FORMER EULOGIST OF UNION LIFE SAYS HE WAS DUPED AND DECEIVED; HEARING EXPECTED TO END TODAY

E. A. Rusher, Actuary of the Prudential Insurance Company, Tells How Proof Copy of Union Life Was Doctored Before He Saw it—Dummy Directors Did as H. Pollman Evans Directed Without Question.

Out of the concentrated evidence of the final stages of the Union Life Assurance investigation, two facts stand forth distinctly to demonstrate how H. Pollman Evans, the engineering mind of this, and a score of contributory organizations, was enabled to prop up for years an enterprise tottering steadily to a fall. For one thing he maintained a system of "dummy-directors." This was self-confessed by one of them yesterday. Further he had apparently no compunctions about hoodwinking responsible actuaries into commendation of the company's assets. The glowing eulogy given by E. A. Rusher, actuary of the Prudential Insurance Company of Great Britain, vanished into thin air by his own stated wish, as he discovered how he had been duped and deceived.

"Had I known the facts it is quite certain my reports would never have been given," he writes to the court. These reports were the backbone of the prospectus. Their authority, linked with the name of the Prudential and blazoned from one end of the United Kingdom to the other, drew investments from the pockets of the cautious British public.

Not only does Mr. Rusher state that he was blinded to the facts of the financial condition and that his name and connection with his firm were improperly used, but he makes plain that Mr. Evans was conscious of his illegitimate practice. The only prospectus which he (Rusher) received was one carefully expurgated and vastly different from that which appeared. His hasty order to stop the issue when he learned of its contents was ignored till the effect was manifest. In disgust at the position in which he was placed, he resigned at once from the Prudential.

Evans' Reply.

In the court yesterday Mr. Evans made reply:

"I think the facts speak for themselves," said Mr. Evans. "It was absolutely impossible to make any changes after we received his letter. Mr. Rusher must have known that his report was going to be used that way. It seems to me childish for anyone to contend otherwise."

In his statement to the referee Mr. Rusher begins by saying that he would show that he took every reasonable precaution to prevent the introduction of the name of a company (the Prudential) which never had any connection in any sense with the Union Life. Mr. Schooling had refused the handling of it because he had given up "private" work. Further, when Evans had asked him to become consulting actuary he had refused because the Prudential never allowed their name used in connection with private work. Thirdly, both of these points were brought out clearly in his letters to Evans in July, 1910, when Rusher had charged him with a serious breach of faith. In one of these Evans had clearly evaded the point. To the other he had not replied.

"Fourthly," says Mr. Rusher, "the proof prospectus supplied to me differed materially from the one actually issued to the public, and I was left out when the public received their copies."

Where Proof Differed.

"In the proof prospectus (the only one I have ever seen) nothing is said about the Prudential, to couple it in any way with the Union. My name is not even mentioned. It is needless to say that had I seen any proof prospectus giving my connection with the Prudential I should at once have stopped it."

Turning to the favorable report on the Union Life he dealt with the state of Union business and its value to shareholders and the state of the assets.

He quoted the opinion of T. B. Macauley, of Canada, that if the company had been capably managed it would have gone well. Further, the giving of £80,000 by the Metropolitan on a forced sale spoke well for the business.

Action of Parliament.

On the state of the assets he drew attention to the fact that the Canadian commissioners pass no assets at an amount exceeding market value and throw out doubtful ones. He took their figures as he found them and felt justified, understanding that they felt the company would pull itself straight in time without public confidence being destroyed. Again, the Canadian parliament, by special act, had authorized the raising of further capital. Surely this would not have been done for a company in a "bad" financial condition.

"The assets are really the crucial point," he states. "Had they been of the value set out in the commissioners' reports the company would have had to fear only the early stage."

The statements in The Canadian News that he had received sums out of proportion to his work and was "bribed to give a favorable report while knowing the bad financial condition of the company," were answered by his total receipts of £150. The prospectus he saw said that no promotion money was being paid. He knew of no large sum being spent in the English flotation. He had not been aware of adverse criticism of the company. His resignation from the Prudential had come because of his connection with an insolvent company and he did not wish the Prudential to suffer.

