

DECLARES ANTI-BETTING ACT SUPRA VIRES

\$500 Reward In Firebug Case Is Paid To Sergt. O'Connor

SUPREME COURT FINDS ANTI-BETTING MEASURE OF ONTARIO IS INVALID

Five Judges of Appellate Division Decide That Such Legislation Has Already Been Covered by Dominion Parliament, and That Provincial House Has No Right To Interfere.

WILL BE CARRIED TO THE PRIVY COUNCIL

Canadian Press Despatch. Toronto, Sept. 19.—Without leaving the bench, five judges of the appellate division this morning declared that the Ontario act prohibiting the publication of betting information is ultra vires and invalid. The decision was based on the ground that the field of legislation was already occupied by Dominion legislation and so was closed to provincial legislation.

The question was raised on the appeal of the province from the decision of Judge Denton, sitting as senior magistrate of Toronto, dismissing the charge against Sam and Minnie Lieberman that they had violated the Ontario betting information act. Upon the appeal, Edward Bayly, K.C., appeared for the province, and D. L. McCarthy, K.C., for the accused.

Hon. G. H. Ferguson, premier of Ontario, and Hon. W. F. Nickle, attorney-general, have stated that the betting law case will be carried to the privy council in England to determine the right of the province to pass the law.

In the meantime it is doubtful whether any more prosecutions will be laid under the act until the government makes an official statement of its position in the matter.

Mr. Bayly remarked that three of the present court had sat on the question, submitting 1923 as race tracks and betting. In that case, Chief Justice R. M. Meredith, with Justices Middleton and Lortch, had held that it was not open to the province to refuse licenses to race tracks upon which gambling was carried on under dominion legislation. Mr. Justice Riddell dissented from that decision. Today's court was comprised of Chief Justice Meredith, with Justices Riddell, Latchford, Middleton and Logie.

"We are appealing to defend the validity of the Ontario act," remarked Mr. Bayly.

Outlines Two Acts. Chief Justice Meredith: "What is the difference between this act and the act of the Dominion parliament passed last session?"

Mr. Bayly: "The Dominion act merely prevents importation."

Chief Justice Meredith: "Both acts deal with the same subject?"

Mr. Bayly: "We are dealing with selling; they deal only with importing."

Mr. Bayly contended that the province could deal with the same subject as long as the whole field of legislation was not occupied and as long as there was no conflict between the provincial and Dominion legislation.

Chief Justice Meredith: "If the Dominion parliament passed this Ontario act, it would be valid, would it not—because it is criminal law. How can you—the province—legislate on a matter that is criminal?"

Mr. Justice Riddell: "That won't do. The Dominion parliament might declare that chewing tobacco should be punishable by death. That would be valid, but not because it is criminal. Take watering milk—is not that within the jurisdiction of the province?"

Justice Middleton's Views. Mr. Justice Middleton: "The province deals with the matter because of its moral character."

Mr. Bayly declared that betting was not immoral. Nobody considered it so not even those who said they did. They considered it immoral only in certain phases. Only when a man was found who would object on moral grounds to inuring his life, turn to page 2, column 2.



FIREBUG REWARD OF \$500 PAID TO SERGEANT O'CONNOR.
It was Sergt. Thomas O'Connor, R.C.R., who first suspected Ison, the "firebug," and his report to the police led to the latter's prompt arrest and conviction. His vigilance and judgment earned him a \$500 reward from Mayor Wenig and council. Sergeant O'Connor received his check this morning from City Treasurer Bell.

Rampant Outlawry Sequel To War of Two Rival Gangs

By J. P. YODER. Special to The Advertiser. Copyright.

Chicago, Sept. 19.—A trade war to the death between two rival beer-selling gangs has plunged Chicago into a "saturnalia of law violation" as the city has never known before. The quotation is from a statement by Mayor Dever, and there is not the slightest iota of exaggeration in it.

To date three men have been shot to death, one in a saloon openly run and two in an automobile on a busy thoroughfare during the rush hour as they sat, guns in hand, waiting to get the men who got them.

Chief of Police Collins admits that he looks for more murders at any time. The police, forced to concentrate on the gang war, have had to let their other duties slide, so that assaults, highway robberies, and burglaries multiply while the "Black Belt" gambling halls, long dark and unused, are flourishing as they had not done for years.

