

REPORT OF THE CENTRAL RAILWAY COMMISSION IS WHOLLY PARTISAN

It Charges Everybody with Culpable Negligence, and is Especially Bitter Against the Present Minister of Public Works

Fredericton, N. B., April 7.—The long-looked for and much talked of report of the Central Railway Commission was laid on the table of the house today. It makes a pamphlet of 80 pages, which does not include any part of the evidence taken by the commission. Seven pages are devoted to a portion of the railway, "in order," as the commissioners say, "that this report may be easily understood." The "history," as related by the commissioners, differs in many material facts from the "history" supplied under the signature of J. D. Hazen at the beginning of the provincial election campaign in 1908.

After reciting the section of the act defining the scope of their duties the commissioners plunge at once into their theme. From the beginning the report is severely critical and reads much more like the brief of a prosecuting attorney than the finding of a court. They claim that there were no books of account to guide them, yet they have succeeded in making up a statement which they put forward as the cost of the road to the province. What these gentlemen wanted with data is a mystery unsolved, as where any such was produced, like the report of Auditor Sharp, they refused to accept it.

From a rapid examination of the pages of the report it is evident that the commission were intent on trying to bring out testimony that would convict somebody. Those who remember the early days of the hearing and the manner in which the counsel for the government framed his questions have been looking forward to just such a report as has been laid on the table of the house. No other could have been expected.

The desire displayed by the counsel for the government throughout the enquiry to deal with but one side of the question rather than with both sides was so apparent as to create comment at the time. Throughout the report a similar spirit, not so marked, it is true, but nevertheless there, is noticeable. Wherever an unfavorable construction could be placed on a transaction it has been done. The commissioners have even entered upon a discussion of what the work done on the Central Railway should have cost. The report abounds in caustic criticism and the interpretations of the evidence do not always strike the reader as quite fair.

Just what part the report is expected to play no one can determine just now. That it was originally intended to be the political death warrant of those who opposed Mr. Hazen and his friends in New Brunswick has been more than suspected. It comes too late now to serve any such purpose. While it would make an excellent campaign document it is hardly of the nature upon which a successful prosecution could be based. In many places the comments on the evidence are flippant. In other places it would almost seem as if the commissioners thought some of the people connected with the transactions of the company had died for the sole purpose of making their investigation the more difficult.

Under the heading of "Transactions Illustrated," the commissioners have handed down sixteen pages of the most remarkable admixture of statement of fact and opinion that has ever been found in a place in the judgment of any court or commission. The story of their search for evidence is told in narrative form and incidentally opinions are expressed on the way on which everybody connected with the business of the company, including the government officials, have been managed. The commissioners had performed their duties. Of course everybody may have been wrong, but the commissioners.

One of the most remarkable things about this report is that it does not contain a single extract from the evidence taken by the commission. All the people have is the statement of the commissioners that there is evidence to substantiate them in their conclusions. The opinion is expressed that too much temptation was put in the way of the politicians by the large government guarantees. If this is so most people who read the report will be of opinion that too much power was given other politicians by the act of last year.

The commission after dealing exhaustively with the sale of the Central Railway to the government and the legislation enacted by the house of assembly, arrives at the following conclusions:

"To briefly sum up the whole matter: 'We have waded through a chaos of disconnected accounts and have carefully weighed all the evidence submitted as well as studying all the documents, orders in council, etc. Having thus patiently labored to ascertain, if possible, the true facts of the case, we find a number of leading features governing the operations to which we call special attention. 'First—It is clear that the enterprise was chiefly promoted by two members of the government, the controlling influence of one of whom was clearly evident from the beginning to the end. It is true a company was organized without any capital, which existed in name only, whose shareholders never attempted to influence its policy. Having everything to gain and nothing to lose, they left the control to the ex-officio directors, as the government was putting up all the money. The company never performed the functions usually exercised by an incorporated company, it was, in fact, nothing but a disorganized department of the government of this province, whatever may be claimed for it in theory. The policy of granting government assistance to any company

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whose shareholders have not on their own accounts a dollar at stake is unsound, if not vicious.

"Second—On the face of it the motive of the promoters, as stated, was to develop the coal mines in Queens county. Responsible and respectable men from various parts of the province were obtained to lend their names as directors and from the fact that \$430,000 of a total of \$500,000 authorized capital was to be distributed as founders' shares, we conclude that interested parties had visions of ultimate large profits with the absolute certainty of no personal loss.

