

DIRECT DELIVERY WITHIN THE LAW

License Board is Advised of
"Joker" in Ontario Tem-
perance Act.

TO ACT ACCORDINGLY

On Order From Montreal,
Liquor Will Be Sent Di-
rect to Consumer.

The Ontario License Board has been instructed by its legal advisers that "direct delivery" is within the law. Chairman J. D. Flavelle said so yesterday, and added that the board would govern itself accordingly.

On the other hand, he said that the board would test in the courts the case of any liquor man who had operated under a shop license under the old act and who sought to act as carrier's agent for the delivery of liquor under the new law. This in the opinion of the board would be solicitation and so actionable under clause 42 of the new act. This was of course, only the opinion of the board. They would have to be guided by the decision of the courts.

Delivery Not Violation.
Mr. Flavelle explained that the board had been advised that there was no infringement of the act in delivering liquor from a brewery, distillery or bonded warehouse, where liquor might legally be kept under the act, to the man's own dwelling house, where also it might be kept legally under the act. But he was of opinion that the order made go to Montreal, to a firm which had purchased the liquor from the manufacturer in Ontario. The brewer or distiller would simply release it on the order of the owner.

Mr. Flavelle was of opinion that the board could not under the provisions of the act take any action against such practice, but he did think that they had grounds for the action in case it had been suggested, the men who had operated under shop licenses were to constitute themselves a carrier, and act as intermediaries between the Montreal wholesaler and the Ontario buyer.

Abide by Decision.
"If that would be collecting the English language," he said. Naturally the shop men would have their clients to whom in one way or another they would appeal. The board might be wrong in its understanding of this situation, but they were prepared to fight it out, and to abide by the decision of the courts.

The clause of the Ontario Temperance Act, which refers to soliciting, reads: "Every person, whether licensed or unlicensed, who by himself, his servant or agent, canvasses for or receives or solicits orders for liquor for beverage purposes within this province shall be guilty of an offence against this act."

Lawyers and mining brokers and others with offices downtown who think that they are honestly within the four corners of the law in keeping a flask in the bottom drawer of their office desks are, as a matter of fact, flouting diametrically against the provisions of the new act, which provides that: "Except as provided by this act, no person by himself, his clerk, servant or agent shall have or keep or give liquor in any place whatsoever, other than in the private dwelling house in which he resides, without having first obtained a license under this act authorizing him to do so, and then only as authorized by such license."

To Enforce the Law.
Mr. Flavelle said yesterday that the board had no wish to prosecute citizens under provisions of the act with which they were not well acquainted, but as soon as the public had been given time to become acquainted with the provisions of the act the board intended to enforce strictly the provisions of the act in all regards.

It had been understood and contested that it would be necessary under the provisions of the Ontario Temperance Act actually to ship liquor manufactured in Ontario under Dominion law out of the province before it could be shipped back again as an import under the Dominion law, against which the province has no jurisdiction. The announcement that the board will not hold to this interpretation, as they had been expected to do, means that as long as the province the liquor may be sent straight

from the brewery or distillery to the purchaser under the provisions of the clause, which reads:

"While this act is intended to prohibit and shall prohibit transactions in liquor which take place wholly within the Province of Ontario, except under license or as otherwise specially provided by this act, and to restrict the consumption of liquor within the limits of the Province of Ontario, it shall not affect and is not intended to affect bona fide transactions in liquor between a person in the Province of Ontario and a person in another province or in a foreign country, and the provision of this act shall be construed accordingly."

Political Intelligence

R. H. Spence (organizer of the prohibition movement), flushed with victory, has returned from British Columbia. All Canada, he says, is now dry territory, except about one-third of the Province of Quebec. The time is ripe, in his opinion, therefore, to press for nation-wide prohibition. "On to Ottawa!" will be the slogan from now on, and the government and parliament of Canada will be asked to prohibit the manufacture, sale and importation of intoxicating liquors.

The temperance people will bring a monster petition to the capital. They will insist upon immediate action. The Doherty bill, passed at the last session, was admittedly a palliative. The temperance man will now call upon Premier Borden and his government to administer the cure.

