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ANOTHER YEAR 1976 What?

This could be the year of CHALLENGE. It seems to me that we have been coasting the last few years, which, to say the least, is negative action. I would like to see 1976 the year of membership participation. Any association, regardless, is only as good as the members make it. By this I mean that I would like to see more of our members taking an active part in running this Association.

Back in 1962 when the O.N.A. was formed by a group of dedicated numismatists the aims and objects of the association were the promotion of our hobby. It is my considered opinion that, perhaps over the years, we have lost sight of the high principles which our founder members had in mind. Perhaps now is the time for all good men and women to come to the aid of the Association by taking a more positive approach to promoting our hobby. By this I mean, that if you feel that we are failing the hobby in any particular facet, then sit down, take pen to paper and tell us so.

By the same token, when was the last time the YOU contributed to the spreading of numismatic knowledge? I am certain that many of our members could contribute valuable information which could be of great benefit particularly to our younger members as well as to all members of our Association.

So I would greatly appreciate as many of our members who have the promotion of our hobby at heart lending a hand by contributing articles, no matter how small, always bearing in mind "THE HOBBY'S THE IMPORTANT THING".

You could share your collecting experiences with your fellow members. By this I do not mean you have to write a thesis, but just a plainly worded article on some

angle of our hobby. May I drop a hint here... perhaps you have become an expert on... ancient coinage... medallion art... early North American Decimal Coinage (cents and half cents)... World Paper Currency (Modern and Nineteenth Century)... Varieties, etc., etc. Please remember that our Association will only progress if its members take an active part and interest in its ultimate aims which, of course, is the promotion of our hobby.

I trust that I have given you, our readers, plenty of food for thought. Many of our fellow members of the Association and yourself have been members since 1962 and I feel certain that you would not have continued your membership if you did not feel that we had something to offer, O.K. --- we have something to offer but in return we expect something from you, MR. AND MRS. MEMBER.

Yours, with every good wish that you could wish for yourselves

W.E. Pat Lambert.

Pat wrote this article in January 1974 when he was President of our Association, and I feel that it was well worth repeating at this time. My thanks to you Pat for a fine article.

COUNTERFEIT COINS and CANADIAN LAW

by Robert Aaron.

Why is it legal in Canada to own counterfeit United States gold coins? Why was a Canadian once charged with possessing counterfeit U.S. trade dollars when in fact the coins were genuine? When does a coin cease to be money? Can a Canadian be convicted of selling counterfeits when there are no genuine originals of the item in question? What happened to the man from Windsor, Ontario, who tried to buy a plate to print his own bank notes from an agent of the United States Secret Service?

Counterfeiting is not an uncommon criminal offense. Everyday, someone, somewhere, tries to pass off as currency something which isn't. Some succeed, some are caught and convicted, and some are caught and acquitted.

Every few years a case occurs which raises an interesting legal point or an unusual fact situation, and these cases are recorded in the law books. Browsing through them can make fascinating reading.

The Ontario Numismatist is published by the Ontario Numismatic Association. The publication can be obtained with membership in one of the following categories: Life Membership-\$50.00, Regular Membership-\$5.00 annually, Husband and Wife-one Journal-\$7.00 annually, Juniors up to 18 years of age-\$3.00 annually, Club Membership \$10.00 annually. Special O.N.A. Silver Label Pins - \$2.50.

Remittance made payable to the Ontario Numismatic Association, P.O. Box 33, c/o Mr. Bruce Raszmann, Waterloo, Ontario. N2J 3Z6.

One of the first Canadian counterfeiting cases arose when Canada was barely five months old. On November 27th, 1867, three brothers named John, Michael and Murtagh Tierney, and a friend Daniel Buckley were busily occupied at a farmhouse near Ottawa making American half dollar coins.

When the police arrived they found 500 pieces of Liberty seated half dollars, together with dies, presses, molds, matrixes, tools, machines and five tons of metal.

The section of the Canadian laws under which they were charged made it an offense to possess counterfeit foreign gold or silver coin. The four men were charged with having in their possession counterfeit United States half dollar coins, contrary to the relevant statute. The charge inadvertently omitted including the fact that the coins were gold or silver, an essential element of the offense.