"Third—As shown in the earlier pages of this report, the coal mines failed to materialize. It was found inexpedient to attempt to develop the mines in a large way. Thus at an early stage the original visions of profit-making must have departed and a decision called for as to abandoning the expenditure of \$250,000 intended for coal development. However, it would seem that prospect of spending large sums of money under cover of a company was too alluring to be resisted, accordingly a stage name was adopted and N. B. Coal & Railway Co.'s existence was continued. How much better it would have been for the province, had these moneys been expended directly by the government and a yearly account of expenditures published in the public accounts.

"Fourth—It is also clear to your commissioners that it was never the intention of the government to keep the books of accounts for public information. For there was never any complete working organization of the company, or special officers secured whereby the method and system could have been pursued. The misuse made of the moneys and the fact that advances far in excess of the earlier stages, legitimate expenditures, made it imperative that to conceal the truth no uniform system of bookkeeping be adopted. It is claimed that the Barnes Construction Co. kept books which could not be produced, but we are by no means satisfied that they were not destroyed or that they were not intentionally concealed.

From the evidence before us and from careful study of bank accounts and other matters by which we could trace disbursements of moneys, we have no hesitation in stating that, especially during 1902, the moneys used by the company incurred far outstripped any legitimate expenditure that was being made, the difference, we believe, to have been misappropriated, otherwise sufficient money would have been on hand to have paid current bills, leaving the government in this respect in a very tight place when taking over the road in 1905.

"Fifth—In the ordinary course of business the company's interests and those of the province from whom it received all its resources would have been in a business sense antagonistic. Therefore we believe good business demanded that the provincial secretary and attorney general remain outside the company. Then, as members of the government, they would have been in position to have seen to it that the stipulations safeguarding the provincial treasury were lived up to. As at present, the company's interests in the company as members of the government, their influence was paramount, representing as they thus did all the capital invested. By their presence in the house of assembly on the other hand, they were able from their knowledge and control of the company's affairs to present such statements as were necessary to ally the suspicions of the legislature and conceal from the country the true state of affairs.

"Finally, we believe the directors of the company and especially the ex-officio directors, are responsible to the province for the construction of the road. They should have called upon to submit an account showing the expenditure of \$958,799.75, or at least that portion of it supplied by the province. What steps should be taken to enforce this finding we hardly feel called upon to determine. We find, putting the most favorable construction on the entire transaction, that \$134,635.35 was in our recapitulation following statement 'C', given as unaccounted for, was misappropriated and diverted from its proper and legitimate channel.

"Considering that the doors were never locked, that nearly \$1,000,000 were tossed about without any special guardianship of any reasonable prospect of any one being called upon to account, that temptation in its most seductive form was continually in the path of the politicians interested, it is not very difficult to understand how an amount even larger than \$134,635.35 could have been so easily switched from its legitimate course. The \$390,000 underpaid Evans & Elkins on their option we have not the slightest doubt forms part of the total shortage.

"As to who personally got this money we are unable to state. Want of records as shown by illustrations in the former part of this report, the fact that the secretary, Geo. W. Allen, as director or Solicitor A. I. Trueman had died before the investigation began greatly enhanced the difficulties of discovering anything definite on the above point. Then, too, many of the leading actors in the drama did not in their evidence disclose with any certainty their relations with transactions with which their names appear in written documents. A notable case was that of C. N. Skinner, whose memory appeared almost a blank as to his acts and reasons therefor. Even the amount of remuneration he had received had passed from his mind. We cannot but believe that had Mr. Skinner felt more personal responsibility in the duties he performed and better appreciated the ones in which we were engaged his memory would have been much improved. Leading witnesses by almost unflinching monopoly referred us to two deceased officers of the company, George W. Allen and A. I. Trueman, when any critical point as to the disposal of moneys was in question.

"We have become painfully convinced after examining the evidence and documents submitted to us that in the expenditure of the public funds, provided for this enterprise, every person charged with public duty in connection with the same has been culpably negligent in the discharge of such duty.

"The degree of culpability attached to each individual has perhaps not been the same. Some were guilty of negligence in accepting positions of trust and in not acquainting themselves with what transpired in regard to the same but allowing others, unquestioned, to undertake the sole discharge of duties, the responsibility of which they themselves had assumed. They lent their names and allowed the moral influence of their high standing in the community to assure the province that legitimate business methods would be followed. The provincial secretary and attorney-general, ex-officio directors, who were especially appointed by the legislature to watch the company's doings in the interest of the province we consider by

AFFINITY MATCH SETS ALL PARIS TALKING

Son of Late President Casimir Perier and a Theatre Francais Artist

Paris, April 7.—An affinity match is on the tapis, which has set all Paris talking. It involves a Perier and a Lebargy, names foremost in statecraft and dramatic art. To the charm of romance has been added the spectre of death. A divorce suit figures in it, with enough petty squabbling to keep the town alert.