Thus a new factor comes into the political situation, and one that is liable to cut a zig-zag trail across the floor of the house and thru the ranks of both political parties.

From Calgary comes the report that R. B. Bennett, M.P., is to abandon the Dominion for the provincial field, and to again become the leader of the provincial opposition. Mr. Michener, the present Conservative leader in Alberta, is compelled by ill-health, it is said, to retire, and there is an almost unanimous demand for Mr. Bennett to resume the leadership. F. B. McCurdy, M.P., is said to be a strong candidate for the position of parliamentary secretary for external affairs, and position that was said to have been created for Mr. Bennett. Mr. McCurdy is at present parliamentary secretary for the militia department, and in charge while Sir Sam is away.

Today, a historic anniversary, is polling day in Carleton County N.B. It is said to be generally admitted that the defeat of B. F. Smith, the Conservative candidate, and minister of public works in the Clarke government, would be followed by the downfall of that government and a general election. The campaign is being fought with unparalleled bitterness.

Former Premier Plummer seems to have had charge of the Conservative campaign, while Frank B. Carvell, M.P., is leading the Liberal hosts. Mr. Smith, who goes back to his constituents as a minister seeking re-election, carried the riding two years ago by over five hundred majority. Should he be defeated today, a general election is bound to follow, but there will first be a hurried reorganization of the government.

Friends of Hon. Frank Cochrane will be pleased to learn that he has greatly improved in health during the past few weeks and will continue on with the Borden government and minister of railways and canals indefinitely.

The Vancouver Sun fears that the return of the soldier vote is to be so judged as to keep the Borden government in office in spite of the popular verdict and says:

The voice of the people has declared almost unanimously in favor of honest government and has assigned the political history records now void of any unqualified.

But a situation prevails regarding the soldiers' vote which the people of British Columbia in their present frame of mind will find it hard to put up with. Every single ballot of the soldiers' vote has been taken, the last voting papers are signed and inside of a few days the votes could be counted. Yet it is stated that the result of the soldiers' vote will not be given out until October 1.

Why should the counting of the soldiers' ballots take four weeks? Why should we wait a whole month to know results that could be known in a day, holding back the result of the soldiers' vote for so long?

Undoubtedly the result of the soldiers' vote is being held back from the public for the purpose of manipulation. Delay will afford time for the

machine to apportion the soldiers' vote among the parties where it will do the most good.

But the most significant point in the language of the newspaper from London, or we should say, the Londoner, is that it is a well-known fact, and it is a well-known fact in the newspaper here, that the Conservative, that paper, in its leading editorial of Tuesday of last week, denounced the situation in Ontario and claims credit for the Conservatives cleaning up affairs in this province. "We retain office under these conditions a government must be clean, capable and well led."

But let us quote at some length. The article continues:

"The present administration is clean and is not without capacity. But it is as questionable whether Mr. Hearst is the right man for the leadership."

When the remaining members of the Whitney cabinet met to select a premier it does not appear that either Sir Adam or Mr. Hanna sought the position. At any rate neither obtained it. It went to a comparatively new and untried man—Mr. Hearst.

The other cabinet ministers did not consult the Conservative members before making a choice for the party. They appeared to choose one who in their own mental stature, whom it would be easy to work with.

In the face of the verdict of the people on the "dope" issue in 1914 he out-Howeled Howells' temperance measure. There is no guarantee that he would have done better.

He acted on his own initiative, for he stated that if it cost him his position he was determined to put his measure thru. But he did not realize that he was a generation ahead of public opinion and that his own party could not follow his lead.

Perhaps Mr. Hearst has discovered that he would have done better to have accepted the people's verdict, rendered on this question but two years ago, and continued the license system, with local option where the electors declared for it.

Also current reports make it appear that Premier Hearst is not any too friendly to hydro power undertakings.

Mr. Hearst's health is not robust, making his tenure of office uncertain as to its duration. Were it good, it is a moot question whether he could weather the storm which his public acts have brewed. He may know this and decide to retire.