Did Not Know the Facts.

"Had I known the facts it is quite certain that my reports would never have been given," he says.

He then outlined his knowledge of the facts as placed before him. He had written letters to Mr. Evans demanding the discontinuance of the issue bearing his name in an unwarrantable way. A similar letter had been sent to James Martin, who had advertised the actuarial end, but to no avail.

The afternoon session began with the examination of D. A. Burns, vice-president of the Canada Provident Investment Corporation.

Out of the expenses for 1902, amounting to $24,000, nearly $20,000 went to one Livingston. Mr. Burns could not explain the reason for this.

"Why did the Canada Provident pay to Mr. Livingston sums aggregating in all $35,000?" asked Mr. Masten.

Burns Cannot Explain.

The reply was that Livingston had secured the charter for the company. This was the only reason he could think of. He would not attempt to explain it at all. In 1903 Mr. Livingston received $53,310. Mr. Burns had paid him $5000 on common stock and had never received it back.

"Did the Canada Provident have any business at that time?"

"In one sense it did not. It had no life insurance."

During that year the company was out $57,000, apparently on unwarrantable transactions.

"Can you afford any explanation?" was asked.

The witness shook his head. He had no recollection.

The next year the Canada Provident had increased its stock holding by $700 and practically controlled Imperial Loan stock to $584,000 worth out of $600,000 capitalization. Mr. Burns thought that the company did not pay dividends in that year.

Enter Evans.

In 1910 Pollman Evans had appeared in the company and at the same time a loan of $340,000 had been received from the Union Life. As to its disposition the witness was hazy, altho he remembered $50,000 going to the Agency Land and Security. He did not remember that stock in the Canadian Land, Fruit and Packing Company had been taken in exchange, nor would he deny it.

"Did you know that Mr. Rolph took the minute book to England?"

"No," was the reply.

The succeeding questions of Mr. Masten were met with the repetition of the same answer, "I couldn't say." Evans had come to him asking him to sell his 200 shares at 80 cents on the dollar. This had been carried out, but of Rolph's dealings he knew nothing. Mr. Masten stated that there was a deficit in 1910 of $71,575. The witness could not remember this. He had never heard of it.

"Mr. Evans promised to pay me $16,000," he said.

"Did you get it?"

Did Not Get All.

"Not all of it," was the reply.

The counsel produced a sale sheet of 400,000 shares of the Canada Provident. Witness had only known of it after it was completed. The statement of the company which had been issued in 1911 in booklet form he had never seen or suspected until it was completed.

"You appear pretty much as a director who did not direct?" said Mr. Masten.

"Perhaps so. I have always been busy with my own affairs."

"I do not want to apply the term of 'dummy director' to you unless it is justified," continued the counsel.

"Oh, I suppose he did whatever Mr. Evans directed. That is about the size of it," said the referee.

Was a Dummy.

"I suppose so." was the rejoinder of the witness.

Charles E. Muckle, the company actuary, was the first witness of the day and his evidence went to show that $75,000 a year had been lost in a vain effort to gather business. The number of agents had been increased from 250 to 600 and other channels had been strengthened in a like manner and to the growing embarrassment of the company. Approximately $775,000 was expended annually in this direction. Abundant opportunity was given to the agents for defrauding the company. They received $2 on a 10 per cent. premium and $15 on a $1 premium. The lapsing of policies invited them to pay premiums of their own and file policies.

Press Was Critical.

The witness stated further that press criticism had worked heavily against them in competition with other companies.

W. H. Carrie, who had served as accountant for the National Agency, told of paying over $262,000 to the Union Life and never having it returned. The Agency had subscribed for the total Union stock, valued at $100,000. The writing-up of the assets in 1905 as $90,949 was calculated on the weekly debit multiplied 125 times, or 2 1-2 years' payment. He was only the accountant and had nothing to say in the policy.

