

THE EVENING TIMES, ST. JOHN, N. B. THURSDAY, FEBRUARY 21, 1907.

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FRAUDULENT HORSE DEAL

Farmers Taken in by Minneapolis Men—Warning to Real Estate Men.

A case of great interest to farmers is now on appeal in the courts in Manitoba. The Winnipeg Free Press tells the story thus:

The plaintiff resides at St. Paul and carries on a general banking business under the name of the Merriman Park Bank.

The defendants, 14 in number, are farmers residing near Swan Lake.

In Oct., 1902, the defendants made a promissory note payable to McLaughlin Bros. for \$1,100.00, with interest, which note was endorsed to the plaintiff and plaintiff brought this suit to recover the amount of the note and interest.

The defendants set up that in the month of Oct., 1902, McLaughlin Bros. through their agent, J. A. Morris, and with their authority, sold to the defendants a stallion represented to be a pure bred young Percheron horse, 6 years old, whereas, as they contended the fact was that the horse was not any horse of that age, but at the time was a very old horse as McLaughlin Bros. and Morris well knew, and they claimed that they were induced to make the note and that the same was obtained by fraud and there was no consideration given for it.

The horse proved to be of no value whatever to defendants and it did shortly after the making of the note such on.

By leave of the referee, and in pursuance of an order made by him, a third party notice was served upon McLaughlin Bros. at the instance of the defendants claiming to be entitled to be indemnified by McLaughlin Bros. against liability on the note on the ground that it was obtained by fraud and misrepresentation, and that the same was negotiated by McLaughlin Bros. in breach of faith and under circumstances amounting to fraud.

FIRST HEARING.

The case was heard before Mr. Justice Mathew, who dismissed the plaintiff's action with costs.

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PRESERVATION OF OUR FORESTS

New Brunswick Timber Wealth and How to Conserve it, the Theme of Many Speakers at Forestry Convention—Excellent Speeches at Yesterday's Session.

FREDERICTON, Feb. 20.—The Forestry convention which opened here today has already aroused a great deal of enthusiasm and much good is expected to come of it.

The afternoon session was opened by Hon. William Pugsley, who paid a graceful tribute to the previous speakers. He noticed, he said, there was no reference to the land owned by private persons at the headwaters of the province where the forests were being cut away. Matters were serious in his own county of Kings, in the Sussex valley, where floods were followed by a long period when the streams were dry. Some legislation, he thought, should be introduced to prevent this in future or the government should buy back the lands at the head waters. He asked Mr. Stewart's opinion on the matter.

Mr. Stewart said it was a question of degree and whether the government would be warranted in going into it. If necessary in the public interest expropriation might be in order. On the spur of the moment he thought that if some inducement was held out the owners might take the matter up and preserve the forest. On the Hudson and Mohawk rivers, which were affected in this way, the United States government had been purchasing back large tracts of land.

Dr. G. U. Hay referred to the black walnut as a tree which might flourish in sheltered districts. It was one of the most valuable trees the province could possess. He congratulated the government on the success of the convention and on the valuable opportunity afforded for discussion. He wished to emphasize the fact that the rush of water in flood time carried away much valuable alluvial soil.

Dr. G. U. Hay, M. A., Ph. D., chancellor of the University of N. B., then addressed the convention on "The Attitude of Educational Institutions Towards Forestry." He was in sympathy, he said, with such a practical science. It could not be termed sentimental when the commercial value of the forests was considered and there was every reason why it should receive encouragement. The schools had little to do with work on the lines of practical lumbering but it would prove useful to consider the ways that the revenue of the province was made up. Colleges were

those that had completed their second year in the arts course. It was necessary for them to be trained in a local institution to familiarize them with local conditions. He considered his suggestion was a practical one, and that such a course should be attached to the local institution to train men to practical work.

Robert Connelly, general manager of the Bay Shore Lumber Company, urged that the province should be divided into districts and a fire ranger in each district should be appointed who should report to headquarters at intervals. He thought such a course would tend in a large degree to the preservation of the forests and expressed the opinion that the licensee should contribute half the ranger's salary and the government the other half.

J. Fraser Gregory said while his firm did not own timber limits in New Brunswick, having all their holdings in Quebec, he took a great interest in all matters relating to forest preservation. He wished to call attention to several omissions. There had not been any suggestion to form a provincial forestry association on the lines of the Canadian association. He thought a committee might be appointed to consider the matter and report back. No mention of the pulp industry has so far been made, yet it was an industry which did more damage to the lumber business than any other. He saw no reason why pulp should not be treated as a by-product of the sawmills. The matter of surveying lumber should also be taken up, as the present system was antiquated and unwieldy.

Mr. Gregory then moved that three committees be appointed to draw up resolutions in the matter in question to be presented to the convention tomorrow afternoon for discussion. One committee to consider the advisability of forming a forestry association and to outline the scope of the same.