In such an event there is today but one man in the legislature big enough to save the situation for the party. That man is Sir Adam Beck.

Corporation interests are said to have a greater influence in the Ontario Cabinet today than at any time since the Conservative government came to office and determined to harass radicals in their industry.

These hydro undertakings are in several ways a source of office uncertainty as to its duration. Were it good, it is a moot question whether he could weather the storm which his public acts have brewed. He may know this and decide to retire.

Were he chosen for the leadership he would follow the Whitney policy in the liquor question.

Then, too, great business ability would enable him to develop the resources of the province, which have been developed before.

The electors of Ontario have every confidence in his ability and his leadership. He would not only unite the support of thousands of independent voters.

SUES TRUSTEES OF ESTATE OF FATHER

John Muirhead Starts Action to Recover Portion of Farm Land.

Before Mr. Justice Kelly in the non-jury assizes, Robertson Muirhead is suing the trustees, Robertson Muirhead and William B. Rogers, of the estate of his father, James Muirhead, for a portion, about a third, of the farm adjoining the Kilgour farm, that was sold for \$150,000. He bases his claim on a verbal promise made by his father that were overheard by his wife, and also by right of occupation. For \$5 he has erected and cleared the land, as well as other work. The will makes no allusion to the promise of the section of the farm, but makes a bequest to John Muirhead and his wife jointly. The case will proceed this morning, when the defence will be heard.

Woman, Who Pays Fine for Selling Liquor, Had Big Stock

Found guilty in the women's court yesterday of selling liquor without a license, Mrs. Anna Donno of Alice street was fined \$50 and costs or three months. In searching the house Plainclothesmen Ward and Scott found two hundred quarts of liquor but no customers.

DETERMINED EFFORT TO END DRUG TRAFFIC

"Phil, the Jew," Sentenced to Six Months in Ontario Reformatory.

ADMITTED SELLING IT

ommittal Closes One of the Most Sensational "Dope" Cases in Toronto.

Six months in the Ontario Reformatory was the sentence meted out to Montague Phillips, alias "Phil, the Jew," dope victim and drug peddler, when he appeared in the police court yesterday on a charge of selling cocaine. Phillips' committal brings to a close one of the most sensational "dope" cases in the annals of the Toronto Morality Department, and his conviction, it is believed, will have the effect of reducing the use of and traffic in the drug.

Morality Officers Kerr and Lawler arrested Phillips at 3 Spadina road on September 2. Last he admitted having used heroin for 18 months, also that he had sold quantities of the drug to "Martin Hebut, mailing it to him at Fort Colborne."

"I do not wish to tell the name of the drugist from whom I got the stuff," his confession states. "He lives in the city. I would give the drug to men whom I met on the streets, because I was sorry for them."

Ernest Rice and John Williams, arrested now serving time at the Jail Farm for having opium in their possession, took the witness stand and testified that they had purchased morphine and opium from Phillips.

Bellamy Robinson, another "dope" victim, also testified against Phillips.

Charged With Keeping Liquor In Contravention of the Act

Before Magistrate Kingsford in the police court yesterday, William White, of White's Hotel, 71 West Queen street, was tried on a charge of having liquor on his premises last Sunday in contravention of the Ontario Temperance Act. A number of visitors admitted being in a private room at the hotel on the day in question and drinking beer brought in by Robert Northey, formerly a bartender at the Bull's Head Hotel.

The case was adjourned till Monday, when Magistrate Kingsford will give a decision.

Daughter of Toronto Rector Has Passed Away in England

News of the death in England of Miss Maud Cayley, daughter of the late Rev. John Darcy Cayley, rector of St. George's Church, has reached Toronto, where the many friends and relatives, Miss Cayley, was living with her sister, Miss Mary Cayley, in England for some years, and was continuing to live, but was forbidden by her physician to come to this winter to Canada. She was a niece of John A. Cartwright, deputy attorney-general of Ontario.

Her father was the eldest son of the late Hon. William Cayley, baronet, and great-grandson of the late Thomas D'Arcy Boulton, the Grange.