Claude Casimir-Perier is one party to the match, and Mme. Simone Lebargy the other. Claude's father was President of the republic, and the lady's husband holds easily first place among the great artists of the Theatre Francaise, the forum par excellence of classic drama. Mme. Lebargy also won her fame in that institution.

It is known that for years the pair have been interested in each other. No one seemed to regard it as anything more than a platonic relation until Mme. Lebargy was called last season to fill an engagement in London. Young Perier followed her there. His father suspected the truth. He hastened to London to try to dissuade the son from pursuing his intimation. There are pathetic stories of pleadings of the aged statesman to recall his wayward son. But the strength that had enabled him to carry France through seven months of political tempest could avail nothing with the love-sick pair. The son declared that he must be the sole ruler of his own heart, and the father returned, with his pride broken, to Paris. A little later he died. It was given out that he had caught a cold which involved his lungs.

There was apparently no secrecy in the relations of young Perier and Mme. Lebargy. At any rate, the quest of the older Perier had no sooner proven futile when Mme. Lebargy entered suit for divorce. The suit went in his favor by default.

Mme. Lebargy, while quite willing to part from her husband, saw no reason to cease using his name, by which the public knew her and which was thus an asset in her art. Lebargy brought an action to enjoin such use. The courts again upheld him, decreeing that she must use another name. She then chose her first name, Simone; but now the public makes itself heard in the matter and insists in speaking and writing of her as Mme. Lebargy.

She comes of an excellent family and abandoned society to study for the stage. Lebargy was her instructor. Mutual admiration resulted. She became a fellow member of the classic company and acted in the same dramas with her husband.

The death of Casimir Perier imposed certain conventions which have been respected, but it is well understood that Perier and Mme. Simone will wed within a few weeks.

DOGS, CATS, DRUNKS AND FILTHY BACK YARDS

To the Editor of the Times,
Sir:—Having read in recent issues of your paper regarding the agitation for the persecution of harmless dogs, I would like to know if this is a fad or a craze enjoyed by a few so-called citizens. For the past few years dogs have been certainly persecuted in a manner, here that I have never heard of in any city that I have ever lived in, in either Canada or the United States, or is it one of the many absurd ways of the Common Council of St. John have of raising money by making war on dogs. If the common council was anxious to do good to the community they would first install a garbage system and prevent the breeding of the present sickness from fever, etc. The accumulation of dirt and filth in some of the back yards here is a disgrace to the Dominion, if it is tolerated in St. John, N. B.

Second—A patrol system, and dispense with having intoxicated women on the streets, while they are kicking in a most disgraceful manner with three or four policemen, sitting on top of them. This is a sight witnessed only in St. John.

Third, Visit the back yards of the poorer districts and see the thousands of cats, homeless and starving. This is a chance for so-called S. P. C. A. and their new apparatus, and let well bred and fed dogs alone. Not that I kick about the license. I would rather pay double and have a good dog protected, than let my dogs be destroyed by some one who destroys flowers in the parks, etc., and who does not wither in the sun without anyone apparently to take care of them except in St. John. Why not begin systematically, and not keep a square like a graveyard. For those who well-kept flowers we have a public garden.

Get a competent man who understands his work and does not begin with dogs, but keep the grass in good condition, and not like a hay field; then get some nice ornamental trees, such as they have in parks, or squares across the border and we will have a city that we may look on with pride, rather than say what we all say at present.

Thanking you, Editor, for your valuable space, I remain,
Yours truly,
W. E. F.
Formerly of Boston

There was a good sized audience in the school room of St. David's church last night to listen to the debate between members of the brotherhood of the church and the Friside Club. The subject was, Resolved that independence is a better device for Canada than Imperialism. The judges were E. H. McAlpine, K. J. Dr. G. U. Hay and L. P. D. Tilley. Mr. McAlpine, who was spokesman for the judges, announced that the decision was for independence. One of the judges dissented from the award.

