

FOWLER FAILS TO TURN UP

Continued from page one.

"As to the C. P. R. lands," remarked Mr. Shepley, "there were two separate contracts and two separate numbers?"

"Was there any reason for that?" "None that I can give, so far as we were concerned."

With a statement in his hand, Mr. Shepley showed that the first interest paid to the C. P. R. was in June, 1904, for the year just closed. The interest account then decreased, and finally a rebate was obtained from the C. P. R. for pre-payment on a basis of 6 per cent.

"I find no mention of this in the contract," inquired Mr. Shepley.

Mr. Foster assented.

A rebate of \$5,197 represented 1905, 1907 and 1908.

"As to the C. P. R., you got a total discount of \$5,197 20?"

"Yes."

"You have held back \$1,193 40 from the C. P. R., pending the final acreage adjustment?"

"Yes."

Mr. Foster explained that it was to prevent overpayment.

"Foster and Fowler have been prepaid, the discount being \$4,475 50?"

"Yes, on a 6 per cent basis."

"There's still \$1,737 87 by way of hold-back?"

"Yes, and all the stock."

"In the accounts connected with payment to Bennett and Peuchen, provision is made for the final adjustment, for which they would be held responsible?"

"Yes."

Mr. Shepley produced a letter written by Dr. Oronhyatekha on Jan. 8, 1905, recommending that the Union Trust appoint as an executive, Messrs. Stevenson, McGillivray, and Davidson.

"This was done, Mr. Foster also acting thereon, ex-officio. This executive was in its full reign during November, 1905, the time being inquired into. The witness admitted that in some cases the meetings were held by 'seeing' the different individual members as to the matter under discussion."

In regard to notice of directors' meetings, Mr. Foster said he had gone through the Union Trust books himself, in order to see what record there was of notices calling directors' meetings. The forms were evidently run off on the typewriter, and no copies made. There was therefore nothing in the letter-book as to calling the different meetings. In one instance there was a notice to Dr. Oronhyatekha for Nov. 10, copied. The Nov. 7 meeting was originally to have been held on that date, there a letter of his own to Mr. Wilson, copied in the book; reference is made to Nov. 7. Other than this there is no record. It surprised Mr. Foster, who had supposed that all calls would be through letters, and these copied. He would not say, however, that he had given orders to that effect.

Wanted More Time.

"What was the reason for the adjournment from Nov. 7 to Nov. 13?"

"Because there wasn't time to complete the business," replied Mr. Foster.

"That is the only reason I can advance."

"That might occur if the directors' minds were not in accord. I thought they were?"

"Mr. Wilson and I were agreed, but we would certainly not do anything unless we consulted Mr. Schofield."

"You don't suggest that there was any difference of opinion with regard to the policy you were to pursue?"

"No. I cannot suggest what might have occurred. I can only tell you what is my recollection of the meeting."

"Is what Mr. Frankish and Mr. McDougall say about the method of entering up the minutes of the meetings correct?"

"Substantially so. I would take notes at the meeting, then make a long-hand draft, which was simplified by the typewriter, and was afterwards copied into the book."

"Did you write out the resolution?"

"If the resolution were written out I would take it in the form it was presented. When the motion was made without being written, I took notes, and amplified it afterward."

"Then the stenographer did not amplify any resolution?"

"No, and the final arbiter of the minutes was the board, when they were read again at the board."

Mr. Shepley went over the general matters that came up at meetings in November.

"As to the adjourned meeting of the 13th, were any notices sent out?"

"As it was an adjournment from the 7th, there probably was no notice, as those in town were reminded of the 13th by phone."

"You would not send out notices of an adjourned meeting?"

"McGillivray and Stevenson had not gone out of town, and the others were here. It was my custom, under the circumstances, to have a clerk telephone the directors the day or morning before."

"Was any notice sent out for the meeting of the 28th?"

"I have no notice. The remark I have just made applies."

"But this is not an adjourned meeting," reminded Mr. Shepley.

"Then," said Mr. Foster, "notice was given."

"Do you say that from recollection or rule?"

"Rule. I always saw that the directors were notified."

Insists It Was Discussed.

