to ascertain who the parties are, aside from Mr. Fowler. Our solicitor will be instructed to recover from any and everybody who had any connection with it."

This is a passage from the sworn testimony of Mr. E. G. Stevenson a director of the Union Trust Company before the Insurance Commission at Toronto on Monday.

The Mr. Fowler mentioned is Mr. Geo. W. Fowler, Tory M. P. for Kings, president and part proprietor of the Fredericton newspaper, which is industriously suppressing the reports of the evidence given before the commission.

#### FORESTERS ALARMED.

The Foresters of Canada are sitting up and taking notice of the startling revelations in the Insurance Commission meetings at Toronto.

It is true that some of the politicians involved are suppressing the publication of the evidence in the newspapers they control, but the public all the same, is getting a pretty full insight into the reckless manner in which the Foresters' funds have been exploited to fill the pockets of those who had control.

The Forester order is very largely composed of the working men of the country—men who earn bread for their families by hard labor, and who often scrimp themselves to save for their wives and children, when the breadwinner is no longer with them. These are the men who are watching with intense interests the disclosures at Toronto; who are recoiling with horror at the liberties which have been taken with the funds of the order to which they belong.

They cannot understand why some at least of the enormous profits of these western land deals, financed with Foresters' money, should not be turned into the treasury of the order, instead of into the private pockets of the men entrusted with such large financial interests, so that Foresters' widows and orphans might be sure to reap the benefit of their husbands' and fathers' savings.

The men high in authority in the order have simply been gambling with its funds. They have risked enormous sums in land speculations which have netted handsome profits to the speculators.

The sworn testimony at Toronto shows that in one land deal, financed by Foster Fowler, McGillivray & Co., the enormous sum of \$958,000 belonging to the Foresters was involved, and that at one time the I. O. F., in investments made through the Union Trust Company and other subsidiary companies, held 400,000 acres of Northwest lands involving an investment of \$2,000,000.

Dr. Oronhyatekha has stated that the Union Trust Company is practically the I. O. F. and the Union Trust is controlled by the same men who compose the Great West Land Company, and the other companies which have engineered the land deals with the Foresters' money.

Hon. Geo. E. Foster is president and manager of the Union Trust Co., with a salary of \$5,000, and it is he who absolutely refused to produce the stock books of the Great West Land Company until forced to do so by the Insurance Commission, who had power to commit him for contempt had he held out in his refusal.

The manner in which Foresters themselves are viewing the revelations at Toronto is voiced by one who occupies a high position in the Order, the editor of The Moncton Transcript, who in the course of a trenchant article, says:

"The evidence shows that Mr. Foster and others were personally interested in these land deals; and that the funds of the I. O. F. were risked in land speculations. If those speculations went well, individuals profited by the advantage; if the speculations failed, what guarantee was given of the funds so used being restored?"

"But there was more than one deal! Mr. Foster was manager of the Union Trust Company, whose funds for investment were largely those upon which the present and prospective widows and orphans of insured members of the Independent Order of Foresters were dependent. There should be no gambling land speculations with such funds. The revelations already published, showing how a lot of Tory politicians borrowed the funds of the I. O. F. and used the same in speculations, have astonished tens of thousands of Foresters throughout Canada."

"It is pleaded that this is Mr. Foster's private business. But it is not so! Mr. Foster and his colleagues borrowed the funds of the I. O. F. contributed and accumulated through the financial sacrifices of tens of thousands of workingmen throughout Canada."

#### THE NEW JUDGE.

Mr. Justice Duff of British Columbia, who has been appointed to the vacancy on the supreme court bench of Canada in succession to the late Judge Sedgewick, is a native of Meaford, Ontario, and son of Rev. Chas. Duff for several years a leading Congregational clergyman in Nova Scotia, and for a time school inspector for Queen's county in that province.