The hearing resumes this morning at 11 o'clock and is expected to conclude tonight.

MUNICIPAL FRANCHISE REFERENDUM COMMITTEE.

The above committee wish to state that by an oversight the dodgers which they are distributing to the voters did not bear the union label, altho they were printed in The World office, which is a union shop. The committee is having all its printing done at union offices.

PRIESTS ORDAINED.

Next Sunday, at the high mass of the cathedral, Archbishop McNeil will ordain to the priesthood, Rev. John O'Connor and Rev. Francis Pennyelgion. Mr. O'Connor is a nephew of the late Archbishop O'Connor. The sermon will be preached by Rev. Cyril Kehoe, O.C.C., professor at St. Augustine Seminary. The staff of the seminary will assist the archbishop, and the students will also be present in a body.

PUBLIC OWNERSHIP IN UNITED STATES

Government Telegraph and Telephone System Now Under Advisement.

WASHINGTON, Dec. 10.—(Can. Press.)—Government ownership of telegraph and telephone lines thruout the United States is being seriously considered by President Wilson.

Conferences between the president and Postmaster-General Burleson have led to a gathering of information about the practical working of government ownership in countries where such a system is in operation. The subject will be discussed at some length in the postmaster-general's annual report, soon to be made public, tho it is by no means assured that he will make any positive recommendations.

Tho bills have been drafted by members of congress looking to government ownership, none has been agreed upon as an administration measure, while the result of Mr. Burleson's investigations is being awaited.

YOUNG MAN CONFESSES PART IN BANK ROBBERY

Confession Said to Have Implicated Farmer Near Primrose, Neb.

ALBION, Neb., Dec. 10.—(Canadian Press.)—Hugh M. Fins, 20 years of age, arrested two days ago on suspicion of being the man who robbed the bank at Primrose, Neb., last Thursday, confessed the crime today, according to Sheriff Sutton of Greeley County.

His confession is said to have implicated Paul Carston, a farmer living six miles from Primrose, and on whose farm the officers found $3700 of the $4000 taken from the bank by Fins. The money was hidden in corn shocks. Carston was arrested.

Auction Sales.

Suckling & Co.

We are instructed by

JAMES P. LANGLEY

Assignee,

to offer for sale by auction at our Warerooms, No. 6 Front St. East, on

Wednesday, Dec. 17

at 2 o'clock p.m. the stock belonging to the Estate of the

Modern Skirt & Cloak Co.

34 Adelaide St. West, Toronto, Manufacturers of Skirts, Costumes and Cloaks, consisting of

Cloakings, Costume Cloths, etc.	$4224.95
Manufactured and Finished Garments	590.00
Unfinished and in Process	518.50
Plant, Factory Fittings and Office Furniture	1857.50
	$7190.95

Terms—One-third cash, 10 per cent. at time of sale; balance at 2 and 4 months, bearing interest and satisfactorily secured.

Stock and Inventory may be inspected on the premises on Adelaide St. W., and Inventory at the office of the Assignee, McKinnon Building, Melinda St., Toronto. 646

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We have received instructions from

RICHARD TEW,

Assignee,

to offer for sale by Auction at our Salesrooms, No. 5 Front Street East, Toronto, on

WEDNESDAY, DEC. 17,

at 2 o'clock p.m., the stocks belonging to the estate of

P. H. DULMAGE,

Toronto

as follows:

Parcel 1, at 1602 Queen street west.

General Hardware	$ 680.13
Paints and Oils	352.96
Window Glass, Screen Doors, etc.	200.55
Shop Furniture	23.50
	$1257.14

Terms 1-4 Cash at time of Sale. Balance at 60 days approved paper bearing interest. Stock and inventory may be inspected on the premises, Queen street.

Parcel 2, at Queen and Shaw streets.

General Groceries	$244.68
Shop Furniture	37.35
	$282.03

Terms 1-4 Cash at time of Sale. Balance when stock is checked. Stock and Inventory may be inspected on application to Mr. Richard Tew, Assignee, cor. Front and Scott Streets, Toronto.