At a meeting of the local option workers of Victoria ward last evening the following were chosen officers: E. N. Stockford, president; M. A. Thorne, vice-president; A. H. Patterson, secretary-treasurer; Mr. Patterson, J. A. Beyer, William Quigley, Thomas Mullett, Edgar Vincent, David A. Ramsay and M. A. Thorne, finance committee.

their conduct open to the gravest censure. It is true the provincial secretary was not satisfied with matters as they were going, for more than once we find by letter or otherwise, he registered objections, but it would seem he had assisted to call into play forces he could not control, if he wished to do so, and the bonds were in due course of untested and moneys spent under conditions stated in this report.

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R. C. Tate, Ottawa—"Fruit-a-tives cured me of Constipation and Biliousness."
Miss Mary Win, Kingston, Ont.—"Fruit-a-tives cured me of Chronic Headache."
L. A. Brown, Avondale, N. B.—"Fruit-a-tives cured me of Dyspepsia."
Mrs. S. A. Sutherland, Taylorville, Ont.—"Fruit-a-tives entirely cured me of severe Heart Pains."
C. J. Placey, Ulverton, Que.—"Fruit-a-tives completely cured me of Kidney Disease."
Mrs. R. S. Small, Ottawa—"Fruit-a-tives absolutely cured me of Rheumatism."
Mrs. M. Breiland, Eli, Man.—"I suffered with severe Womb Trouble for years. Fruit-a-tives cured me."
Mrs. F. Mailhot, Ottawa—"I took Fruit-a-tives and they cured me of Eczema."
50c. a box, 6 for \$2.50, or trial box 25c. At dealers or sent postpaid on receipt, by Fruit-a-tives Limited, Ottawa.

OTTAWA HOUSE TOOK HOLIDAY

Several Bills Assented to Yesterday and House Adjourned for Easter Vacation

Ottawa, April 7.—A majority of the ministers will spend the holiday at Ottawa. Hon. A. B. Aylesworth, who is in Washington, is expected here on Friday.

Hon. Mr. Pugsley leaves this afternoon for St. John, and Hon. Mr. Templeman will go to New York. Hon. Mr. Fisher will go to Kingston, and Hon. Mr. Lemieux will also go to New York. Hon. Mr. Fielding is going to New York. The other ministers will stay in Ottawa and will meet in session on Tuesday, April 13.

The house of commons sat today for twenty minutes, responded to the call of the black rod to witness the royal assent to a number of bills, given by deputy governor general, Sir Charles Fitzpatrick, and then adjourned for Easter holidays to meet again on Tuesday, April 13.

While commons were waiting for summons to proceed to the senate chamber, Hon. Mr. Lemieux laid before the house the communications he had received regarding the coal strike in the West and expressed the hope that satisfactory settlement would be reached immediately. It appeared that only one man had refused to sign the agreement favored by the International Union. Mr. Lemieux also stated that Mackenzie King would sail for home soon and report to parliament satisfactory results of the international commission which had been considering the suppression of opium. The legislation passed last session with regard to opium had taken effect and Canada was in the position of being the first country to suppress the use of the drug, except for purely medical purposes.

Don't drug the stomach, or stimulate the heart or kidneys. That is wrong. It is the weak nerves that are crying out for help. Vitalize these weak inside controlling nerves with Dr. Shoop's Restorative, and see how quickly good health will come to you again. Test it and see! Sold by all druggists.

STONE CHURCH MUSIC

tained by Miss Edwards, Joseph Beckley, who is visiting St. John for Easter, sang Lord God of Abraham, with good effect, and gave an impressive interpretation of the aria from The Last Judgment. This was followed by the beautiful duet, Forsake Me Not, by Miss Edwards and W. J. Bambray.

Mrs. Hugh Cannell gave a sympathetic rendering of He Was Despised, from the Messiah. An arrangement of Faure's Crucifix was effectively sung by Miss Edna, Miss R. Armstrong, Mrs. Fraser and Mrs. Cannell. D. Arnold Fox, who presided at the organ, played the prelude to Parsifal and Chaminade's Prelude in D Minor, at the offertory, with good effect.

In St. John's (Stone) church last evening two of Mendelssohn's choral works—the settings of the 55th and 42nd Psalms were well rendered by a large choir. In the 55th Psalm the soprano solo part was well sustained.

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NO STRIKE OF THE MECHANICS ON THE C. P. R.

Many of the Requests of the Men are Granted and the Company Will Sign an Agreement—Unions Recognized

Toronto, April 7.—Negotiations between the C. P. R. and its mechanical unions that have been in progress at Winnipeg for the last week or two have resulted in a friendly agreement, highly satisfactory to the men. The agreement will be signed immediately.