A second committee composed of lumbering men, and a third committee composed of men not in any way directly interested in lumbering.

W. B. Snowball, in responding to the resolution, said he regarded such a step as very practical. They were glad to listen to the papers, but could form no conclusion without resolutions. He was fully in accord with the views of Chancellor Jones as to the training of men in the university. He would also like to see a short course for the sons of lumbermen. It would be of great benefit to them in after life in controlling a lumber business. They need not take a degree, but would acquire all the necessary information. He hoped to see his suggestion adopted.

Hon. Mr. Tweedie then put the motion, which was carried unanimously. The premier said he would name the committees before adjournment.

Dr. J. R. Inch, chief superintendent of education, then spoke on the Relation of Forestry to Our Public Schools. He dwelt upon the advantage of nature studies and other similar methods as being of great assistance in the study of the matter before the youth of the province. T. B. Kidner, provincial director of manual training, gave an interesting address "What the manual training schools can do in arousing the interest in trees and their protection." The address was illustrated by specimens of the growth of trees in various stages of the development and Mr. Kidner explained the method adopted in giving instruction in the schools so that a lasting impression was retained.

Lieut. Col. T. G. Loggie, of the crown land department, spoke on Forest Reservation. He said there were 17,000,000 acres of land in the province of which 10,000,000 belonged to the crown with some reserves granted land. He emphasized the difficulties in his department from fraudulent applications for land under the guise of "settlements."

The laws regarding forest fires, he said, were good but were not enforced as they should be and until this was done the evil would continue.

Speaking of the large grants of land made by the government in the past, Col. Loggie referred to the grants to the New Brunswick Railway Co., which amounted to 1,647,000 acres, and added that on the authority of W. T. Whitehead he understood there was now 11,770,000 acres of land on the property, composed of spruce, hemlock, cedar and fir.

He said he was pleased to be able to say that modern methods of lumbering prevailed among such concerns as the Gibsons and the Miramichi Lumber Company, H. E. McMillan, J. D. Hazen, D. L. S., and Dr. G. U. Hay.

In response to a request from the premier, Adj. Jennings, of the Salvation Army immigration staff, spoke of the class of men the army were bringing out to Canada. They could only be employed, he said, as unskilled labor, but were all able-bodied and selected from the working classes. They had brought out 29,000 men in two years.

Considerable interest in the adjutant's remarks was shown by the lumbermen present, and in reply to questions Mr. Jennings said he did not think the reason the men went west in preference of coming to New Brunswick was a matter of wages. The west was more advertised and in coming east the men seemed to have a feeling they were going back. He would be glad to give the maritime provinces any number of men that might be in demand. The lumbermen could contract with the army guaranteed them work and, if necessary, loaned a part of their passage money. The lumbermen could contract with the men through the army.

Mr. Beveridge said the labor problem was a serious matter and asked Adj. Jennings if \$1.25 to \$1.75 a day would attract the men.

The adjutant replied that he thought such a price would be satisfactory. He advised getting married men, as they were more likely to remain. The convention then adjourned until this evening.

At the evening session L. W. Bailey, of the university, read a lecture by Prof. Penhallow, of McGill University, on the Pulp Industry of Canada, and a series of lantern illustrations were shown by G. N. Babbitt.

Hon. C. N. Skinner followed in a witty speech on the subject of Forestry in its Relation to Agriculture. He took his audience back to Adam and pointed out how nature had provided for man in the beginning of things. Speaking of the lumbermen in the past he said they had all followed in one another's footsteps and had conducted their operations as badly as they could. The farmers also were much to blame for burning land around their farms. What they could not cut down they burned up.

Mr. Skinner urged the need of preserving the trees at the head waters and said the men who did work of this nature were defending the country as much as if they were an army on the battlefield.

Hon. H. R. Emmerson, minister of railways and canals, spoke on Opportunity and Outlook. In his opening remarks he referred to the pleasant memories he had of the legislative chamber. Turning to the subject of forestry conventions, he recalled that Sir Wilfrid Laurier took the initiative in the movement. The premier, he said, had asked him to convey his best wishes for the success of the present convention, and for the prosperity of the industry which meant so much to New Brunswick.

Mr. Emmerson spoke of transportation and forestry being closely allied, and in this connection mentioned that the deputy minister was now working on a scheme to prevent locomotives starting forest fires.

