

A WEAK DEFENCE.

Mr. Aylesworth Knocked the Bottom out of Mr. Foster's Plea for Himself in Western Land Deals.

Minister of Justice Analysis and Argument was Killing and Made the Opposition Writhe.

Staff Correspondence of the Montreal Herald.

Ottawa, April 10.—One vast fundamental assumption underlay the whole great fabric of grievances which Hon. George E. Foster erected in the House this afternoon. If that assumption be withdrawn, the whole fabric, or practically every branch of it, falls to the ground.

Mr. Aylesworth, young in parliament and not always at his best in parliamentary debate, is one of the most brilliant legal minds in Canada, and he handled the plea of Mr. Foster, for exemption from criticism by any Insurance Commission, exactly as a criminal lawyer would handle a case in court. As he seized upon that one fatal, fundamental assumption, and devoted the whole energy of his speech, the whole explanatory faculty of his mind, to tearing it out from beneath Mr. Foster's fabric, leaving that fabric baseless, tottering and pitiable.

The first claim made by Mr. Foster, the claim which underlay the whole argument of his speech, was this, that as a director, the managing director, and practically the acting head of the Union Trust Co., he was not administering insurance funds when he controlled the capital of the Union Trust Co., he would be liable to criminal prosecution, for those funds, after their investment in the Union Trust, were certainly not handled by that company in accordance with the law governing insurance funds. It is not contended that Mr. Foster was criminally violating the law.

But, unfortunately, the law not being absolutely brought down to date and not anticipating the ingenuity of modern finance, did not literally forbid a proceeding which is as clearly contrary to its spirit and intention as would be a direct investment in forbidden stocks. This proceeding, which the Commission, charged with the regulation of Life Insurance methods, could not avoid characterizing as immoral, though it never undertakes to call it illegal or criminal, is exactly that in which Mr. Foster, with the high magnates of the Independent Order of Foresters, was concerned. It is permitted to any insurance trustee to invest his trust moneys in a trust or loan company, but the law naturally presupposes that there will be a genuine investing a transfer of the funds from the control of the insurance people to that of an interest essentially different. It was left to the I. O. F. authorities to conceive the device of a trust company which should not be distinct from the control of the insurance test, a trust company which should belong absolutely to the insurance interest, which they could control the investment of the insurance funds, and (and here is the essential point) which would involve those insurance funds in every cent of loss that might result from its operations just as fully and directly as if the insurance fund itself had done the speculating. The I. O. F. created the Union Trust Company.

Mr. Foster told the House that the Union Trust Company was a bona fide, independent, legitimate trust company. Legally it was a trust company; no-one denies it. Morally, what was it? Mr. Foster did not tell the House that of its two millions of capital, \$1,996,000, or \$449, in every \$500, was taken from the reserve of the I. O. F. If anything went wrong with the operations of the Union Trust, there was just \$4,000 of other people's money which helped the I. O. F. bear the losses falling on its own two millions. Yet, by this advice, the two millions were freed from every restriction of the Insurance Act and were placed at the mercy of the I. O. F. magnates and Mr. Foster, who directed the Union Trust Company, and were used in transactions which, had they failed, had the Western land boom broken, would have involved the Foresters' funds in ruinous loss. And Mr. Foster says: "I was not an official of the I. O. F. I was not an insurance official. I was under no trust. The Insurance Commission had no right to investigate me and the Union Trust Company!"

Cold, unimpassioned, forensic—with all that utter disregard for personal feeling that is imposed on the court pleader by the exigencies of his position—Mr. Aylesworth went on his pitiless way. There was nothing in his speech but the argumentative case that he was making. He sought to raise no feeling of sympathy or passion, just as he never avoided trading on feelings most cruelly when they came in the way of his argument. He was not considerate, he was not hostile. It did not matter whether he was convinced of what he was saying or not; he did not show conviction one way or the other. But his argument was complete, solid, impenetrable, killing. During Mr. Foster's speech applause had seemed the only natural tribute to his very obvious pathos; during Mr. Aylesworth's speech it made one