"Does Col. Davidson's statement shake your recollection as to the rebate of the bonus stock having been specifically discussed?"

"It does not shake my recollection. Col. Davidson says he did not hear of the bonus stock. Now, the changing of the mortgage and the other went together."

Mr. Foster took occasion, also, to say that although the directors' attendance book might not be filled in, it did not follow that no meeting was held. As a rule, the book was signed, but the meetings in November were hurried ones, and the signatures might have been omitted.

Mr. Shepley pointed out that at the meeting of Nov. 23 the directors who were interested in the disposal of the bonus stock were in the majority. The only others present were Mr. Ross and Mr. Davidson.

Mr. Shepley then produced the Union Trust directors' minute-book and showed that there were a couple of meetings entered up, but no directors had signed as having been present. Mr. Foster said that he had left blank spaces, hoping to secure the directors' signatures at later meetings. These blanks occurred at the meetings of Nov. 13 and Nov. 23, when the bonus stock was turned over to the Great West Company.

Mr. Shepley on some of your operations in the Union Trust by reasons of money borrowed?"

"Yes."

"Tell me about the bank borrowing first?"

"We had an agreement with the Standard Bank by which we were to have an advance."

"How much?"

"Oh, it ran up about a hundred thousand dollars, sometimes more and sometimes less."

"In November of 1903 your borrowing power was increased to \$400,000?"

"Yes."

"What was the necessity?"

"A large proportion of it for investment in stocks."

"What other loans or advances had you?"

"A general advance from the Standard Bank of about \$50,000, and a loan from the Traders' Bank. It is a little complicated."

"Did you receive any money from the Traders' Bank, or was it just an obligation incurred?"

"No money passed. We got a loan on Crow's Nest Pass stock. We held the stock and got the money from the Traders' Bank. The deal resulted with profit to the Union Trust."

"Who were the parties to the loan?"

"Laidlaw and Drynan."

Borrowed in New York.

"Did you borrow money in New York?"

"That was the \$400,000."

"How was that?"

"The amount was considerable, and the rate of interest in New York low. It was made through the Standard Bank. The Standard Bank obtained the money in New York, but held an interest in the transaction."

"The stock was held by the lending bank in New York on margin?"

"No; the stocks were bought outright."

Mr. Shepley asked: "What other means did you use to raise money?"

"I know of no other," answered Mr. Foster.

"In February, 1904," said Mr. Shepley, "improving Mr. Foster's memory, 50 per cent of the stock was called up. Only 50 per cent had been paid?"

"Yes."

"That meant getting more money from the I. O. F.?"

"Yes. They subscribed for the stock."

"You were making large advances in connection with Northwest land?"

"Yes."

"And were about to enter on the Kamloops transaction?"

"Yes."

"Was there discussion on the board as to calling up the stock?"

"Yes."

"You wanted more money?"

"To enlarge our operations."

"On Dec. 28 last you issued \$500,000 additional stock at a 10 per cent premium, getting \$550,000?"

"The advisability of increasing our capital stock was discussed."

"But that a ghostlike fabric you are giving me," commented Mr. Shepley.

"What was the consideration? Was it not to pay your debts?"

"And to enlarge our operations. Our obligations were maturing. As to the Northwest, we had decided to avoid the 6 per cent interest and to profit by the 6 per cent discount. We wanted to clear up the land matters, so as to have a clear title."

"You got behind by prepaying for the land?"

"Yes."

"On Oct. 12 you had paid up?"

"Yes."

"As to Pope and Fowler, you had paid them all but \$13,000 as far back as October?"

"Mr. Foster did not demur."

Then came the adjournment for luncheon.

This afternoon Mr. Foster gave evidence of the payment of notes on sales of land to the Montague syndicate, which was financed by the I. O. F. through the Union Trust Company.

The first commission received and divided equally between Dr. Oronhyatekha, Lieut.-Col. J. A. McGillivray, Dr. Montague and himself, who composed the syndicate. Another commission of \$2,480 is still held by Mr. Foster for distribution.

A forfeit of \$10,000, which the Union Trust Company, as trustee for the syndicate, received from an intending purchaser, was, Mr. Foster contended, the private property of the syndicate, and would have to be accounted for by the Trust Company, with the exception of \$2,000 which had been paid to Dr. Oronhyatekha at the time on account of his share of the profits.