Theatres and Concerts

In furtherance of an idea he has had in mind for some time, Louis Meyer, London's luckiest manager, and the youngest, has established himself in Australia and South Africa with "The Glad Eye" and other pieces, and his manager, H. Armitage, is in Toronto to superintend the visit of "The Glad Eye" to the Alexandra next week.

Mr. Armitage said the idea of Canadian tours had taken the imagination of English managers and has borne good fruit and bad, the latter for the reason that many companies with little prestige had been induced to come over here to what, for them, could only be certain failure. That bad half hour is passing, and the reputable shows would find a welcome in consonance with their commendable enterprise. Mr. Meyer's British company with "The Glad Eye" played Montreal last week to big business, and to the pleasureable favorable comments of the newspapers, which aver that it is one of the best British farce-comedies, and one of the nattiest companies seen in Montreal in years. Mr. Meyer has treated the Canadian public as if they were in the west end of London. He has laid out a great deal of money on the magnificent furnishings and scenery, a replica of that used at the Strand Theatre.

"The Glad Eye" is a delicate farce, played in the spirit of high comedy without slap-sticks or gun-bangs. It is full of fun and laughter. It is adapted from the French of Armond and Nancey, two of the smartest of French farceurs in Paris, where farce has to be of some account to be of material of other profit to anyone. The little "morceau" has been described by even staid English journals as "the funniest play within memory."

Arliss in "Disraeli."

Mr. George Arliss and his English company come to the Princess next week for his second engagement in Louis N. Parker's comedy "Disraeli." The seat sale opens at the box office this morning. The mail orders thus far received indicate an immense demand for seats. Mr. Arliss' engagement here last season was one of the most brilliant of the year, and the interest in his return in "Disraeli" forecasts a similar welcome.

"The Inner Shrine."

A new play, "The Inner Shrine," a dramatization of the famous novel of that name, comes to the Grand next week. The work has been done by Channing Pollock, and in his record also there can be found no product which may not bear the closest scrutiny. Mr. Delamater chose judiciously when he nominated Mr. Pollock to dramatize Basil King's great novel. Both men have healthy minds. "The Inner Shrine" as a book, proved one of the best sellers of a decade, and as a play is showing itself the equal of any that has had a novel for its inspiration. The story is one of unusual strength and teaches a severe moral to the type of man who handles about a woman's name. It is the story of an all conquering love, not the wishy-washy kind, but love born of tragedy and great sorrow. The winsome Justina Wayne will appear as Diane Evelesh, and the handsome Albert Andrus will be the hero, Derek Pruyn. Judging from the advance sale of seats this will be one of the most popular offerings of the season. Several theatre parties have been arranged.

"The Red Heads" Coming to Shea's.

Productions of condensed musical comedy intended for vaudeville usually compare favorably with, and frequently surpass, those made for a complete evening's entertainment. For next week at Shea's Theatre, Jesse L. Lasky presents his latest effort, a vividly colored musical comedy called "The Red Heads," in which James B. Carson enjoys featured prominence. However, while costumes and scenic investiture play an important part in performances of this kind, complete success must necessarily depend upon the material in use. The book of "The Red Heads" is by William Le Baron, an author whose previous efforts, both for vaudeville and the legitimate stage, command for him respectful attention.

The special attractions for next week are the Merkel Sisters, four dainty young woman gymnasts and contortionists, and McDevitt, Kelly and Lacey, "The Piano Movers and the Actress."

Other features included in next week's bill are Leon Klinberley and Halsey Mohr, Lew Brice and Lillian Gonne, Frederica Siemons, Lynch and Zeller, Swain Ostman Trio and the Kinetograph.

Symphony Orchestra.