Their lawyer naturally took objection and the court agreed with him. The charges were quashed, but the judge gave the Crown attorney (the prosecutor) the right to relay the charge using the correct language specifying to content of the coins.

Some years later, in 1895, one George C. Corey was tried in New Brunswick on charges of selling counterfeit notes resembling and intended to resemble United States government Treasury Notes. Originally, Corey was tried on nine charges, but he was acquitted of all but the ninth. On this charge he appealed to the New Brunswick Supreme Court.

It turned out that Corey had defrauded a Canadian of \$800 by selling him some United States bank notes, or what looked at least like American notes. Specimens of the notes were introduced into the Canadian court.

The five dollar note read: "A United States 5 / Pay the bearer on demand / Charleston, June 1862 / Five Dollars / James Smith, President / W.R. Hoyied, Cashier." The face of the note carried, in the upper left corner, a vignette of Washington, and in the upper right, the figure "5". In the lower right an Indian seated, and in the lower left a husbandman leaning on a scythe. On the reverse were the following words: "Receivable in payment / United States of America / of all dues." The 10 and 20 were all similar, and similarly bogus.

The Canadian Criminal Code at the time made it illegal to engrave, possess or dispose of anything intended to resemble any bond or undertaking for payment of money used by any foreign state.

The Code defined "counterfeit token of value" as including any spurious or counterfeit coin, paper money or other evidence of value. It was also (and still is) illegal to print, utter, publish, sell or distribute any counterfeit token of value.

The defense argued that since there were no original notes of the kind Corey allegedly counterfeited, therefore the notes were

not counterfeits. If there were not originals, the argument went, there could not be, or purport to be, any counterfeits.

The judges, both at trial and on appeal, ruled otherwise. They ruled that these notes were counterfeit tokens of value. Even though there were no originals, they still professed to be, on their face, evidence of value.

Although a banker wouldn't be fooled, Mr. Justice Tuck said, the notes "are meant to pass from hand to hand as evidence of value, and are calculated to deceive and cheat the unthinking and unwary. Then they are false and spurious. They are not what they profess to be."

The judge noted that the Canadian who was buying Corey's notes was getting eight or 10 dollars for every one he paid. The buyer knew he was buying counterfeits, the judge continued, "but he has a right to believe, dishonest though he is, that he is getting a counterfeit of good money, and not a piece of paper, which is a counterfeit of nothing.

"Corey professed to sell counterfeits of United States Government or Treasury notes when in reality they were nothing of the kind. It is not too often that a judge defends one criminal against another in this manner!

In another interesting case in the 1890's, the accused was more fortunate. The case was tried in Toronto in 1891. A man named Attwood was charged and, at first, convicted of offering to purchase counterfeit tokens of value. These were genuine, but unsigned, Canadian Bank of Commerce notes. The notes were shown to him as counterfeits, however, and believing them to be so, he offered to buy them.

The report of the case does not specify exactly which issues of Bank of Commerce notes were involved, but that bank issued notes in 1867, 1870, 1871, 1879 and 1888. Other series were issued after the case, of course, but any one or more of the issues mentioned could have been involved.

The appeal court ruled that Attwood could not be convicted on evidence showing the notes were genuine, but unsigned, even though he believed they were counterfeit and offered to buy them under such belief.

The court noted that what was said to Attwood about the quality of the notes, and what he believed, was irrelevant. An offer to purchase genuine notes was not illegal.

Shortly before the turn of the century, another Canadian was charged with illegally possessing money which turned out to be genuine. In 1899, a man named Benham was charged in Hull, Quebec, with having in his possession a counterfeit coin intended to resemble a silver dollar of the United States of America, knowing it to be counterfeit and intending to pass it off.

A large number of genuine trade dollars of the U.S. were found in Benham's possession, and the Crown sought to prove that the

accused had attempted to pass these off as worth one dollar when in fact they were worth 60 cents.

Trade dollars had been issued from 1873 to 1885. They ceased to be legal tender in the United States in 1876, but coinage continued to meet overseas demand. Benham's attorney objected to the evidence as it was essential, he said, that the coins offered in evidence themselves be counterfeit. The judge agreed and freed Benham. Since the coins were all genuine, no evidence was available that he knew they were only worth 60 cents.