Handbooks, crap games, lotteries, and policy parlors have opened overnight, and even in daylight are running full blast. Some of the newspapers have printed lists of such places, with addresses and names of owners. But even with these aids, the police profess themselves too busy for anything but the beer war. Every police car at the department's disposal is being used to hunt down at least two policemen armed with sawed-off shotguns, in addition to the regulation automatics. They were under orders to shoot first and then investigate if they came across more than one member of either of the beer gangs—the O'Donnells and the Torrios.

Fifteen members of the two gangs already are under arrest as material witnesses to the three murders which have been committed. One of them is a notorious gangster, whose name was linked with the "croaking" of Herman Rosenthal, the New York gambler, for whose murder Police Lieut. Becker of that city and five gunmen paid the extreme penalty.

SERG. O'CONNOR AT LAST RECEIVES REWARD OF \$500

City Treasurer Presents Check to Man Who Detected Ison.

DELAYED LONG TIME

Thomas O'Connor, provost sergeant of the Royal Canadian Regiment, has received from the city council the sum of \$500—his reward for submitting evidence that led to the arrest and conviction of Ison the "firebug."

Authorized at the last session of the city council, the money was handed to Sergeant O'Connor shortly after 8 a.m. today by City Treasurer James Bell.

Ison, now serving a sentence in the Kingston penitentiary, was arrested by members of the Mounted Police following the report from Sergeant O'Connor that he had long suspected him. The police finally secured a confession from the prisoner who acknowledged that he had deliberately started about 40 fires in this city.

When Fire Chief John Aitken first reported early in the year that he believed certain fires bore traces of an incendiary nature, Mayor Wenig, Ald. Judd, chairman of the finance committee, and Ald. L. H. Douglass, chairman of the board of works, considered the advisability of offering a reward for the apprehension of a "firebug." The sum of \$500 was suggested and subsequently approved by the council.

Much delay ensued, however, in the payment of the award, the councilors continually passing the question back and forth from the police commission, after one member of the council demanded more positive evidence that O'Connor was the first informant.

The police authorities reported upon two separate occasions that he was the one, and in their opinion entitled to the reward, and now it has been paid.

Greece Salutes Italian Flag

Special Cable to The Advertiser. Athens, Sept. 19.—A naval salute of 21 guns, constituting Greece's formal apology to Italy for the assassination of the Italian boundary commissioners, near Janina, was given by the Italian flag by two Greek cruisers in Phaleron Bay at 10:15 a.m.

An Italian cruiser steamed past the Greek ships and received the salute, British and French ships followed, and also were saluted. Simultaneously, Greek officials paid honors to the dead at a memorial service.

COUNSEL'S WIT FAILED TO SAVE CLIENT'S MONEY

Julius Schur Fined \$500 For Selling Liquor in Violation of O. T. A.

WILL APPEAL CASE

The locally unheard-of "stunt" of a London barrister in switching the bottle "evidence" in an O. T. A. case, and substituting a bottle of cold tea, which the constables identified as the bottle of whiskey they had found in the house of the accused, failed to save the lawyer and his client nothing in police court today.

In fact, the evidence in the case gained for the client, Julius Schur, a fine of \$500 and costs for selling liquor to Ed. Schur in the former's grocery store at the corner of Clarence and Horton streets. Protests on the part of counsel were waived by Magistrate Graydon, who told the lawyer that the course of appealing the decision was open to him, and the case will be appealed.

The defense proved that the liquor was purchased in the regular way at the licensed vendor's on a prescription issued to Mrs. Schur by Dr. A. S. Duncan.

Saw Money Paid. However, the damaging evidence of Sergeant Tomlin, who saw Julius Schur pour out four small drinks for Ed. Schur and money passed from Schur to Ed. Schur, was not nearly as convincing as the barrister's evidence. The magistrate found necessary to call the first witness called by the defense, stated he was on duty near the Schur premises last Sunday night from 8:45 to 8:45. Numerous people came to the front door, rattled it, and gained admission. He saw a dozen people get into the house.

At 11 o'clock he returned with Constable Thompson, found the front door locked and they made their way to the rear where they looked into the house through the kitchen window. The blind was up about the middle of the window and they could see right into the store.