Mr. Justice Duff who is the youngest man ever appointed to the supreme court bench of Canada, was educated at Toronto, taught school at Barrie, Ont., studied law and practised at Fergus, Ont., until he removed to Victoria, B. C., and was associated with Hon. Edward Blake and Mr. Christopher Robinson in the "Sedgewick" arbitration in 1903. Soon after his return from Europe he was appointed to the supreme court bench of British Columbia, and now takes his seat in the highest court of the Dominion.

Justice Duff's father in 1896 after residing in Ontario for a number of years, was transferred at his own request to Brooklyn, N. S. He received in the degree of M. A. from Acadia college in 1872, so that the new judge's father has been pretty well identified with the maritime provinces.

#### BROWBEATING LAWYERS.

Deputy Chief Stark of Toronto is responsible for starting a lively discussion on the practice of lawyers brow-beating and abusing witnesses in courts.

The Chief's paper on the subject was read at the recent meeting of the chiefs of police at Toronto and has called out a general discussion in the press all over the country, and in some instances the newspapers are very severe on the offending lawyers.

A great deal of the responsibility for the unfair treatment witnesses receive from lawyers is laid to the door of the judges who it is alleged have the power to protect the witnesses if they cared to exercise it.

"The protest of Chief Stark" says the Toronto Globe, "was given point and purpose by his declaration that in the detection and punishment of crime, the officers of justice find it extremely difficult to secure the testimony of self-respecting citizens who may have knowledge of important facts, but who decline to submit themselves and their affairs to the insinuations and impertinences of some vulgar, 'forensic bully' who holds a brief in the case. That protest has been taken up by the Press, and the experience of court reporters in almost every city has been cited as giving support and emphasis to the complaint made by Mr. Stark. Instances are mentioned of men of unimpeachable integrity having to submit to coarse and insulting innuendoes, suggestive questions, and that whole round of cheap bullying which some lawyers of rank, whose fees are highest in the profession resort to for the purpose of destroying the force of evidence which is damaging to their case because it bears the marks of truth. Not men only, but women also whose reputation was stainless have had to suffer the indecencies of cross-examination that in private life none but a ruffian would offer, and that in court no Judge should allow."

If the judges would take immediate and unmistakable action to preserve the justice as well as the dignity of their courts by committing for contempt every lawyer, no matter what his professional standing, who insults respectable citizens and browbeats honest witnesses, they would guard the majesty of the law and further the ends of justice, and presently the "forensic bully" would find his occupation gone."

Judges are quick to resent a lawyer "sassing" the bench and why should they not be as prompt to protect a witness who is not allowed to return the lawyer's impertinence.

#### CURRENT COMMENT.

Mr. Fowler has been subpoenaed to give evidence, but has "gone west."

There is not much prospect of the two Georges being added to the calendar of saints.

The insurance commission seems to be making shreds and patches of reputations.

It is to be thought that they are both from New Brunswick—both from Kings. By George, that is tough.

The electors of Kings and Albert will find food for reflection in the revelations of the insurance commission.

Two Georges, and both from Kings County. Who would have thought it, and both so professedly horrified at alleged Grit wickedness.

"Swindlers" that is a pretty strong word, but it is applied to a New Brunswick Tory M. P. by Director Stevenson of the Union Trust Co.

Readers of Mr. Geo. W. Fowler's Fredericton newspaper are grumbling because it suppresses the reports of the insurance commission proceedings.

If the insurance commission can induce Mr. Geo. W. Fowler, Tory M. P., for Kings, to testify the investigation should be able to add a new and interesting feature.

Mr. Hearst captured the Democratic nomination for governor of New York on the first ballot and his Republican opponent is Mr. Hughes, who conducted the insurance investigation.

Did Geo. W. really "divvy" up that \$55,000. He told Ryan so, but Ryan says he would not believe Fowler. See evidence in another column.

Halifax Chronicle—Those good Tories who lamented the absence of Hon.

George Eulas Foster from the merry-go-round show at Sydney Mines and the "circus" at Truro may wipe away their tears. Mr. Foster's health is unimpaired, and the revelations of the Insurance Commission indicate that he is in no great need of a pension.

