

43RD YEAR NO. 17957

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**FWOILER DISLIKES PROBE; SAYS "I WONT";
REFUSES TO TELL OF THAT \$55,000****Declines to Answer Questions of Insurance Commissioners—Denies Statement
That He Was an Agent and Flatly Contradicts Statement of Mr. Foster.**

Toronto, Oct. 13.—There were pyrotechnics at the section of the royal commission in Toronto yesterday when George Fowler, M. P., the witness long desired, flatly refused to tell where that \$55,000 went.

Mr. Fowler told of the different options he had got from Mr. Ryan—one for \$200,000 and one for \$250,000. The difference he was to have in his profits. Mr. Shepley asked numerous questions, and the witness explained that the property was bought under the conditions that he was to make money out of it, and in good faith because he took one-quarter interest. When the Forsters bought the property they paid \$255,000; it was now worth \$500,000.

"Would you consider it proper to put before your intended partner the statement that you had paid more than you did?" asked Mr. Shepley.

"No," replied witness.

"Did you intend them to believe that you had paid the amount of the \$250,000 option?"

"I won't answer that," was the firm rejoinder.

"Then the option was reduced to \$225,000, which you put forward to your partners as indicating the price you were paying Ryan?" pursued counsel.

"You can put any inference or inference you like on it. I put it forward to indicate what I was paying Ryan."

"Do you suppose they believed that was the correct option?"

"I did not suppose anything. They could believe what they liked. They never asked me and I never told them. If they would have asked me if I was making a profit I would have told them."

"Will you make any further answer?" queried Mr. Shepley.

"No, I won't," was the flat refusal.

"Did Ryan pay you the \$55,000?"

"That is between Ryan and myself. I decline to answer."

Mr. Shepley asked for a ruling, and Judge MacTavish told witness to answer, but he declined again, and Judge MacTavish said, "It is proper question and must be answered."

Mr. Fowler addressed the commission. This might be subject of litigation. He would not answer it.

"You must yield to the ruling of the commission, that is your duty," said Mr. Shepley, indignantly.

Mr. Fowler beat around the bush and kept Mr. Shepley sparring for wind and explaining why the question was a proper one.

"Did Peter Ryan pay you \$55,000?" he asked.

"Not all of it."

"How much does he owe?"

"I don't know."

"Can you find out?"

Mr. Shepley produced certain checks, which witness assented to, showing that he received up to the amount of \$14,000. He would find out what \$2,000 checks he had forgotten.

"Who did you pay the money out to?"

"I don't know whether I will tell or not. Why should I tell?"

Mr. Shepley explained very carefully what the inquiry was for. Mr. Fowler argued that the whereabouts of the money was not relevant. He had sold the property to the Great West Land Company, and whether he got a portion or not made no difference.

Mr. Shepley then read Mr. Foster's evidence, which said that Fowler was the agent of the Union Trust Company.

"What do I care what Foster said? I was not agent," declared Mr. Fowler.

"Must I be bound by what you say?"

"No."

"I won't waste any more time," said Mr. Shepley. "Will you answer the question?"

"No. I was not an agent of the company."

"Will the court rule on this also?" asked Mr. Shepley.

Again Judge MacTavish sparred for wind, and Mr. Fowler explained the whole story again and swore positively that he was not an agent at any time.

Judge MacTavish explained the reasons why Mr. Fowler should answer.

"If you can show one little of evidence that I was an agent, I will tell you all. I claim I was not. It is painful to me to put myself in this position."

Warm Words.

Judge MacTavish—We are here to inquire into the affairs of the insurance company, to find out if we can where their money is, where it has gone to, and how it has got there, and we would not be doing our duty under the order-in-council which appointed us unless we followed it to a conclusion, and where, as in this case, there is evidence both ways, witnesses on both sides—put it that way if you like—our duty is not to stop the inquiry, but to go on with it.

Mr. Fowler—Opposing I am not an agent; your honors' public will tell me that if I am not an agent of the Union Trust Company then it was my money. I would regret exceedingly to put myself in opposition to your honors' ruling in this matter. It is painful to me as a barrister, as well as occupying the position I do as a public man, but I say I was not an agent, and not being an agent I have no right to be called upon.