Ed. Schur was in the store, but came into the kitchen with Julius, who produced the bottle (as the sergeant believed) of whiskey. Julius gave Ed. a couple of small glasses of whiskey. The sergeant declared that he saw the liquor in the bottle was good.

"Is this the glass?" asked Chief Birrell producing the article.

"Yes," replied the sergeant.

"Well, it's a mighty small one," declared the chief with a smile, holding it up to the light.

Bought Two More. Sergeant Tomlin stated that half a dozen people were let into the store while they were watching through the kitchen window. Ed. Schur came back into the kitchen about five minutes to 12, pulled out some bills, singled one out and gave it to Julius, who gave him two more drinks. They then went back into the store.

The officers then went to the front door and gained admittance. The sergeant stated that he had any liquor in the place and the latter strenuously denied having any. During the conversation eight men came down from upstairs and made haste to get away from the place. Julius stated that he thought he could have company there on Sunday.

WILL CONTINUE TO DRILL WELLS AS CITY GROWS

Must Have Sufficient Water to Provide For All Expansion, Says Utilities Manager.

WELLS ARE CHEAPER

"We will go on drilling wells," said E. V. Buchanan, manager of the public utilities commission, today, "whether we find water in all of them or not."

The general manager said that the question of an adequate supply of water for a city growing as London is doing was a serious matter and that well-drilling must be carried on at all times.

"It is no use waiting for the city to grow before we find the water," he declared. "We must have it first and then let the city catch up with it. What use are your pavements, streets, schools and other institutions if you have no water?" As London grows, the consumption is greater, and therefore more must be found. Of course we strike a blind alley some of them, but at that this happens in every line of business.

Furthermore, he continued, "you hear talk of the cost of drilling operations, but I would like to state that the amount of money spent by the city in looking for water by this means does not nearly approximate the cost of some of the other schemes offered to the people some time ago, and here we have the best water that can be found."

"When a city gets too large for its wells to supply it, then is the time to bring it in from outside. Winnipeg got too big for its artesian wells and was forced to build a pipe line over 80 miles long at a cost of about \$20,000,000 to bring water from Shoal Lake. London is not yet in that class and could not afford the expenditure. In addition to this, where Winnipeg is below the level of Shoal Lake and gravity takes care of the flow of water, here we are some 200 feet higher than either Lake Huron or Lake Erie and would have to pump the water."

For the present and for some years to come, the wells are the best idea for London, and we will keep on drilling them," he concluded.

TRUSTEE BOARD MEET. William Copp presided at last night's meeting of the trustees board of Akin Street Methodist Church when routine matters in connection with the carrying on of church work were dealt with.

WESTMINSTER MUST SECURE OWN POWER

Hydro Commission Orders the City to Quit Supplying the Township With Energy.

Westminster Township must make arrangements for its own hydro power within a very short while according to E. V. Buchanan of the Public Utilities Commission, who has received a letter from the Hydro-Electric Commission stating that the city must not supply outside districts with power, arrangements having been made whereby these municipalities can secure their own supply.

Mr. Buchanan states that Westminster township was the only one remaining that was supplied by London, and that he understood steps were now under way whereby the township would have its own plant very shortly.

He declared that if the township did not take advantage of the proposition offered by the Provincial Commission, it would find itself without power, as instructions had already been received that London was to supply no power after a given date, allowing enough time to elapse for the installation of the township station.

SHERIFF SATISFIED CELL BARS WILL HOLD

Admits Chilled Steel Was Not Used in Murrell's Cell.

Middlesex officials admit Sidney Murrell's cell never was equipped with chilled steel bars.

Sheriff D. A. Graham stated chilled steel bars could be broken, even if they were proof against saws. Chilled steel is brittle, he added, adding that nowadays chrome steel, which cannot be sawed by hand or broken, is used for prison bars.

When the Murrell brothers, Melbourne bank bandits, escaped from the county jail two years ago, bars which they had sawn were replaced by new iron bars. Since that time, other bars in the Murrell cell have been replaced.

The old bars were tested periodically. The other bars, Governor Dawson said, were sawn easily.

With special night and day guards, and Murrell cut off from all outsiders, Governor Dawson is certain that Murrell never will be given an opportunity even to attempt to saw the bars.

Jailor and turnkeys will breathe a sigh of relief when the Murrell case is concluded. They admit that it is a strain keeping such close watch on the prisoner, many extra precautions have to be taken at the jail.