In 1905, a Nova Scotian named James Tutty was convicted of possessing two counterfeit bank notes even though no policeman ever caught him with them.

Tutty was hunting with his friend Edward Proctor one day, when he decided to show Proctor two bank bills. Proctor must have known they were counterfeit, but said to Tutty, "Let me have the bills and I will take them home and show my wife, and let her believe I have had a big pay."

The notes in question were two Bank of Montreal \$10 bills. Again, the case record does not disclose which issues they were, but prior to the year 1905, the Bank of Montreal had issued 16 different types of \$10 notes. The most likely candidates for Tutty's notes would be the issues of 1891, 1895, or 1904.

Proctor unfortunately got drunk that night, so drunk that he didn't remember anything the next day. In his stupor, he had purchased a sweater from one Maurice Gold for \$8.75, using Tutty's \$10 bill (Proctor had no \$10 bill of his own.)

Gold took the note to the bank where it was spotted, and investigation led the police to Tutty. Eventually, Tutty broke down and admitted ownership to the chief of police. The Nova Scotia Supreme Court ruled that Tutty had been rightly convicted of having two forged bank notes in his possession, knowing them to be forged.

Another interesting case arose in Ontario in 1938. An entrepreneur named Graveline went to a well-known engraving company in Detroit, Mich., and attempted, unsuccessfully, to buy a plate suitable for making Canadian \$5 bank notes. The note he wanted copied was the 1935 Bank of Canada issue bearing the Prince of Wales, later Edward VIII and the Duke of Windsor.

As a result of his inquiry, officials of the engraving company immediately communicated with the United Secret Service and one of its members, Guy Spaman, later contacted Graveline in Detroit.

Spaman met Graveline six times during the next month in both Detroit and Windsor, Ont. Spaman testified at the trial that they had concluded a bargain whereby Graveline would pay the cost of securing a plate suitable for the production of Canadian five dollar bank notes, at a cost of \$125, also pay for the paper and ink required and buy the finished product of the plate at the rate of \$5 per \$100 in notes.

On appeal by the Crown from the dismissal of the charges, counsel for Graveline argued for the second time that it was not against the law (as it stood at the time) to attempt to purchase a plate to make Canadian paper money.

The court agreed, saying that it was not possible to convict someone of negotiating to purchase a counterfeit token of value if the tokens were not in existence at the time.

This article will be concluded in the next issue of the Numismatist. My thanks to Robert Aaron for sending me this very informative story which appeared in its entirety in the September issue of the Numismatic Scrapbook.

PROPOSED COIN SHOWS

The following are the annual Coin Shows proposed for the near future, that we have received notices for and/or taken from Club Bulletins. We advise you to check this list as you debate on the date of your own Club's annual show to ensure that your date does not conflict with any other shows.

- Feb. 28/76 North York Coin Club Annual Coin Show, North York Memorial Community Hall, 5090 Yonge Street, Toronto, Ontario.
10.00 a.m. to 10.00 p.m.
- Mar. 20-21 Niagara Falls Coin Club 2 day coin show, Sheraton Brock Hotel, Niagara Falls, Ontario. Charlton Numismatics will conduct the auction with Bob Shillingworth as auctioneer. Enquiries to Mel Fiske, 7795 Beaverdams Rd., Niagara Falls, Ont. Bourses to Howard Hill, 1 Hayes Avenue, St. Catharines, Ont.
- Apr. 1-4 Torex '76 - Westbury Hotel, 475 Yonge St., Toronto, Ont. 55 prominent Coin & Stamp dealers only. A 1500 lot (3 session) Numismatic Auction.
- May 15-16 The Ontario Numismatic Association Convention for 1976, will be held at the Don Valley Holiday Inn, Toronto, Ont. The North York Coin Club will host this convention. Guest speaker will be Major Sheldon S. Carroll, Bank of Canada Numismatic Section, Ottawa, Ontario.
- July 8-10 The Canadian Numismatic Association Convention for 1976 will be held at the Chateau Laurier in Ottawa. We advise early registration as it looks like a really big one.
- Oct. 31st The Stratford Coin Club's first combined Coin and Stamp Show will be held at the Stratford Legion Hall, corner of Church and St. Patrick Streets from 10.00 a.m. to 7.00p.m. For information write to Box 262, Stratford, Ont. N5A 6T1

How is it that a husband who bowls half the night without getting a strike, manages to knock over all the milk bottles on the porch when he comes home???