Mr. Shepley—If you had been here in obedience to your subpoena and given us the information you were entitled to furnish your private affairs would not be gone into.

"It's a grandstand play for political purposes. You are acting the part of a sleight-of-hand," said Mr. Fowler.

(Continued on Page Eight.)

The Searchlight on Mr. Fowler

The searchlight of the insurance commission was turned upon Mr. George Fowler, M. P., yesterday with sensational results. He admitted that he had negotiated the sale of the Kamloops Lumber Company property to the Union Trust for \$225,000, but that the actual price was only \$170,000, a fact which he did not make known to the Union Trust. He refused to say what he did with the \$55,000 difference, protesting that it was a private affair into which the commission had no right to inquire. Mr. Fowler declared that he was not acting as the agent of the Union Trust in the transaction. When it was pointed out to him that Mr. Foster testified that he (Fowler) was the agent of the Union Trust, Mr. Fowler declared that he "didn't care what Mr. Foster said."

Mr. Fowler admitted that he asked and secured information as to the route of the Canadian Northern Railway from one of the owners, Mr. Mann and bought 200,000 acres of C. P. R. land along the route at \$3.50 an acre, though the selling price was \$5 per acre. After much urging Mr. Fowler admitted that he and Mr. Pope and some others in the deal had been enabled to make the first payment on notes indorsed by Messrs. Mackenzie & Mann, owners of the Canadian Northern.

Mr. Fowler will be asked for further information at later sittings of the commission.

**BIG RIVER BOATS
IN COLLISION****Hudson River Steamers Crash
During Fog—Several of
Crews Lost.**

Kingston, N. Y., Oct. 13.—The night passenger steamer Adirondack, of the People's Line of Albany and Saratoga, of the Citizen's Line of Troy, collided near Glascow, twelve miles north of the city at 1:15 o'clock this morning. Clarence Herman, of Melrose, N. Y., an officer on the Saratoga, was killed, and George Horton, of New York City, clerk on the Adirondack, is missing. The collision occurred in a dense fog which prevented the pilots of the boats from seeing one another. Both, it is thought, missed their bearings. The Saratoga sustained the greater damage. The Adirondack was on her way to Albany, and the Adirondack was en route to New York. The Adirondack tore off the port side of the Saratoga, which listed to port, and her boiler went overboard and sank. Sherman, an officer, was killed instantly by flying timbers. An employee named Horton on the Adirondack became panic-stricken to have been knocked down by the force of the collision, but the crew of both boats assisted in rescuing them, and later they were transferred to the City of Troy, and landed at Tivola and sent to New York by train. The passengers on both boats became panic-stricken, and only by the calmness of the officers and crew of both boats was heavy loss of life prevented. The Adirondack, after the fog had cleared, was able to proceed to Albany. The Saratoga listed to port, and was hauled to Gasco dock, where she is anchored.

A FOOTBALL FATALITY**Young Toronto Student Succumbs to
Injuries Received in Scrimmage.**

Toronto, Oct. 13.—The second football fatality of the season occurred yesterday, when Mr. W. Glynn Ellis, 22 years old, son of Mr. Matthew C. Ellis, vice-president of P. W. Ellis & Co., Limited, wholesale jewelry, died of injuries sustained in a game played on Wednesday afternoon. Both Mr. Ellis, who died yesterday, and C. Paulin, of Arthur, Ont., who succumbed to injuries on over-exertion on Oct. 23, took part in games on the university campus. The latter was a fourth-year School of Science man, and died in the General Hospital several hours after he left the field. Young Mr. Ellis lived about 48 hours.

AUSTRALIA BACKS OUT**Has Abandoned Preference Agreement
With England and New Zealand.**

Ottawa, Oct. 12.—The following cable from D. H. Ross, Canadian trade agent at Melbourne, has been received at the department of trade and commerce: "The British and New Zealand preference has been abandoned by the Australian Government for this session. The policy has been increased on agricultural implements and machinery."

