

# Dr. Bernard Hoeter: *Esprit de Corps* of *The Society*



From left: Akash Sablok, Dr. Hoeter, Wayne Braid

**T**his interview was held in Dr. Hoeter's comfortable Kerrisdale home where he has lived since 1953. His marvellous library contains over 2000 books on the subjects of History, Law, Military matters, and Oenology.

Bernard Hoeter became a BC Notary in 1959. He served as a Director of The Society of Notaries Public of BC and was its Secretary from 1969 to 1986.

A wine *aficionado* and gourmet, he studied at Columbia University in New York, and received a PhD in Law and History in 1952 at the Maximilian University in Munich, Germany's oldest university. In the same year, he immigrated to Canada where he married Kristine, who died in 1991.

After suffering a stroke in January 2006, Bernard was a patient at Vancouver General Hospital and the G. F. Strong Rehab Centre. Since June, he has been resting at home.

A natural teacher, he enjoyed enlightening us as we chatted in his livingroom on a sunny Autumn morning.

### Guide to the Participants

**Wayne Braid:** Secretary/Executive Director of The Society of Notaries Public of British Columbia

**Akash Sablok:** Vancouver Notary in family practice with his father Tarlok Sablok

**Val Wilson:** Editor-in-Chief of *The Scrivener*

**Val:** Bernard, you created The Society's first magazine. When was that?

**Bernard:** I typed the first issue myself in 1970. It was called the *B.C. Notary*. It was completely different from what we do now in *The Scrivener*. The *B.C. Notary* had exclusive social and professional news for Notaries.

**Val:** What was the state of affairs when you became a BC Notary?

**Bernard:** When I became a Notary, most Notaries were Realtors. When I became Secretary, I wanted **professional** "sole Notaries," people who did nothing but notarial work.

**Wayne:** Bernard, that was indeed something you changed when you took over the reins from Alex Matthews in 1969. You started to take the notarial profession to a different level in British Columbia, to a more

professional practice rather than something that was just an adjunct to a real estate business.

**Bernard:** Exactly. Another area where I believe I made a big change was that together with then-President of The Society, Roy Bishop—who gave much time from his Notary practice to go with me to Victoria—we got the damn "need clause" out of the *Notaries Act*. He and I travelled to Victoria every second week. We solicited the assistance of Members of Parliament and the Attorney General and we made it.

*Vancouver Sun* Reporter Kayce White helped a lot with her newspaper articles. The new Act effectively cut the umbilical cord from the Law society. This was my contribution to the BC Notaries.

**Wayne:** In what year did you become Consul of Guatemala? Was it '64?



1938: Bernard with his sisters Giesla and Lilo at Wangeroge Beach on the Northern Coast of Germany

**Bernard:** Yes, you are right. In 1993 I tried to resign but I got a letter from the President of Guatemala, saying he could not accept my resignation.

**Akash:** You stayed on for a few more years after that, I believe?

**Bernard:** Yes, to 2003. I was the consul for nearly 40 years, free of charge.

**Akash:** But you had consular licence plates all those years. That's what I was jealous about.

[Laughter]

**Bernard:** I had lots of friends in those years. One who died recently was Peter Hyndman, a very nice man. The minister<sup>1</sup> was a friend of The Society.

**Wayne:** Yes, he was.

**Bernard:** Hyndman was my neighbour. He lived around the corner on Arbutus Street.

**Akash:** Mr. Hyndman was a good friend of my dad, too.

**Wayne:** Bernard, tell us about a tradition you had for Notary students after they graduated, after they wrote their exams at UBC.

**Bernard:** Oh, I always brought them home to celebrate in my garden. We had good times. We all enjoyed ourselves; the exams were over.

**Val:** It's clear that one of your major achievements was to change the image of BC Notaries.

**Bernard:** I wanted professional Notaries, what they call in Germany

a *Nur-Notar*, which means a Notary only. Another thing, the Board of Directors would not permit sons and fathers or wives and husbands in the same practice. They didn't want two Notaries in one office. I got that changed.

**Wayne:** Yes, you did.

**Akash:** Thank you. I have to thank you for that.

[Laughter]

**Wayne:** I believe that changed, Bernard, when Chris Dupuis wanted to become a Notary. His dad was a Notary.

**It's clear that one of your major achievements was to change the image of the BC Notaries.**

**Bernard:** I got that changed because I liked Chris. I made sure that Chris became a Notary and later, after his father's death, Chris took over his practice.

Another project I introduced was the creation of multilingual Notaries.

Many immigrants did not trust lawyers but, in their homeland, they knew they could trust a Notary. So we created Polish-speaking Notaries and Punjabi-, Hindi-, Chinese-, Greek-, and Spanish-speaking Notaries, among others. BC Notaries became multilingual.

**Wayne:** Bernard, when you started, how many Notaries were there?

**Bernard:** In theory, well over 1000. After you became a Notary, you had to register in Victoria.

I checked. If there were indeed over 1000 Notaries in BC, who were they? The answer to the riddle? There was no rule to notify Victoria when a Notary died or retired. The government department in Victoria that was responsible for the registration of Notaries just added and added names. They believed that over 1000 notaries were practising in BC, but The Society was really only about 300 strong.