The sale of seats for the popular concert of the Toronto Symphony Orchestra next Monday evening opens at Massey Hall on Thursday morning of this week. The popular places for this attraction have always insured a large audience, and the fact that upon such occasions the orchestra is able to select from its extensive repertoire those pieces which have met with the greatest approval at its previous concerts makes this an occasion of unusual interest. There will be a group of songs given by Miss Winifred Hicks-Lyon, and the solo numbers by members of the orchestra will undoubtedly attract attention.

At the Star.

Jimmie Kearney, "our Irish friend"; Bobby Harrington and Francis T. Reynolds, two recruits from the musical comedy field; the Irish-American Trio of comedians, singers and dancers, who create bundles of laughter during their stay upon the stage, and a chorus of twenty-five handsome young ladies, bedecked in wardrobe of an elaborate nature. The scenic and electrical effects are indeed one of grandeur, and, taken in its entirety, dainty Eva Mull and her Big Beauty Show will be the treat of the season at the Star next week.

At the Gayety.

Midgey Miller is the mainspring of the female principals in Jacobs & Jermon's "Queens of Paris," headed by those widely-known laughsmiths, Harry Koler, Al. K. Hall and Harry K. Morton, which comes to the Gayety Theatre next week. Miss Miller is really a jolly soubret; a smile a yard wide is one of her best assets.

Assisting in the production are such well-known performers as Fannie Vedder, Rose Reading, Harry Evans, Dolly Bowen, Alice Maude Poole, Callagan and Miller, Manny Koler, Billy Arrington, and a chorus of thirty shapely girls.

Mrs. Patrick Campbell's Niece With George Arliss in "Disraeli."

Miss Lilla Campbell, the beautiful Lady Cudworth in "Disraeli," which comes to the Princess Theatre next week, is a niece of the celebrated actress, Mrs. Patrick Campbell. She bears rather a strong resemblance to her distinguished aunt, altho of a more delicate type of beauty. Mrs. Campbell's present association with Mr. Arliss is particularly interesting from the fact that it was in Mrs. Campbell's company that Mr. Arliss first appeared in this country. His Cayley Drummel in "The Second Mrs. Tanqueray" will be remembered as one of his brilliant interpretations.

Miss Campbell is only nineteen years of age, and made her debut on the stage only last season in a small part in "Disraeli." That she has inherited her aunt's stage ability seems apparent in the advancement that Mr. Arliss has already seen fit to give her. Miss Campbell wanted to make her own way on the stage, and not reach recognition thru her celebrated relative, and for this reason has been reluctant to before refer to the family connection.

William Faversham and His New Productions.

Mail orders are now being received at the Royal Alexandra Theatre for all performances of William Faversham's Shakspearean Festival, to be inaugurated there for two weeks, beginning Monday, Dec. 29, and continuing for two weeks. During that period Mr. Faversham will present, for the first time, his new spectacular productions of "Romeo and Juliet," and "Othello," and in response to numerous requests for further opportunity to witness "Julius Caesar," has arranged to also offer the ever-popular Caesarian drama for a few times. Mr. Faversham's company will include the most noteworthy assemblage of stars ever gathered in one organization in America. Besides Mr. Faversham, who will portray Romeo, Iago and Antony, the ensemble will include Miss Cecilia Loftus, Miss Julie Opp, Miss Odette Tyler, Mr. R. D. MacLean and Mr. Pedro De Cordova. It is announced that scenically the new productions will surpass in splendor and beauty of adornment the magnificent presentation of "Julius Caesar" which Mr. Faversham disclosed here last season.

Franz Egenieff Tonight.

The following program is to be sung tonight by Franz Egenieff, the eminent baritone from the Berlin Opera, at Foresters' Hall: "Biterolf," "Verborgenheit," "Der Musikant" and "Gesang Weyla's" by Wolf; "Der Nock," Loew; "Belsazar," "Provenzalisches Lied," Schumann; "The Lotus Flower," "On the River," Hubert Pataky; "The Three Comrades," Hans Hermann; "Farewell," Jeno Kerntler; "On the Way to Kew," "Irish Folk Song," Arthur Foote; "My Native Land," Hugo Kaum.