The cable has caused a good deal of surprise, and there is considerable speculation as to what has caused Australia to abandon the preference.

The cable the other day announced that the preference is not accessible to New Zealand, being less than the preference given by that colony.

Mr. Ross, in a recent letter, made the statement that the preference in Great Britain came as a great surprise to the Australians.

These two facts threw some light on the decision of Australia to abandon the measure for the present.

As will be observed, the cable does not indicate whether the increased duty on agricultural implements is more or less than the ten per cent advantage which it was proposed to give to Great Britain and New Zealand.

**GRAND TRUNK CAN
GO AHEAD NOW****Last Obstacle in the Way of
Improvements in South
London Removed.**

The city of London, the Grand Trunk Railway and the London street railway have at last come to terms regarding the improvements to be made by the Grand Trunk from Ridout street west.

This morning Mayor Judd, Water Commissioner Saunders, Mr. Pope, solicitor for the Grand Trunk, Manager King, of the street railway, and Mr. Ivey, the company's solicitor, met in the city hall, and an agreement was reached.

First the street railway and the G. T. R. signed an agreement. This agreement deals over to the street railway a right of way when the tracks are removed south.

Next the mayor and the water commissioners signed the agreement between the commission and the Grand Trunk.

And then the final touches were given to the whole arrangement.

Manager King has been holding back all along for two reasons. One was that the deed secured from the Macbeth estate for the land which now forms a part of Beaconsfield avenue, and which was deeded over to the city some years ago, contained the condition that a street railway must not be run upon it. And, of course, it was the intention to place the tracks for the line to connect with Springbank on this piece of street.

The difficulty in this direction has been overcome. It is now known, it is said, the plans of the Grand Trunk and the street railway have been changed so that the tracks will not encroach over twenty feet on the forbidden lands.

The street railway manager also refused to allow the G. T. R. to touch the Springbank line until such times as the new right of way had been deeded over to the electric line, and though the company has been criticised for its stand on this point, it is now freely admitted that Mr. King only did what any other man in his position would have done.

There is nothing now to prevent the rushing of work by the Grand Trunk, and Mr. Pope says that there will be some talk hustling done right away on the elevation of the lines in South London.

BATTLE IN THE STREETS**Fatal Fight Between Toledo Policemen
and Trio of Thugs.**

Toledo, Oct. 12.—A desperate encounter between policemen and three hold-up men took place early today at Main and Front streets, East Toledo.

One of the policemen, Joseph Schlagheck, was fatally shot and two of the highwaymen were hurt. The third man, known as Blackie, escaped, and almost the entire police force is searching for him.

Chris Peterson, Neil Myers and the man known as Blackie held up F. H. Carnell, an insurance agent, and, after nearly choking him to death, robbed him of \$45. He notified the police and Patrolmen Schlagheck and Peter Deaunne ran the hold-up men down.

As soon as the latter saw they were cornered they started shooting. Schlagheck was hit four times. Deaunne's first shot broke Myers' wrist. Then Deaunne grabbed Peterson and quieted him with his club.

Meanwhile Schlagheck had sunk to the ground, and Blackie, whose bullets had hit him, escaped.

The manufacturers' committee met last night and referred a request from the Mann Brass Manufacturing Company for city water at cost to the commissioners.

MR. RIDDELL SWORN IN**Successor to the Late Judge Sireet
Mounts King's Bench.**

Toronto, Oct. 13.—W. R. Riddell, K.C., who has been appointed to the court of King's Bench in the place of the late Mr. Justice Street, was sworn in today before Chancellor Boyd.

WILL OPPOSE FIELDING**Dr. Weldon Choice of Conservatives in
the Shelburne-Queen's Fight.**

Halifax, Oct. 13.—The largest Conservative convention ever held in Shelburne-Queen's, convened at Shelburne yesterday. A special from Queen's brought delegates to the number of about 100. It was unanimously decided to contest the bye-election, and Dr. R. C. Weldon, K.C., dean of the Dalhousie College School, Halifax, was selected as candidate to oppose Hon. W. S. Fielding. Dr. Weldon was sent for and accepted the nomination.