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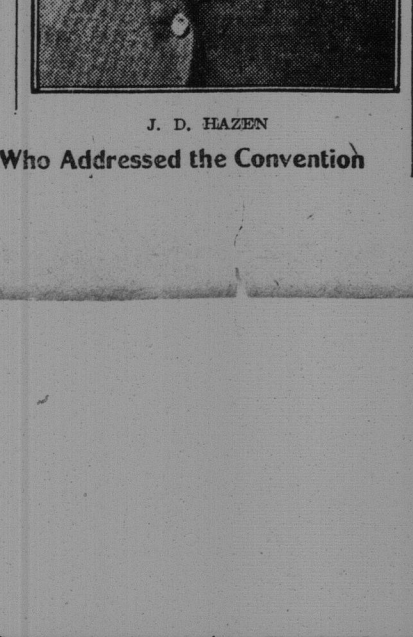
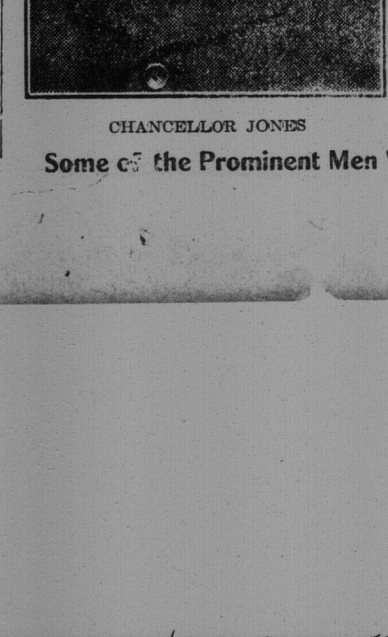
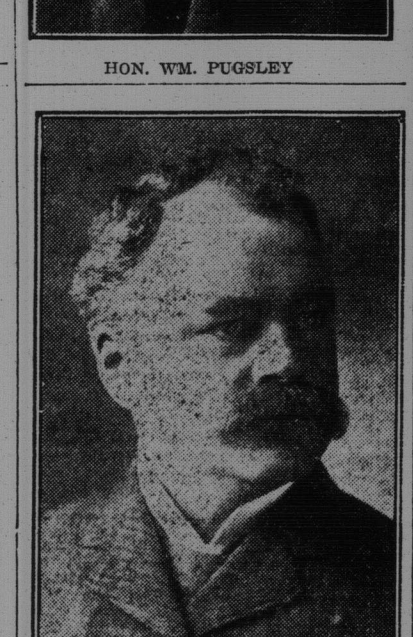
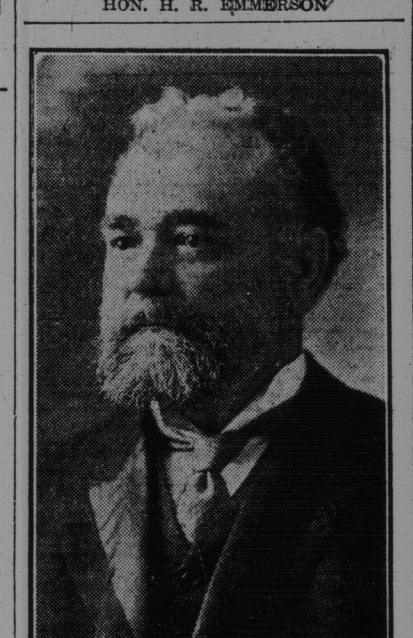
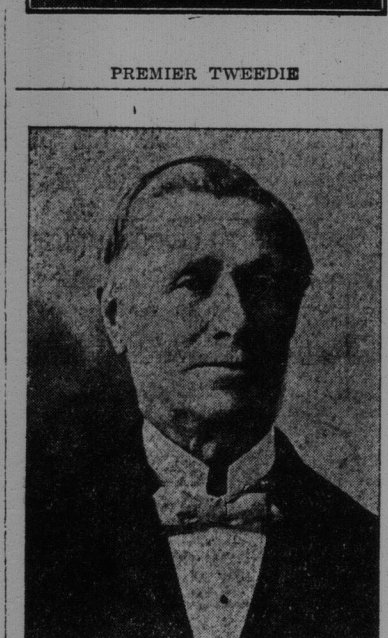
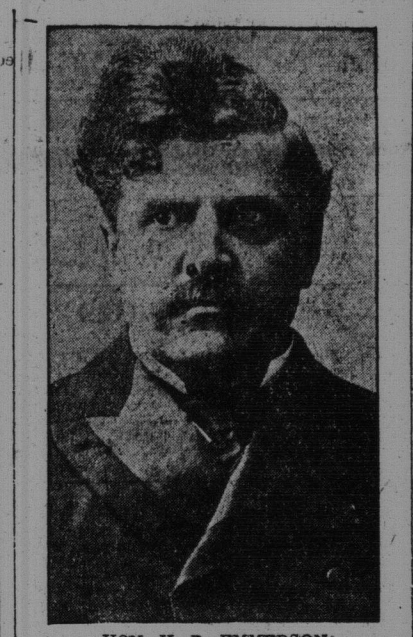
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Some of the Prominent Men Who Addressed the Convention