NEWS AROUND THE COIN CLUBS

RICHMOND HILL COIN CLUB

In place of the regular December meeting, the Richmond Hill Coin Club decided to accept an offer to participate in a joint Christmas party to be hosted by the North York Club. Everyone was requested to bring a gift of about \$1 to exchange.

At the October meeting, Ray Pleau was the guest speaker, who delivered an excellent presentation on "How to Build a Winning Coin Display."

On Saturday December 6th, the Club sponsored a very successful Coin Show at the Cedarbrae Shopping Mall in Scarborough.

LONDON NUMISMATIC SOCIETY

The feature of the December meeting was the annual election and a Christmas Social. Some of the officers elected for 1976 were : President - Graham Esler; Vice President - William N. Clarke; Secretary - L. Makie Smith. The December bulletin carried 2 very interesting articles, Christmas Theme on Coins by Tom Masters and How to Grade Coins-Properly by Greg Smith, and with permission I would be very happy to reprint both of these stories in this bulletin.

Huronian Numismatic Association

The November meeting was the election of the new executive for 1976. Some of the elected officers were: President - Ken Prophet; Vice President - Bill Gage; Secretary - Steve Robinson; Treasurer - Cec Sharpe.

The executive also announced the date for their Mini-Coin Show, February 14th, and asked all members to start building displays now.

THE NORTH YORK COIN CLUB

The Nov. 25th meeting was the Club's second Junior night, was again very successful. The speaker was Junior Member David Brown, whose informative talk covered the operation of the Royal Canadian Mint in Ottawa. The December 16th meeting was a joint meeting (Christmas Party) with the Richmond Hill Coin Club. They tell me more clubs should try this it's lots of fun.

STRATFORD COIN CLUB

The new slate of officers elected for 1976 at the December meeting were : President - Ken Koch; Vice President - Bill Bushfield; Secretary - Jim Ellison; Treasurer - Keith Saville. Ten of the 13 persons named to the executive are either new or in a completely new position. Ken Koch has assumed the position of President of the Stratford Coin Club and President of the Stratford Stamp Club - certainly a first in this area. It was announced that on October 31st, 1976 Stratford will host its first Coin & Stamp Show.

Ingersoll Coin Club

Held their elections at the December 15th meeting which was also a Christmas Social, with members, members families and Guests invited. At the November meeting the O.N.A. audio visual "Wampum to Decimal Coins in Canada" part 3 was shown.

ST. CATHARINES COIN CLUB

Held their 167th meeting on Sunday December 21st. After the elections, Past President Pat Bambert was called to install the 1976 Executive. President - Stan Aaroe; Vice President - Gary Oblinsky; Secretary - R.N. Voaden; Treasurer - Fred Burley, and the remaining executive.

The guest speaker Staff Sgt. Fred Ciszek of the Niagara Regional Police gave a very interesting and informative talk on counterfeiting. After the business meeting, a Christmas party was enjoyed by all.

O.N.A. CONVENTION NEWS

Received a letter from Paul Johnson of the North York Coin Club concerning the O.N.A. Convention May 15-16. In his letter he states - "I am enclosing an Exhibit application form which I hope you will print. Plans are progressing for the Convention and we hope it will be the best one ever. Progress reports will be sent for publication monthly. Here are some of the committed heads to date...

- General Chairman - Stan Clute
- Exhibit Chairman - Paul Johnson
- Educational Forum - Ted Banning
- Publicity - Norm Belston, Ted Banning, B. Brennan
- Security - Russell Brown
- Draw Tickets - Bob Aaron

Exhibit Chairman: Paul Johnson, P.O. Box 294, Willowdale, Ontario.

Exhibit Application Form

A condition of accepting your entry is that all competitive and commercial exhibits are set up between 8 A.M. and 11 A.M. on Saturday May 15, 1976.