Jeno Kerntler will preside at the piano and will play a group of Schumann and Strauss.

Mrs. Herman Lewis of Concert Direction M. H. Hanson is here from New York for the event. The concert is under the management of Thomas H. George.

WESTERN AVENUE SCHOOL.

The Educational Association of Mothers and Teachers of Western Avenue School will hold their regular meeting on Thursday, Dec. 11, at 4 o'clock, in Western Avenue School. Mrs. James L. Hughes will speak on "The Presentation of Life's Truths."

ASSISTANT AUDITOR.

David B. Gardner, assistant city auditor, died yesterday, after a few weeks' illness. He was aged 62 years. A wife, two sons and three daughters survive.

In 1908 he entered the civic service. Previous to that he was a chartered accountant and had been manager of the gas company at Ottawa.

LINER ADS

are run in The Daily World at one cent per word; in The Sunday World at one and a half cents per word for each insertion; seven insertions, six times in The Daily, once in The Sunday World (one week's continuous advertising), for 6 cents per word. This gives the advertiser a combined circulation of more than 132,000.

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A. E. MILLER, Uxbridge, Ont., for large and small farms that will stand inspection, close to towns and villages. Write for particulars. A. E. Miller, Real Estate and Insurance. ed.

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WE HAVE a connection and a list of young farmers in the old country waiting for a location in Canada, on our recommendation. We require a large number of moderate priced farms from genuine owners to place before them. Can handle farms on a commission basis of 2½ per cent. Now preparing list to send to old country. Write at once to Garner & Jackson, 37 Richmond W., Toronto. 346

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Apply Box 68, World Office.

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FRANK W. MACLEAN, Barrister, Solicitor, Notary Public, 24 King street West. Private funds to loan. Phone Main 2044. ed

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LIME, CEMENT, ETC.—Crushed Stone at cars, yards, bins or delivered; best quality; lowest prices; prompt service. The Contractors' Supply Company, Limited, Telephone Main 6859; Main 4224, Park 2474, College 1273. ed-7

Carpenters and Joiners.

ALTERATIONS, jobbing, shop fitting. Prompt attention given to all orders. 132 Harbord street. ed7

FOR STORE FRONTS, alterations, etc., apply Kent, 58 Richmond West. ed

A. & F. FISHER, store and warehouse fittings, 114 Church. Telephone. ed7

RICHARD G. KIRBY, carpenter, contractor, jobbing. 589 Yonge street. ed7

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DEWAR & CO., lumber, lath and shingles, a special line of flooring. Huron street, Toronto. ed-7

Coal and Wood.

THE STANDARD FUEL CO., Toronto. Telephone Main 4103. ed

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WINDOW LETTERS and signs. J. E. Richardson & Co., 147 Church street, Toronto. ed7

Butchers.

THE ONTARIO MARKET, 432 Queen West. John Goebel, College 809. ed-7

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LADIES' and gentlemen's hats cleaned and remodeled. Fiske, 17 Richmond East. ed

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CHAMBERLIN METAL WEATHER strip Company, Yonge street. North 4292. ed

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REPAIR WORK—Plaster relief decorations. Wright & Co., 30 Mutual. tf

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MDE. LOUISE, masseuse, baths. 785 Yonge. N. 7840. ed7

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PAINLESS tooth extraction specialized. Dr. Knight, 250 Yonge, over Sellers-Gough; graduate nurse assistant. ed7

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SHOES REPAIRED while you wait. Sagar, opposite Shea's, Victoria street. 246

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AUTOMOBILES—Used and reconstructed; Packard, 1911 Cadillac, Overland, at extremely low prices. We also have some McLaughlin-Buicks taken in exchange for larger cars, which we can afford to sell very cheap. McLaughlin Carriage Co., Limited, corner Church and Richmond streets. 46

Lost.

LOST—Probably on Dundas car, gold watch and fob, open-face. Reward, 1365 Dundas street.

Marriage Licenses.

FLETT'S drug store, 802 Queen west, issuer, C. W. Parker.