Recognition is given to the labor organizations, which the men regard as the prime point, and employees are restored to the pension roll standing which they lost at the last strike. All former strikers will have a chance of being employed again.

Wages remain the same, but changes are made in shop rules, for which the men contended. The company has carried its point in favor of separate schedules for the east and west. The men are granted a closed shop, and this makes up for most of the things they failed to get.

HIS NERVES WEAK

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No other tonic in the world like Ferrozone, nothing else is so quick and lasting in its effects on a run-down nervous system. "I used enough medicine to appreciate an honest one," writes J. B. Beattie, from his home in Newcastle. "From babyhood I was not overly strong and was always nervous. I smoked a good deal, but on the whole my habits were good. My trouble first began with a shortening of the hours of sleep. I would awaken too early, my appetite was poor, and to whip it up I used highly spiced and sweet foods. First thing I knew I had palpitation on doing a little extra work, and then an awful tiredness came upon me, and a strange feeling of dread and fear—made me think I was losing grip of myself. My power of memory weakened and I lost my position. Then I read about Ferrozone. Say, it's awfully good to get a medicine that helps you right off. I don't mind telling you I was badly scared, and every dose was almost like a umbilical. At once I began to feel better, and permanently better. I really was, for less than a dozen boxes made me a well man. Now I can do my work with any man and I am grateful to Ferrozone."

Ferrozone corrects all enfeebled conditions of the system, builds up and gives the body great resistive power against disease. To use Ferrozone assures lasting robust health. 50c. per box or six boxes for \$2.50, at all dealers. Try Ferrozone, do it today.

OBITUARY

Col. J. D. Underhill

Many will be sorry to read of the death of Jacob D. Underhill, lieutenant-colonel in the artillery, and for many years adjutant of that corps, which occurred yesterday afternoon, Col. Underhill, who was eighty years of age, had been in failing health for the past year. He was out of doors on Friday and on Saturday he was taken sick and pneumonia developed.

Col. Underhill was of Loyalist descent and was a member of the Loyalist and Imperial societies. He was a son of the late B. J. Underhill, who was a member of the old grocery firm of Hannah & Underhill. He was formerly in the wholesale flour and grocery business on the South wharf. After retiring he engaged in the hotel business until about the time of his death. Latterly, he had been an accountant.

Col. Underhill was twice married. He is survived by one son, W. H., of this city, and one daughter, Mrs. A. K. Plummer, also of this city. Mrs. William Peters, of Waterloo street, is a sister. There are five grand children, a number of great grandchildren. Col. Underhill was in his day one of the best known business men of the city and had the esteem and confidence of all with whom he had any dealings.

Dr. Joseph B. Benson

Chatham, N. B., April 7.—Chatham mourns tonight the death of Dr. Joseph B. Benson, which occurred at his residence at 3:30 o'clock this afternoon, after five days illness from pneumonia. Dr. Benson was one of Chatham's best citizens and his death leaves a place which will be hard to fill. The progress of his illness was watched anxiously by hundreds and the whole town is plunged in grief by the news of his death.

Dr. Benson was chilled after being out for a drive on Thursday and Friday morning was unable to leave the house. He grew worse and on Monday evening Dr. Murray MacLaren came from St. John to attend him. He rallied on Tuesday and in the evening was somewhat better. Early this morning, however, he grew decidedly worse and sank rapidly until the end came. Dr. Benson was known as a friend to the poor and his services were never withheld if the money was scarce. He was Chatham's first mayor, having defeated the late Lieutenant Governor Snowball for that position. In politics he was always a Liberal. He was a Mason and in religion Church of England. He was unmarried and leaves a large circle of relatives. Two brothers survive; M. S. Benson, of Chatham, and P. E. C. Benson, of the government service, Ottawa. Four sisters are also left, Misses Sophia and Mary, at home; Mrs. D. T. Johnston, Bathurst, and Mrs. R. B. Crombie, wife of the former manager of the Bank of Montreal here.

Miss Lena Grey Gallop

Miss Lena Grey Gallop died at her father's residence, 235 Victoria street, on Tuesday after a short illness. She was a member of Main street Baptist church and was also a very active member in the Young People's Society. Besides her father and mother, she leaves four sisters and two brothers. The funeral will be held this afternoon at 2:30 o'clock.

Allan line steamship Sardinian, for London and Havre from this port, took away last Saturday a cargo valued at \$202,239. Among her freight was 24,000 bushels of wheat.

The Norwegian bark Vallborg sailed from Bridgewater on Monday for South America with lumber.

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