**Wayne:** We still have 323 available Seals but only 287 practising Notaries in BC. Bernard, when you got the Act changed—the “need clause” removed—that's when the government of the day guaranteed a certain number of Seals for many municipalities.

Do you remember our trip for the UINL meetings? [Union of International Latin Notaries]

**Bernard:** Yes, I have pictures of our trip. I remember well. I shared a hotel room with Earl Stewart in Berlin. It was then that I made contact with the German Society of Notaries. It was an expensive trip, but it was very nice.

**Wayne:** Do you remember the dinner evening we attended?

**Bernard:** Oh, yes, and I complained about the food. I told the waiter, “There are a lot of sophisticated Canadian Notaries here and you served green asparagus? Don't you have white asparagus?” The waiter answered, “Green asparagus is a delicacy.”

**Wayne:** You wanted the famous German white asparagus.

**Bernard:** Yes, but the waiter insisted green asparagus is considered a delicacy in Germany. I told him that in BC, we pick it at the side of the highway.

[Laughter]



1988: Dr. Hoeter smoking his very last cigar at the home of Mr. Koehler, Consul General for Thailand, who gave him the cigar

<sup>1</sup> From 1979 to 1983, Peter Hyndman served as an elected member of the British Columbia Legislature for Vancouver South. From 1981 to 1983, he served as Minister of Consumer and Corporate Affairs.



2004: At the AGM in Cranbrook with BC Notaries Akash Sablok and George Tanco. George won Notary of the Year Award.

**Wayne:** One night we went to the Berlin symphony. Do you recall we had a night in the Berlin Symphony Hall—just for the Notaries?

**Bernard:** Sorry, I don't remember. I probably didn't go.

**Wayne:** Yes, you sat next to me. I know you were there.

**Bernard:** Did I fall asleep?

[Laughter]

**Wayne:** No, I remember you did not like the way the conductor was dressed. He didn't have the proper tuxedo on for that night.

One of the things you brought to The Society is protocol. I think a lot of the things we do today actually come from your era.

**Bernard:** Protocol, I wanted. You see, it is good for our reputation. In my time, I had a very good relationship with the Law Society. I invited some Benchers to the Engineers Club and they entertained me at the Law Courts restaurant. Harry Rankin was a famous left-wing lawyer. But he was very fair to the Notaries when he became Treasurer of the Law Society.

**Wayne:** Yes, he did a good job for us.

**Bernard:** As a lawyer, he defended notarial candidates many times. I also have a nice story about an NDP politician, Alex MacDonald.

**Wayne:** He became the Attorney General in Dave Barrett's NDP Government in 1972.

**Bernard:** Yes. I knew MacDonald's brother and father. They were Supreme Court judges. Alex MacDonald, the black sheep of the family, said, "I am running for the Legislative Assembly, the Provincial government in Victoria."

I answered, "Alex, don't ask me to support you financially, but I can give you a good cigar."

The Filipino Consul, who represented the President who was the husband of the lady who had 2000 pairs of shoes, gave me a box of cigars.

**Val:** The shoe lady? Imelda Marcos?

**Bernard:** Yes, dear Val. You, too, wear nice shoes.

[Laughter]

**One of the things you brought to The Society is protocol.**

I would give him a cigar but no money.

Alex had an office next door in the Royal Bank, which is torn down by now. He smiled and said, "Bernie, Bernie, do you know to whom you are talking?"

I said, "No, why?"

"I'm the new Attorney General," Alex answered. "Don't you feel sorry that you didn't give me a campaign contribution?"

I said, "No, Alex, but courtesy of the Filipino Consul, you got your cigar."

[Laughter]

I didn't smoke cigars at that time, so all my cigar-smoking friends liked me.

**Bernard:** Wayne, do you smoke cigars? I have cigars—Cuban Cohibas—another gift. They cost \$75 a piece on the Black Market. That's crazy.

[Laughter]

**Wayne:** So, Bernard, let's talk about our Annual Conferences. Traditionally, during your time with the Notaries, you held Conferences at the Harrison Hot Springs Hotel.

**Bernard:** Yes, for many years. Harrison Hot Springs was a tradition. Art Jacobson, who died last year, started it. Many Notaries played poker all night long and had Steak *Tartare* for a midnight snack!"

**Akash:** When did our Fall Conferences start?

**Wayne:** In 1959, you could not deduct attendance at a convention from your taxes, but you could deduct conference expenses. Bernard put together the AGM and Conference so they were



2005: At the AGM in Victoria, BC, with his companion Erika Riedel

tax deductible. That was one way you encouraged Notaries to attend.