look for the judge who should say "If this is continued, the court room will be cleared." By that useful fiction of the law courts, the accused seemed not to be there. Mr. Foster seemed to be aimed at by the speech merely as counsel for some invisible misdoer. No such exhibition of bad temper has been seen during the session as was evident in the derisive attitude, the insolent interruptions, extending to hisses and cat-calls, and to mimicking of Mr. Aylesworth's vainglorious and deliberate utterance, indulged in by some of the back-benchers to the Speaker's left. Mr. Borden, to whose personal fidelity Mr. Foster owes a good deal of a manner, his opening utterances in reply were positively eloquent, and the savage bitterness of his invectives against the Minister of Justice found an echo in applause and shouts which sounded like a war cry of a routed band of grifters against a successful prosecuting attorney.

But after that pardonable and effective exhibition of feeling, Mr. Borden set himself to the herculean task of justifying the exploded Fosterian doctrine of the freedom and non-fiduciary character of the Union Trust Company's capital. Mr. Borden is a good lawyer, but in that kind of work he is not in the same class with the Minister of Justice. He improved greatly when he came to his own personal grievances against the commission and the manner in which he read selections from Mr. Shepley's interrogatory so as to suggest that a desire to associate the Leader of the Opposition with the western land deals was present in the minds of counsel was decidedly clever. The Foster-Lefebvre-Bonnet deal must have been highly creditable in Mr. Borden's view to cause him such indignation at the idea of his being implicated in them.

But from the moment when Mr. Borden felt the relief of arguing from his own unimpeached position rather than from the very cloudy one occupied by his deskmate in regard to the Report, he showed no desire to take up again the defence of the weaker vessels. The rest of his speech was devoted entirely to this thesis that the Commission had exceeded its power and gone into an inquisitorial investigation of the alleged private affairs of Conservative members; and he handled the proposition well. Mr. Foster's speech, the origin of the whole performance, was a disappointment of a relief, according to one view it. It must be remembered that he can still speak again, the proceedings being in committee, and many circumstances suggest that he is saving something for a later stage. In any event, there was but little bitterness in this speech, but few personalities, and practically no abuse. On the other hand, the defensive part of the speech was singularly incomplete. Having pleaded the irresponsibility of his position in the Union Trust Company from the insurance standpoint, he seemed to regard most of the transactions treated in the evidence as covered by a blanket excuse, and not needing further apology. After adducing fairly full explanations of two or three incidents, he passed over summarily the matter of the disputed directors' meeting in regard to the Fowler-McGillivray land deal, one of the most significant matters in the evidence. It was a private difference, said Mr. Foster, and he said no more. The curious point is that Mr. Borden produced a document which he claimed to be a conclusive proof of the holding of the meeting as claimed by Mr. Foster—a document which has already been produced by Mr. Foster in reply to Mr. Carvell, but has never been put before the House in detail.

BABy's FRIEND.

Before I got Baby's Own Tablets, my baby was troubled with colic and vomiting and cried night and day, and I was almost worn out. But after giving him the Tablets for a few days the trouble disappeared and you would not know it was the same child he is so healthy and good-natured now. This is the grateful testimony of Mrs. George Howell, Sandy Beach, Que., and it tells other mothers who are worn out caring for cross, sickly children, how they can bring health to the little one and ease to themselves. Baby's Own Tablets promptly cure the minor ailments of little ones, and there are no cross sickly children in the homes where the Tablets are used. Sold by all medicine dealers or by mail at 25 cents a box from The Dr. Williams' Medicine Co., Brockville, Ont.

NOT THIS SESSION.

St. John, April 12.—(Special).—Rev. Thomas Marshall has received a reply from Premier Pugsley saying that the government will be unable to introduce a prohibitory liquor law this session.



We are spending \$5,000.00 this month to explain what the word "Constipation" means.

Constipation means NON-ACTION OF THE BOWELS. If the liver is healthy, it pours enough bile into the intestines to make the bowels move. Then, too, the bowels discharge waste matter from the body by a peculiar snake-like movement. This requires strong muscles.