SAYS ADOLESCENT ACT IS WORKING OUT WELL

Attendance Officer Marcus Sims States 167 Children Are Exempted From Studies.

The Adolescent Act, as far as London is concerned, is working out well, according to Attendance Officer Marcus Sims, who stated this morning that 167 permits had been issued to children between the ages of 14 and 16.

Mr. Sims said that many of the people who applied to him for permits for their children to exempt themselves from school seemed to regret having to take this step, while only about two per cent raised any objection to the act itself which makes it compulsory for children to attend school, unless such enforcement makes it a hardship on the parents.

The permits now issued, totalling 167, will all expire because it is necessary for the children to obtain employment. Of this number nearly 80 per cent were issued last year, Mr. Sims stating that about 86 had been given permits since September 1.

SEEKS TO RECOVER DIAMOND FROM LADY

James O. Day Takes Legal Action Against Rachael Campbell—Charges Conversion.

James O. Day, through his solicitor, J. M. Donohue, is seeking through the courts, to recover a solitaire diamond ring from Rachael Campbell. Day claims the ring was given to the defendant for safe keeping, and that she wrongfully converted it to her own use.

In the event of the ring not being available, he is seeking alternative damages of \$350. Both parties are residents of London. Action has been started in the county court, a writ having been issued.

T. B. Escott & Co., Ltd., through their lawyers, J. E. Hill and Gilchrist, have issued a county court writ against James Petch of Stratford for \$483, the alleged amount of goods sold and delivered to him.

TEAM HITCHED TO BINDER RUNS AWAY, KILLING MAN

Canadian Press Despatch. Regina, Sept. 19.—Mrs. Joseph Kronk, aged 50, of East Otton Street, is dead, and Walter Walden, of Wynessville, N. D., is in hospital at Moose Jaw. Both were killed as a result of two accidents in which teams ran away while hitched to binders in the harvest fields.

COKE AND PEACOCK IS FINDING READY SALE

City Gas Company Declares Sales Have Far Exceeded Any Other Season.

The City Gas Company is authority for the statement that nearly double the amount of coke used last year was in demand for 1923. They attribute the popularity of this fuel to the uncertainty of the situation which existed in the United States two weeks ago, and also to the realization on the part of the public that coke is one of the best anthracite substitutes procurable.

Many people who formerly used only hard coal in their furnaces now heat their houses with a mixture of coke and peacocks, the peacocks being used as a blanket to stop the coke from burning too fast. This method of heating their premises, according to members of the City Gas Company, proved to be popular among consumers who were unable to secure hard coal during last year's strike in the Pennsylvania coal fields. That Londoners are taking chances on a possible hard coal shortage, and intend to use the coke-pea coal mixture this winter is apparent from the heavy sales the City Gas Company experienced during the past two weeks.

NEW SUPPLY LINES ASSURE GAS PRESSURE

Company Provides Better Accommodation For Outlying Sections of City.

With the completion of a new high pressure gas line, Londoners living on the outskirts of the city are now assured of having an even pressure of gas supply at all times of the day, according to William Duffield of the City Gas Company.

Five new high pressure gas lines have been installed in all parts of the city during the past year, and now there is an extra drain on the gas supply, an even pressure and amount can be distributed throughout the city.

People living in the vicinity of the City Gas Company on Ridout street obtain their supply from tanks which are kept full at all times in order that a high pressure may be obtained. The pressure that could be got from such tanks was not adequate for householders at a distance from the central supply, and new lines through a ten-pound pressure of gas is distributed, were installed.

The fifth high pressure line, running from the corner of St. George street along Central avenue to the corner of Adelaide street was finished last week, and gas users in the eastern part of the city can now obtain as even pressure at all hours.

Best-Ad. Contest Results

will be ready early next week.

The piles of letters which came to The Advertiser have been forwarded to New York, where they are now being read by the following committee of five judges:

Chairman, E. W. Gibberd, advertising manager of Abraham Strauss, Inc., departmental store, Brooklyn, N. Y., and lecturer on advertising in the New York University School of Retailing. Mr. Gibberd a few years ago was advertising manager of R. H. & J. Dowler, Limited.

Miss Dorothy Walsh, advertising writer for John Wanamaker Stores. Chas. H. Eddy, New York representative of The London Advertiser. Professor J. L. Fry of New York University's School of Retailing.