Just before adjournment, Mr. Shepley asked for a formal order to commit Mr. Geo. W. Fowler, M. P., who had not appeared in accordance with notification. Judge MacTavish suggested that Mr. Fowler having intimated that he would attend it would be better before issuing a formal order to make further inquiries regarding his whereabouts and the train service from Revelstoke, as he might have experienced unforeseen delays in crossing the continent.

THE FALL EXHIBITIONS.

Muncy Oct. 9-11

Rodney Oct. 11-13

Montague Oct. 13

Morav Oct. 13-19

LAMBETH'S SHOW WAS A GOOD ONE

Big Turnout in Spite of Cold Weather—Lobo Won Relay Race—Lots of Fun.

Despite the cool weather yesterday, there was a great turnout at the Westminster Fair at Lambeth. Every car over the Traction Company's lines was packed to the doors.

The fair was fully up to last year's standard, and although the crowds shivered when the chilly blasts struck them, as they arrived upon the field in which the fair was being held, and through there were tedious delays in bringing off the various events, the programme, all appeared to enjoy themselves immensely.

The Relay Race.

The races were to have begun at 3:30 p.m., but it was 4 o'clock before the first event of the day came off. This was the one-mile relay race for teams from the townships of London, Lobo, Delaware and Westminster. The prizes went to the teams making the best time in the total events. The captains of the teams had to be at least 50 years of age, and the members of the various teams over 21 years old.

In the race between the teams, Lobo Township made the best time for the mile.

After the team race had been run, the captains lined up for their sprint. The Lobo team had 12 seconds the better of the other teams in this race, and the captain of the Lobo team, who won, but instead, he started to set the pace for the bunch, and as he is a big, fleshy man, he soon tired, and fell down in the mud. After a short rest he was up and after the other sprinters, who were being led a merry chase by Captain Tom Ross, of the Lobo team, and London Township, Captain McClurg, of the Lobo team, could have won first prize for his team without trouble had he not had two spills during the race. When the time had been figured up it was found that Lobo Township had won by a few seconds.

This race created a great deal of interest among the spectators, and several spirited arguments were started over the event. At one time there appeared to be an excellent chance for a free-for-all race, everything was eventually peacefully settled.

Free-For-All Trot.

Evidently the cold weather had caused a lethargy to settle upon the management, as it was 5 o'clock before the second event was called. This was the free-for-all horse race, pace or trot. One of the entries in this event caused a great deal of laughter, and came near proving to be a dark horse.

This was an old gray nag, hitched to a four-wheeled buggy. Authorities on horseflesh at the track, stated that the animal was at least 20 years old. The old fellow put up a great race, however, and was not far from winning, but was passed by the other horses, and he might have won.

The crowd began to disperse after the first heat of this event; the long delays between heats, especially on such a cold, raw day, having become intolerable.

Artful Dodger Games.

There were two artful dodger games on the grounds; and in one of them the dodger came near getting seriously injured by being struck by one of the baseballs. Two men threw almost at the same time, and the dodger lifted the lid, after the first ball had been thrown, just in time to get hit in the face with the other ball. The name on the unfortunate dodger's stand was "Sam White," and although he was painted black, he nearly turned white when the ball struck him. A piece of courtplaster, however, soon made him as good a target as before. He procured a baseball mask, however, before again offering himself up for sacrifice on the "Hit-the-Nigger-and-get-a-cabbage-leaf-cigar" proposition.

Two buggies came together on the race track, and one rig sustained broken thills and a few broken spokes in the front wheel, while one of the horses was slightly cut.

Taken as a whole, the fair was a success. The people who attended went there for fun, and they got it.

Summary of Races.

One mile relay race—Lobo—N. McLurg (captain), Roy Siddle, B. Sinker and W. Bartley, first. London Township—Capt. Tom Ross, G. W. Kennedy, R. N. Little and J. W. Freshorn, second.

Westminster Township—Capt. J. M. Empey, J. McMillan, T. Christie and J. Milne, third.