More License Inspectors Have Received Appointments

The license board yesterday announced the appointment of the following inspectors under the new act: D. McKenna for the County of York; Walter Shaver, Oxford; Edward P. Dundas (he will move to Morrisburg); Angus Macdonald, Stormont and Glengarry (he will move to Cornwall); and M. R. Mosses, Windsor and part of Essex (he will move to Toronto).

These five additions bring the number of inspectors in the province to 67. Two more appointments are expected in a day or two. That will complete the staff.

ANCIENT LORE UNNECESSARY IN MODERN EDUCATION.

President of New York School Board Says Men Should Know Up-to-Date Activities.

"To be educated is not to have a knowledge of ancient lore," said Thomas W. Churchhill, president of the New York Board of Education. Mr. Churchill indicated that modern life requires a full knowledge of present-day affairs.

The Toronto World, in its effort to promote the welfare of its readers, has met with general approval in the distribution of the New Universities Dictionary.

"This book," writes one pleased reader, "certainly gives all the information needed to be a better citizen, more aggressive and progressive contact with the world."

Thousands of words never before in any dictionary have been brought together and clearly defined in this remarkable volume. But it is more than an exhaustive portrayal of the language's growth—it not only gives the words, but teaches how to use them. The leading great educators in the world have been consulted in the vocabulary, showing just how to build and punctuate good sentences—how to clothe good ideas in forcible words. Every phase of business and society can be approached by any student of this dictionary with confidence. Now bring this dictionary to the head office, 40 West Richmond street, Toronto, and 40 South McNab street, Hamilton.

JUST ARRIVED FROM IRELAND.

The R. Scott & Son Ltd., 77 King street west, who have exclusive agents for Toronto of Pim's real Irish poplin neckties, have just received from Ireland a new shipment of these wonderful ties.

Among the newest creations are all the fall colorings, such as burnt orange, black and blue, and the Scotch tartan plaids. See their west window, 77 King street west.

CASE DISMISSED.

Charged with selling liquor for more than medicinal purposes, James Hayden, 100 East Gerrard street, was discharged when he came up in the police court yesterday.

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Healthful Beverages

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Cosgrave's new light beers have all the cheer of any beer you ever tasted—in fact, you cannot see the difference, you cannot taste the difference, you cannot tell the difference, because they have the same color and foam. They have all the sparkle and snap. The same savor and flavor, just as pleasing and palatable, fully as invigorating and without the smallest part of a "kick."

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They are more than a thirst satisfying beverage, they are the nation's new tonic food drink.

The Cosgrave brews are made from the same life sustaining barley malt and hops as beer, they are the greatest health drinks ever put on the market. Try a bottle to-day at your hotel or restaurant. Let your keen sense of taste or cautious judgment prove to you that the new Cosgrave brews are the greatest drinks you ever tasted.

COSGRAVES MILD (CHILL-PROOF) PALE ALE—COSGRAVES HALF-AND-HALF—COSGRAVES XXX PORTER — COSGRAVES GOLDEN GATE BEER (Draught).

On Sale at All Hotels, Restaurants and Dealers Everywhere

Negligence Alleged Against Car Company in Damage Suit
In the county court yesterday, before Judge Coutsworth, evidence was taken in the suit of George W. Haverscroft and R. Whitten, against the Toronto Street Railway Co., for \$500 damages for injuries alleged to have been received through negligence when a motor truck was struck by a Broadway car, in March, 1915.

The case was tried in the county jury court and dismissed, but on appeal a new trial was ordered on the basis that some of the answers of the jury were conflicting. Judgment was reserved.

SUING ON A NOTE.
Before Judge Denton, in the county court, suit was commenced yesterday by the Farm and Dairy Machinery Co. against Fred Fonger, to collect on a note given for a milk machine that the defendant claims was not as represented.

Those who appreciate the Delicious Flavor of fine old English Ales will be delighted with

White Label Ale

as brewed in the mild form authorized for sale during the war by the Provincial License Department. No other malt beverage equals it for purity and refreshing qualities. "It touches the right spot," and will be found unsurpassed as a table beverage or for general use at all times.

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