Amos Parris, director of Retail Merchants' Association of Fifth Avenue, and New York manager of the Standard Merchandising Corporation.

The judges hope to make their selections before the end of this week.

THE WEATHER

FORECASTS. Today—Moderate winds; fair. Thursday—Easterly winds and showery.

Temperatures. The highest and lowest temperatures during the 24 hours previous to 8 a.m. today were:

Stations	High	Low	Weather
Victoria	68	52	Rain
Calgary	62	42	Cloudy
Winnipeg	66	48	Clear
Port Arthur	62	34	Clear
Perry Sound	68	42	Fair
Toronto	68	50	Clear
Kingston	66	54	Clear
Ottawa	66	50	Fair
Montreal	68	54	Clear
Quebec	66	52	Fair
Rather Point	54	42	Cloudy
St. John	72	50	Cloudy
Halifax	70	52	Cloudy

LOCAL TEMPERATURES. The highest and lowest temperatures recorded in London during the 24 hours previous to 8 o'clock last night were: Highest, 77; lowest, 49.

The official temperatures for the 12 hours previous to 8 a.m. today were: Highest, 65; lowest, 51.

Barometric Readings. Tuesday—8 p.m., 29.21. Today—8 a.m., 29.23.

ADVISE BUYING RINK FOR SCHOOL HOCKEY

Citizens Advocate Purchase of Westminster Property by Playgrounds Body.

The Public School Hockey League was such a success last winter and so much splendid juvenile hockey talent was untried that steps are being taken to have the Playgrounds Association purchase the Westminster Rink from Whit Lancaster to be used as a hockey and skating rink for the youngsters.

Mr. Lancaster it is learned, wants \$5,000 for the rink where all the O. H. A. Manufacturers' League, and Church League games were played last winter.

Those who have the interests of public school hockey at heart will bring the matter before the public utilities commission in the near future and it is expected it will meet with much favorable consideration. The L. A. A. is unofficially behind the move and it is pointed out that there would be a source of revenue from the Church League and possibly the A.B.N.K.s League.

BATTLESHIP ARKANSAS COLLIDES WITH DESTROYER

Associated Press Despatch. Washington, Sept. 19.—Collision between the battleship Arkansas and the destroyer McFarland, off Newport early today, was reported in a despatch received by the navy department. The destroyer, struck on the port side forward of her bridge was said to have been seriously damaged and to be proceeding "under escort" to Boston. The two ships were engaged in night manoeuvres.

RAGING STORMS SWEEP SEACOAST AROUND NOME

Associated Press Despatch. Nome, Alaska, Sept. 19.—Raging storms are sweeping the Behring Sea coast for a distance of 100 miles east and west of Nome. Grave fears are felt for the schooners Sea Wolf, Silver Wave, Teddy Bear and Nokatak, which are overdue more than a week at Nome from ports to westward. A schooner with a party of gold hunters, went ashore 80 miles northwest of Nome. There was no casualties.

EMPLOY JAIL PRISONERS ON NEW OFFICE SYSTEMS

Prison labor is being used in installing the new filing system in the local master's office in the county buildings. Prisoners during the past few days have been transferring the vast mass of documents from the old vault compartments to the new steel files.

Outside work at the jail is not expected to roll up a total of plentiful these days. Excepting regular morning chores of dusting and mopping in the courthouse, there is little for the men to do. Most of the garden truck has been harvested and the sound of the lawn mower has ceased for a few weeks.

STAND ON NORTHERN ROAD DRAWS MEIGHEN'S FIRE

Canadian Press Despatch. Regina, Sept. 19.—In his speech here last night, Rt. Hon. Arthur Meighen, criticized the Mackenzie King government for not going on with the work of the Hudson Bay Railway as long as financial conditions warranted. That had been his own policy, he stated.

The people had been trifled with and even mocked, the Conservative leader said, in criticizing the government's wheat board legislation, which never became operative. The farmers were now trying to laugh at the government's avian themselves.

"A woman can forgive a man any other crime on earth easier than she can just being no account. No wife is so miserable as she who is ashamed of her husband."

Dorothy Dix

has sane, wholesome ideas of what constitutes happiness. She is going to write her helpful philosophies for The Advertiser every day instead of three times a week. Daily articles from Dorothy Dix begin next Monday.