Delaware Township—Capt. W. Cudney, E. Ryckman, A. Monteith and J. Scott, fourth.

Three minute horse race, pace or trot—Dr. Routledge's H. D. 1 Prince Patrick 2 Iron Bar 3 Minto 4 May B. 5 Time—3:15.

The Officers.

The officers in charge were Alex. Bannantyne, president; Archie Blanks, first vice-president; James Love, second vice-president; H. Poole, Lambeth, secretary-treasurer.

Directors—D. Duncan, R. Brown, J. H. Cornell, John Leonard, Wm. Campbell, Kenneth Turnbull, T. H. Shore, C. Dresser, D. Thody, F. Shore, Andrew Elliott, Joseph Poole.

It is proposed to construct a reservoir seven miles from Suere, Bolivia, at an altitude of about 1,000 feet above the level of the city. Into this reservoir there will converge tunnels from eleven springs of pure water, making up an available total of 1,050 gallons a minute. The water will be brought down to Suere through iron tubes with a force equal to 150 horsepower, which it is proposed to utilize for an electric power installation.

PILES CURED IN 6 TO 14 DAYS.

FAZO OINTMENT is guaranteed to cure any case of Itching, Blind, Bleeding or Protruding Piles in 6 to 14 days, or money returned.

R R R RADWAYS' READY RELIEF

A Family Remedy For Over Sixty Years.

Cures and Prevents Colds, Coughs, Sore Throat, Influenza, Bronchitis, Pneumonia, Swelling of the Joints, Lumbago, Inflammation, Rheumatism, Neuralgia, Headache, Toothache, Asthma and Difficult Breathing.

A SCRAMBLE FOR STOCKS

Evidences of Big Merger of Rich Properties in the Cobalt.

Cobalt, Ont., Oct. 10.—The Trethewey mine is sold, the deal having been put through in Toronto, and Mr. Trethewey's brother has left for the formal closing of the contract in Toronto.

Whether Mr. Trethewey has disposed of both J. B. 7 and J. B. 8, or only the former, is unknown here. J. B. 7 is listed, and the stock has been very active, both Friday and Saturday. The capitalization of the property is \$1,000,000, 200,000 shares, at \$5 each.

The excitement over stocks was very high here on Saturday, one of the chief causes being the deal reported to be pending on Silver Queen and consequent scramble for the stock. The purchaser of Silver Queen is reported to be E. P. Barle, president of the Nipissing. It is further reported that Mr. Barle holds options on a majority of the stock of the Buffalo, which adjoins Silver Queen.

It looks as if a big merger were in progress, especially in consideration of the sale of Trethewey.

HOW VALUE IN EARNED

Years of Work and Worth Behind Every Success in Life.

"Your's is a trade mark worth millions!" exclaimed the representative of the worsted mills owned by Campbell-Bannerman, Premier of Great Britain. The fine Scotch worsted from the Campbell mills at Glasgow are in the premier suits tailored by the Semi-ready Company.

Like many of the best known trade names in the world, the value of the "Semi-ready" mark has been won by years of meritorious work.

McLean Bros. are the exclusive Semi-ready agents for London district, 148 Dundas Street.

A NEW UNION

Shoplifters Form An Organization for Mutual Protection.

New York, Oct. 9.—While it is true that "there is nothing new under the sun," New York can usually produce something so startling that it looks new. And the "new thing" this time has been created by the shoplifters of this city, who have organized themselves into separate but affiliated bodies. The detectives term them "gangs."

All through the summer the mass of shoplifters arrested have seemed to have disappeared in a mysterious manner, retained competent counsel, and the failure so far to try the cases resulted. This puzzled the attorney for the prosecuting stores. They endeavored to account for the ease with which the guilty were let off, and lauded in vain, while the larceny of merchandise continued unabated.

When case after case had been thus skied until fifty were pending trial one prominent attorney determined to relieve the situation and called his detectives into service. Then it was that the system by which the shoplifters were obtaining prolonged, if only temporary, immunity, was uncovered.

Operating through the different boroughs are three gangs organized on business principles, and governed and directed in their manipulations by keen intellects. Each is composed of both men and women, and while members of each work, usually in conjunction with one another, they have secret methods of recognition, and assist each other promiscuously when necessary.