(Please Print or Type)

Name: _____

Address: _____

City: _____

Province: _____

Code: _____

Coin Club Affiliation(s): _____

Total Number of Cases: _____

No. of your own cases _____

Do you wish to borrow cases: _____

Maximum of 2 cases _____

COMPETITIVE DISPLAY CATEGORIES :

A. Junior	()	Total of _____	Cases
B. Canadian Decimal Coins	()	Total of _____	Cases
C. Canadian Paper Money	()	Total of _____	Cases
D. Tokens and Medals	()	Total of _____	Cases
E. World Coins	()	Total of _____	Cases
F. Topical	()	Total of _____	Cases
G. World Currency	()	Total of _____	Cases
H. Miscellaneous	()	Total of _____	Cases

Note :

Each Exhibitor must check in prior to 11 A.M. on Saturday, May 15th, 1976. Judging will take place around 1. P.M. on Saturday and awards presented to the winners at the Banquet on the same day. Your display must be left intact until 4 P.M. Sunday, May 16, 1976. The Ontario Numismatic Association or the North York Coin Club will not be responsible for any loss incurred by any exhibitor during the Convention.

Awards :

They will consist of Properly inscribed trophies and ribbons for 1st place in each of the above categories including the BEST OF THE SHOW - Senior and Best of the Show - Junior.

DEADLINE FOR ENTRIES ACCEPTED UP TO MAY 10th, 1976.

NEW MEMBERS

The applications published in the November 1975 issue of the Ontario Numismatist have now been accepted.

Proposed Coin Show : (Forgotten by your editor)

Feb 14th, 1976. Huronia Numismatic Association - Annual Mini-Show. Bayfield Mall - Barrie, Ontario. 10 A.M. to 6 P.M. Enquiries - P.O. Box 243 Barrie, Ontario. L4M 4T2. Coins, Stamps & Antique Dealers & Coin Displays.

DUES ... DUES... DUES...

The 1976 DUES are now due and payable. This January Bulletin will be your last one mailed until we receive your dues. So put that cheque in the mail to-day to Mr. Bruce Raszmann, P.O. Box 33, Waterloo, Ontario.

Congratulations :

At this time I would like to congratulate all the new Executives in all of our different coin Clubs, and wish you the best year ever in your individual terms of office. Remember to put us on your mailing list as soon as possible. We need your NEWS.

This 'N That

I am very happy to inform you all that most of the O.N.A. Members received their Christmas wishes. I was very pleased to hear that President Elliott received his new podium and gavel.

At this time I wish to extend to President Elliott and all of the O.N.A. Executive my best wishes for a very successful 1976. This past year was a wonderful year. Your co-operation and help has made our activities very fruitful. Let's keep it up in the year 1976.

At this time I would also like to extend my best wishes to all the members of the O.N.A., and with your continued help I hope we can build this bulletin into something we all can be very proud of.

To last month's questionnaire I have received only five answers, but I will wait another few weeks to let everyone catch up. I also received 8 bulletins and 1 article this month and to these contributors my sincere thanks. I hope that all the New Presidents will put us on their mailing lists as part of their first job. Without your news this bulletin is nothing.

This last page is crying for RESOLUTIONS. So unfortunately are the various things still rumbling around inside my body, after last night, or better still, this morning's New Year's party. I was young once - until about twenty past midnight last night. From then until the party ended I just grew older so rapidly that long before dawn I had passed my true age. Awoke this morning to be greeted in the mirror by someone who looked like Grandpa Jones the day he discovered Grandma cutting up with the butcher. (not you Ray!)

But I have resolved to make some New Year's Resolutions...

1. I will never again drink another drop, unless it is free.
2. I will stop taking advantage of people, even if they deserve it.
3. I will be a better, more generous man.
4. I will dance only with my wife, and
5. I will never again look in the mirror on New Year's day.

But I do have some plans for this bulletin as the year progresses, I will expand upon them. (I learnt about how to do it during the last federal election when every speech was another promise.)

Some of you have inquired why we can't go into the changes right now... the main reason is that the O.N.A. executive made a very good buy on paper and till the supply is used up it would not be economical to make a change. So bear with us... the changes in format will be coming....

So to one and all

A HAPPY NEW YEAR