ROBERT'S \$1 MISTAKE**Thought Car Was a Hotel, and Tied
His Horse to It.**

Robert Blackwell mistook a Southwestern Traction car, at Lambeth, for a hitching post last night, and his mistake cost him \$1 and costs this morning when he was tried before Squire Taylor.

It was alleged that Blackwell got on the outside of a glorious jag and drove his horse and buggy onto the station platform at Lambeth, and thinking that the car was a hotel and hitching-post combined, he tied the horse to the handle of the trolley, and went inside to take a seat. When the conductor explained the mistake, he was not in a barroom, but on a street car. Robert said that that suited him just as well, to go ahead and start the boat, the horse would in all probability follow, as he was positive that the animal was securely tied. Constable Baynard made the arrest.

NO LET-UP TO IT**Grand Trunk Vigorously Pushing Work
West of the City.**

The Grand Trunk continues to make good headway with its work between this city and Hyde Park.

As long as weather conditions are favorable, the half dozen work trains will be kept at the job, but once winter sets in it is hardly likely that the number can be used to good advantage.

Two steam shovels are now engaged in lowering the grade in the immediate vicinity of Hyde Park. In the meantime, two tracks have been lowered about twenty feet, and the two shovels are now cutting out another stretch wide enough for two tracks. This will not be accomplished very rapidly, as the shovels are in a bed of solid blue clay, and therefore cannot make very good progress.

The bridge going in along ahead with all possible speed at the Cove, and it is understood that the raising of the structure will be completed by the first of the year. Some uneasiness has been expressed by West Londoners owing to the large number of piles that have been driven in the river at the bridge.

They fear that if the obstructions are not removed before the winter sets in and the river is frozen over, the results will be serious to the suburb, but it is understood that the Grand Trunk will have their new bridge in use ere that time.

NO INCREASE IN CRIME**Cases in Police Court in 1906 About
Same as in Previous Year.**

Police Clerk Moule had just finished the annual statistical report of the police court for the year ending Nov. 30, which is to be submitted to the Dominion Government.

The report shows that there has not been an increase of crime in the city during the last year, as the number of convictions is practically the same as during the previous year.

There have been 130 summary trials of cases, embracing all indictable offenses and serious crimes. In all there have been 580 summary convictions, including 200 for drunkenness, 67 for drunkenness and disorderly conduct.

The longest sentence imposed by the court was three years in Kingston.

THE WEATHER**TOMORROW—FINE AND WARM.**

The weather has been everywhere fine today, except in Alberta, where a few showers have occurred. Warmer conditions are indicated for Ontario and Quebec.

Minimum and maximum temperatures: Dawson, 34-40; Victoria, 62-60; Vancouver, 47-54; Edmonton, 44-48; Calgary, 42-62; Qu'Appelle, 38-48; Minnedosa, 38-72; Port Arthur, 38-48; Fanny Sound, 26-46; Toronto, 38-46; Ottawa, 38-44; Montreal, 30-46; Quebec, 22-44; St. John, 42-54; Halifax, 44-56.

FORECASTS.

Oct. 13-8 a.m.

Fresh southerly winds; fine and warmer than on Sunday.

Stations. 8 a.m. Min. Weather.

Calgary..... 30 28 Fair

Winnipeg..... 40 42 Fair

Port Arthur..... 38 34 Fair

Fanny Sound..... 38 24 Fair

Toronto..... 42 42 Clear

Parry Sound..... 38 24 Fair

Ottawa..... 42 42 Clear

Montreal..... 30 30 Fair

Quebec..... 22 24 Fair

Father Point..... 34 34 Clear

**ONTARIO BANK FUNDS MISAPPROPRIATED;
MONTREAL BANK CONTROLS; RUN STARTED****Misappropriated \$1,250,000**

Ex-Manager Charles McGill's misappropriation of the bank's funds amounts in round figures to one and a quarter millions of dollars, but some of it is earning big money. This morning \$22,000 was received from stock speculations through Marshall, Spader & Co., and yesterday \$62,000 was received from a similar source.