Smallman & Ingram

149, 151, 153 and 155 Dundas Street

SMALLMAN & INGRAM

THE WEATHER TODAY. Snow furries.

THE SATISFACTORY STORE

Tape Girdle Corsets, 48c Pair

Had a lot of Tape Girdles similar to these a few months ago, and they sold very rapidly. These should sell equally well.

Tape is of strong, firm quality. Fillings are of steel. Come in FANCY DRESDEN patterns. Pink and blue shades predominate.

These are suitable for slight figures and misses. Very good value at.....48c Corsets—Second Floor.

Children's Umbrellas

21-inch frames. Good Austrian coverings. Wide range of handles, in natural wood crooks. Reasonably priced at.....50c and 75c

Also silk and wool coverings at, each.....\$1.00 Umbrellas—Main Floor.

Wool Challies

A handsome range of these beautiful, soft, clingy, uncrushable materials.

Printed and embroidered patterns—pin dots, small rose buds, etc.

Make very stylish and comfortable waists for ladies and dresses for children.

Per yd.....35c, 45c, 50c Wash Goods—East Store.

Smallman & Ingram

149, 151, 153 and 155 Dundas Street

SMALLMAN & INGRAM

THE WEATHER TODAY. Snow furries.

THE SATISFACTORY STORE

Tape Girdle Corsets, 48c Pair

Had a lot of Tape Girdles similar to these a few months ago, and they sold very rapidly. These should sell equally well.

Tape is of strong, firm quality. Fillings are of steel. Come in FANCY DRESDEN patterns. Pink and blue shades predominate.

These are suitable for slight figures and misses. Very good value at.....48c Corsets—Second Floor.

Children's Umbrellas

21-inch frames. Good Austrian coverings. Wide range of handles, in natural wood crooks. Reasonably priced at.....50c and 75c

Also silk and wool coverings at, each.....\$1.00 Umbrellas—Main Floor.

Wool Challies

A handsome range of these beautiful, soft, clingy, uncrushable materials.

Printed and embroidered patterns—pin dots, small rose buds, etc.

Make very stylish and comfortable waists for ladies and dresses for children.

Per yd.....35c, 45c, 50c Wash Goods—East Store.

Smallman & Ingram

149, 151, 153 and 155 Dundas Street

Talks on Orange Meat

(THE PURE FOOD) No. 1 Canadian from field to table.

ORANGE MEAT is made from the best wheat grown in Canada. That's the reason why it is the best cereal in the world. From the Western wheat fields, it is brought by rail and lake right to our elevators at Kingston. Then our experts cook, malt and toast it changing wheat starch to wheat sugars. From the time it enters our elevators as wheat—until it comes on your table as ORANGE MEAT—it is never touched by human hands. The wheat is entirely handled by machinery. It is a Canadian cereal—perfected by Canadians—to build up the health and delight the appetite of Canadians.

ORANGE MEAT contains all the body, brain and vigor building elements of wheat. Analysis shows that ORANGE MEAT contains more wheat sugars than any other cereal.

It's not merely "something good to eat." It is a perfect FOOD. It contains the whole wheat—the outer shell omitted from flour and the wheat germ which supplies Phosphorus to the nerves and brain. ORANGE MEAT weighs 1/2 more than any other package.

Your grocer has ORANGE MEAT in 15c. and 25c. packages. 15c. size contains coupons good for new premiums. 25c. size contains 2 1/2 times the 15c. quantity. Write "Orange Meat, Kingston," for new premium catalogue.

A Steady Trade

is most important to every baker. A business in which the receipts and profits vary every week, while the expenses remain the same, is a source of great anxiety to any business man.

No baker can hope for a steady and increasing business unless the quality of his bread is uniformly superior to that of his competitors. He can have no more valuable asset than the reputation that his bread is the "best in town." Any baker can win this reputation for his bread by using only "FIVE ROSES" and "HARVEST QUEEN" FLOUR.

These flours are made from the very highest-grade wheat obtainable and are superior to ordinary bakers' patents in every way. They will not lose, but make, trade for any baker who uses them, as they make the very sweetest