**Akash:** Sir, a question. Why do you feel that Latin is important to us as Notaries? How much Latin should we know?

**Bernard:** Latin has been very important in the development of the English language. This is for two reasons. When the Normans, who had lived over a century in France, conquered England in 1066, their Latinized French remained the official language in England for a long time. And second, Latin is the language of science, education, and religion. It is still used today. But you see, even in Europe, students no longer take Latin. I think Latin is a wonderful thing to have.

**Akash:** You taught us the term *Notarius Equivalet*.

**Bernard:** That refers to the old rule, before they had a jury. Who invented the jury?

**Akash:** King Arthur?

**Bernard:** Hell, no, it was King Henry II. And why? A jury is cheaper than a salaried judge. I wrote a story about it once for *The Scrivener* [Vol. 13, No. 1, March 2004].

Why did the common law not penetrate England? Because the king appointed lay judges and they paid the king, instead of the king paying them. In Roman Law countries, judges are highly paid officials. They cannot be fired. We have common law in Canada, except in Quebec.

Prior to juries, only witnesses were used in court. If you had one Notary as your witness, he outweighed 10 hostile lay witnesses. So *Notarius Equivalet* means the voice of one Notary was the equivalent of 10 other witnesses.

**Val:** You are multilingual, Bernard. What languages do you speak?

**Bernard:** German, of course. French—*un peu*, and a trace of Latin and

**We have common law  
in Canada,  
except in Quebec.**

Italian. I tried to learn Spanish, but I gave up. My late wife Kristine learned more quickly than I. Romanian, I have forgotten.

[Laughter]

**Val:** I studied Latin for 4 years.

**Bernard:** I read Latin for 8 years because I wanted to become a medical doctor. As for my Spanish, when I became Consul of Guatemala, I had a good Spanish secretary. She was the wife of the Ecuador Consul who lived next door. I received many compliments from headquarters because of her letters. They said, "You are one of the few Honourary Consuls who writes such elegant Spanish."

[Laughter]

**Hell, no, it was  
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A jury is cheaper than  
a salaried judge.**

**Wayne:** Bernard, you wrote a wine column for *The Vancouver Sun*. I know many of our members followed your wine column for years and years.

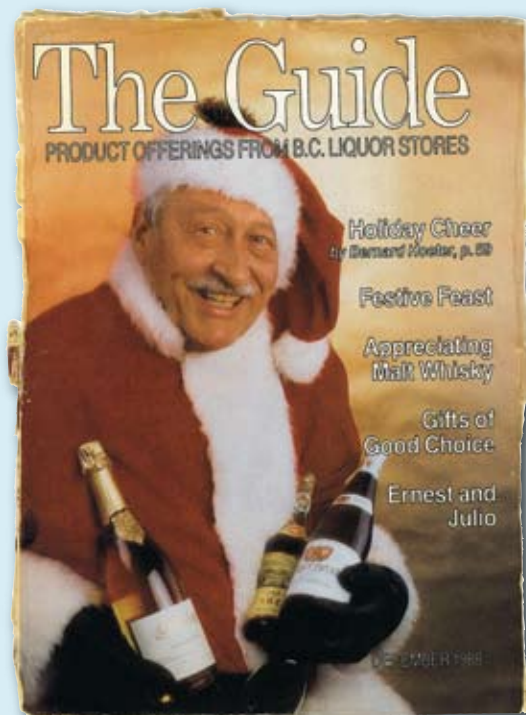
**Bernard:** I was the predecessor of Tony Gismondi [current wine columnist]. When we got a new editor, I left *The Sun*. The new editor had said, "Bernard, you should write more to advertise BC wines." I said that I was not an advertising writer. I wanted to write the histories of the men who made the wine.

I also wrote for the liquor board for 10 years.

I started with beer as a student. As a soldier, I drank Schnapps. Then I went to wine—Bordeaux, Burgundy—and now I'm into Italian wines. German wines I did not like in the immediate post-war years. Most of them were sweetened. The population was sugar-hungry. During the war, sugar was rationed.

**Wayne:** You went to wine festivals in Italy as a lecturer many times, correct?

**Bernard:** To Umbria, Chianti, and Tuscany, yes. For heaven's sake, those



1985: Bernard on the cover of the BC Liquor Stores' publication, *The Guide*

were the three times I didn't attend the Notaries' Convention! But, how do you come to know all this? That was before your time.

**Wayne:** I talked to you then.

[Laughter]

[Someone arrives at the door.]

**Galina:** Hello, everybody. I'm Galina.

**Val:** Good morning. Are you a Notary?

**Galina:** No, I'm just the happy Russian cleaning woman. [Laughter] I'm sorry to interrupt you. I understand you are very busy. I'm very glad to see you, Dr. Hoeter, in good condition. I brought *borscht* for you! I wish the best for all of you. Goodbye.

**Bernard:** She was a Russian accountant.

**Val:** Does she make a good *borscht*?

**Bernard:** Yes, excellent *borscht*!

[Laughter]

At that point, Dr Hoeter graciously thanked us for coming and excused himself to enjoy his lunch of delicious *borscht*. ▲

Thanks to Irene Fix of Charest Reporting for recording this spirited interview.