President Cockburn issued an official statement today, in which he assures bank customers, on the authority of the Bank of Montreal, and says McGill made wrongful and unauthorized use of bank funds.

**CALLS IT BASE INTIMIDATION;
MR. JONES IN THE SWEAT BOX****West Londoner Denounces Tactics of Prosecuting Attorneys—
Threatened With Perjury—London Conservative
Association Behind the Proceedings.**

The tactics of the lawyers for the prosecution in the London election case, as exposed by Mr. F. A. Jones, of this city, at Toronto, yesterday, are being roundly criticised by citizens today.

It appears that Mr. DuVernet had been continuing these tactics with all witnesses since the investigation was begun, but that Mr. Jones was the first man who had the nerve to expose the procedure.

To the Advertiser today Mr. Jones gave a full account of his experiences in the sweat-box in the rear of the pinnacled by Detective Reburn, of Toronto, and that he went to the court there in good faith and prepared to tell the truth. He sat for a time in the courtroom, and then was informed by Detective Reburn that he was wanted in the ante-room of the sweat-box.

There he met Mr. Eric Armour, a gentleman named Raymond, he thought, and who, it was said, was connected with the attorney-general's department.

Mr. Raymond asked Mr. Jones to make a statement, telling him that it would facilitate matters, and that it would be all right and better for himself.

Mr. Jones refused to make any statement, but that he volunteered to answer any questions that might be put to him.

The questioning was begun on alleged cues furnished by Jerry Collins and other crown witnesses.

Mr. Jones answered all questions asked as faithfully as he could, but the replies were not in accordance with the questionable information which had been furnished the crown, and there was some disappointment on the part of the inquirers.

I am told by Collins, and I have half a dozen witnesses to prove it, that you complained to Mr. George M. Reid that Gatecliff had been bought and that he would squeal," Mr. Raymond said.

Mr. Jones replied that there was some mistake there. He had merely stated that Gatecliff was looking for money and that he thought he was simply trying to trap the Liberals.

At this moment Mr. DuVernet entered the room, and he broke into the conversation.

"If you swear to that statement in court I'll bring you for perjury," he said. "You must tell the truth, or you will go to jail. I have witnesses to prove it."

Mr. Jones, confident in the truth of his statement, defied Mr. DuVernet to do his worst.

Later Mr. Jones sprung in court the story of what Mr. DuVernet had done in the ante-room, and the result was a profound sensation.

Mr. Jones declared in the box that unless he told a story that fitted in with the questionable statements of Mr. DuVernet's friends, he was threatened with a charge of perjury.

"It's base intimidation," Mr. Jones said. "It's not British justice."

Magistrate Denison stated yesterday that he is prepared to go ahead with the investigation on Monday and Tuesday, if both sides are agreeable.

It looks as though the inquiry will drag out for the better part of two weeks.

Detective Reburn is in London again today, subpoenaing witnesses. He spends much of his time in the offices of Mayor Judd and Mr. R. M. C. Toth, both of the latter being engaged on the case.

It is said that witnesses for the prosecution are examined nightly at the offices of the two lawyers.

Though it has been argued that the prosecution is not actuated by any political motive, it is a most peculiar fact that local Conservatives known as active party workers have a good deal to say in regard to the witnesses.

An example is furnished by the experience of Mr. Percy Ashton, of this city. Mr. Ashton was subpoenaed to appear and give evidence in Toronto. He went to the secretary of the London Conservative Association and informed him that somebody had been pulling wool over the eyes of the prosecution, and that he had not been bought, and knew of nothing crooked.

The secretary, a well-known barrister, called up a lawyer in Toronto, presumably Mr. DuVernet, and the result was that Mr. Ashton was told it would not be necessary for him to go to Toronto.

Thus it appears the local Conservative workers have it all in their own hands as to who shall be called as witnesses, and who shall not. Some of the officers of the London Conservative Association have publicly denied that they were behind the proceedings, but the local party organization is now shown to be working hand-in-hand with the prosecution.

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