When the bowel muscles are weak—when there is not sufficient bile—the bowels do not move for two, three, sometimes four and five days.

This non-action of the bowels is Constipation. Waste matter, which should leave the body, is taken up by the blood, and carried to the kidneys and skin. These organs—in a vain endeavor to throw off the poisons—are overworked. The poisoned blood, in turn, irritates the nerves, causing Headaches—Backaches—Neuralgia.

The weakened kidneys cannot rid the system of urea, which changes into uric acid, causing Rheumatism, Sciatica and Lumbago. It is useless to try to cure Constipation with calomel, cascara, senna, strong purgative pills and vile-tasting mineral waters. They simply force the bowels to act by irritating the delicate membranes. Their action weakens the muscles and really does more harm than good.

"FRUIT-A-TIVES" ACT ON THE LIVER—stimulate the glands—and so regulate the action of the liver that it will excrete sufficient bile to move the bowels in the normal, natural way every day.

Nothing else in the world will so surely and permanently cure Constipation.

"FRUIT-A-TIVES" are made of fruit juices, intensified, with the most valuable tonics and antiseptics added. Cure yourself of Constipation by taking these wonderful liver tablets. 50c. a box. Sent by mail if your druggist has none.

Fruit-a-tives Limited, Ottawa. 107



A TUCKED SHIRT WAIST DRESS FOR A MISS.

The shirt waist dress is depended upon for all kinds of wear from school to Sunday best, the pretentiousness of this frock being decided largely by the material used and its style of making. Here is a dress having tucks in waist and skirt and suitable for development in any of the seasonable fabrics. It may be adorned with rows of lace or left as shown for more serviceable wear. The neck is perforated for round outline and the sleeves may be made shorter by omitting the cuff if the pattern is used for a party gown. The gown is one easily made and of excellent style for a girl. The medium size calls for 4 1/2 yards of 44 in. material.

4147—sizes, 14, 15, 16, and 17 yrs. The price of this pattern is 10c.

To the Fredericton Herald: Please send the above mentioned pattern, as per directions given below, to

Name.....
No.....
To.....
Measurement—Waist..... Bust.....

CAUTION.—Be careful to send size of pattern wanted. When the pattern is sent measure you need only mark 32, 34, or whatever it may be. When in waist measure, 22, 23, 26, or whatever it may be. If a skirt, give waist and length measure. When miss' or child's pattern write out the figure representing the age. It is not necessary to write "inches" or "years." Patterns cannot reach you in less than three or four days from the date of order. The price of each pattern is 10 cents in cash or postal order or stamps.

CELEBRATION POSTPONED.

Announced that Federal Government Will Make Contribution Towards Quebec Champlain Blow Out.

Quebec, April 11.—At an important meeting of the executive committee which took place at the City Hall last night the festivities in connection with the official celebration

were postponed until 1909.

Leading up to the result, Mayor Garneau communicated the result of an interview he had with Sir Wilfrid Laurier, who remarked that the government would be pleased to contribute a substantial amount. In fact, he was led to believe that the amount would be at least \$300,000, and perhaps more. Moreover, Mayor Garneau was under the impression that other provinces are inclined to subscribe their share, and it could be safely said that the financial part of the celebration was assured.

Sir Wilfrid had also stated that it would be absolutely necessary that the government appoint a commission which would have control of the federal moneys subscribed, but as he was then on the eve of his departure for Europe nothing could be done this session. But at the next session he would personally bring the matter before the federal house. Consequently, remarked the chairman, the commission would not be appointed before December or January at the latest.

Sir Wilfrid also informed the president that the celebration would have to be postponed until 1909, and he (Mayor Garneau) was of the same opinion.