Our Tory friends are not saying much these days about the North Atlantic Trading Company, Arctic supplies, etc. They have enough to contemplate in the deals of the Union Trust Company, the New Ontario Town Sites Company, etc., through which Foster, Fowler & Co. have been exploiting the Foresters' funds.

With his \$5,000 salary as president of the Union Trust Co., alias the Foresters, his \$2,500 seasonal allowance and his \$3,500 pension as an ex-minister not to speak of land deal profits, Mr. Foster has been getting along tolerably well. The pension, however, has been cut off against Mr. Foster's earnest protest, and it looks as if the land deals, especially with Foresters' funds, may be a thing of the past.

The British Vice-Consul at Rouen reports that the cultivation in France of a new potato brought from Uruguay has been observed for some time with great interest. A variety of this potato, called the "solanum commersonnii violet," is said to possess excellence of taste as well as nutritive value, and is equal to the best table potato known in France. This variety is distinguished by its resistance to frost, as also to disease, and its one great advantage is that it prospers most in a damp or swampy soil, where no other kind of potato would grow. Every kind of soil, whether clayey, calcareous or silicious, seems equally adapted for its culture, provided it is damp.

#### BITS OF NEWS.

At the Conservative convention to select a candidate for North Bruce, Ontario, James Rushton, of Amabel was unanimously chosen, but he declined to accept the position, owing to personal considerations. Another convention is called for Tuesday next.

One hundred and fifty Scottish laborers arrived at Quebec on Tuesday to work on the construction of the Grand Trunk Pacific Railway. They left on a special train of the Quebec and Lake St. John for La Tuque and will commence work at once. This is the first contingent of Scotsmen brought out for railway work on the G. T. P. and many more are expected to follow.

The mystery surrounding the death of Thos. Keyes, of St. Catharines, Ont., a government fire ranger in northern Ontario has been solved. A telegram received Wednesday at the Attorney General's department, Toronto, says Joseph Belair gave himself up to the police authorities at Sudbury, saying he had shot Keyes, mistaking him for a bear. Keyes, who was a Toronto University student, and did fire ranging during the summer had his beat on the line of the James Bay Railway between Sudbury and French river. His body with a bullet wound in the chest was found near the line on Friday night last. Keyes wore a black sweater and this probably accounts for Belair's mistake.

#### A RHODES' SCHOLAR.

Truro Young Man Who Has Worked His Own Way to the Front.

The Truro Daily News, in its account of the presentation of a gold watch and a chain to Mr. Arthur Moxon of that town, by prominent citizens, in recognition of his having been elected Nova Scotia's Rhodes Scholar for this year, gives an interesting review of his career which is most creditable, showing what a young man can accomplish in this country by his own unaided efforts.

Mr. Moxon was born in Rawdon, N. S., 1882. His father died in 1892, leaving a widow with five sons and two daughters; so early in life, Mr. Moxon was deprived of a father's watchful care, and his youthful training and education had to be directed by his mother alone.

He studied at the common school in Rawdon, thence went to Shubenacadie and about eight years ago entered the B. class in the Colchester Academy, Truro. He wanted to go to college, but he had no means. He taught a year in Onslow and three or four years in Truro, having private classes also while in Truro, and at the same time was digging into the first year's work for Dalhousie.

In 1904 he matriculated into the Sophomore year at Dalhousie University.

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| 2 at 75c. each   | Formerly \$1.25      |
| 2 at \$1.00 each | " \$2.50, \$1.90     |
| 2 at \$2.25 each | " \$6.00, \$5.00     |
| 3 at \$2.50 each | " \$6.00, 4.00, 3.75 |
| 2 at \$3.00 each | " \$5.50, \$5.00     |
| 3 at \$3.50 each | " \$6.00             |

#### DOORMATS.

|                |                        |
|----------------|------------------------|
| 7 at 10c. each | formerly 35c.          |
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