A childless home is a cheerless home. The maternal instinct exists in every woman, and when it is gratified she is deprived of much of the happiness of life. It often happens that childlessness is due to some cause which can be removed, and often is removed by the use of Dr. Pierce's Favorite Prescription. The vigor and vitality which this remedy imparts to the delicate womanly organs, puts them in a condition of normal health, the lack of which is often the sole obstruction to maternity. Every woman should read Dr. Pierce's Common Sense Medical Adviser, a book containing 1008 pages and 700 illustrations. It is sent entirely free on receipt of stamps to pay expense of mailing and customs. Send 31 one-cent stamps for the paper bound volume, or 50 stamps for cloth covered. Address Dr. R. V. Pierce, 603 Main Street, Buffalo, N. Y.

SUDDEN DEATH.

Pictou Lady Native of St. John Passed Away With Short Warning.

Halifax, N. S. April 12.—A special from Pictou says: The death occurred suddenly last evening of Mrs. Logan, widow of David Logan, prothonotary.

The deceased was a native of St. John, she had been visiting friends some distance from home, her son drove her back and in front of her residence she took ill and expired shortly afterwards.

St. John River via Steamer.

5 p.m.—From Oromocto, Sheffield, Gagetown, etc.

9.05 p.m.—From Woodstock and Gibson Branch Stations, Daily.

8.20 p.m.—From Nova Scotia, P. E. Island and St. John.

WAY MAILS

7.00 p.m.—West Side River, St. John, From Meductic, and Way Offices, Tuesdays, Thursdays, and Saturdays.

St. John, From Woodstock and Way Offices, Tuesdays and Fridays.

MAILS RECEIVED.

9.30 a.m.—From St. John, etc., and Nova Scotia.

From Hamtown, Royal Road, etc.

11.00 a.m.—From Nasonworth and New Maryland, Wednesdays and Saturdays.

12.00 noon.—From Montreal, Ottawa, Northwest, Provinces, etc., and United States.

1.20 p.m.—From I. C. Railway Stations, North Shore and Quebec.

St. John River via Steamer.

5 p.m.—From Oromocto, Sheffield, Gagetown, etc.

9.05 p.m.—From Woodstock and Gibson Branch Stations, Daily.

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MAILS CLOSING.

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6 a.m.—For St. John, etc., St. Stephen and Charlotte Co., Carleton, Victoria and Madawaska Counties, and United States.

7.00 a.m.—Woodstock and Gibson Branch Stations, daily.

WAY MAILS—East Side St. John River.

7.00 a. m.—For Keswick Ridge, Southampton, etc., Mondays and Thursdays.

West Side St. John River.

7.00 a. m.—For Springhill, Kingsclear, Prince William, etc., Mondays, Wednesdays and Fridays.

8.30 a.m.—St. John River via Steamer.—For Oromocto, Sheffield, Gagetown, etc.

9.15 a.m.—St. John, etc., C. P. Railway stations, East, Nova Scotia and P. E. Island.

10 a. m.—For St. Mary's Ferry, Gibson and Marysville.

WAY MAILS.

2 p.m.—For Nashwaaksis and St. Mary's Ferry, daily, Nasonworth, New Maryland, Hanwell, Lower St. Marys and Royal Road, Wednesdays and Saturdays.

4.15 p.m.—For Gibson, Marysville, Boiestown, Doaktown, Blackville, etc., Chatham, and I. C. Railway Stations, north and south.

4.45 p.m.—For St. Stephen, Woodstock, United States, Montreal, Toronto, Ottawa and North West West Provinces.

8.15 p. m.—For St. John, etc., Nova Scotia and P. E. Island.

4.30 p.m.—British mails via New York, Mondays and Thursdays.

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Bruswick are hereby advised that the interest upon their Accounts will after the First of January, 1907, be added every

Three Months instead of Half-Yearly as in the past

W. A. LINDSAY

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All Dental work done by latest and improved methods.

Teeth extracted absolutely without pain.

Special attention given to treating and saving natural teeth.

Work done at reasonable prices.

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Dentistry in all its modern branches. Special attention given to the care of children's teeth.

Patients living outside the city can make appointments by mail, and thus do away with an unnecessary delay.

By the use of our improved Electric Light, appointments can be made for any evening.

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