

WAS NOT TOO LATE TO GRANT RECOUNT

Citizens' Liberty League Solicitor Takes Issues With Attorney-General.

A. E. Knox has written to the attorney-general in answer to the attorney-general's letter to the solicitor for the Citizens' Liberty League in reference to the application by the league for a recount of the recent vote under the temperance referendum act.

Mr. Knox disagrees with Mr. Bayly's conclusion that the application for a recount is too late. The Ontario election act provides that the recount must be applied for "within four days after that on which the returning officer has made addition of the votes for the purpose of declaring any candidate elected."

That act primarily relates to the election of members of the legislative assembly under which the vote in each electoral district is considered apart from the vote in any other electoral district and the returning officer in any electoral district makes no declaration and does not even add up the number of the votes cast in his district. He simply sends in to the clerk of the crown in chancery the number of votes polled in each municipality in that electoral district.

There is no final addition by him and nothing in respect of which a recount could be asked. When the clerk of the crown in chancery has received the last of the returning officers' returns he adds up the vote throughout the whole province and makes a return to the lieutenant-governor-in-council. That is the first official addition in respect of which a recount could be asked.

Returns of Clerk. It is further pointed out by Mr. Knox that the last return was made to the clerk of the crown in chancery on the 4th day of December, 1919, and that the Citizens' Liberty League had asked for a recount on the 23rd day of October, 1919, clearly showing that the recount was applied for in ample time. He also refers to the fact that the late government in pursuance of the application by the Citizens' Liberty League passed an act providing for a recount under certain conditions.

Mr. Knox also mentioned that the provisions of the Ontario election act so far as the same are applicable to a referendum are made so by the Ontario election act, 1919, section 12, and that Mr. Bayly's interpretation of the provisions of the law applicable to the holding of an election is in accordance with the provisions of the law applicable to the referendum act.

Mr. Knox refers to subsection 5 of the referendum act, which gives the lieutenant-governor-in-council the authority to "modify or alter any of the provisions applicable to the taking of the vote, with a view to the convenience of the electors, and which appears to be inconvenient and impracticable and may make due provision for circumstances which may arise and which are not provided for or contemplated by the act."

Was Not Practicable. It is pointed out by Mr. Knox that owing to the different manner provided for returning and adding up the vote under the referendum act it would be both inconvenient and impracticable to comply with the provisions of the election act regarding a recount and that in the words quoted from subsection 5 of the referendum act, express authority is given to the lieutenant-governor-in-council to "modify or alter" the same and if further authority is required "to make provision for circumstances which have not been provided for or contemplated" wide enough if necessary to appoint a tribunal for holding the recount.

Reference is also made to subsection 3 of the referendum act under which every voter is required to vote on all four questions submitted, otherwise his entire ballot shall be void and shall be rejected. Attention is drawn to the fact in 73 out of 107 electoral districts the return shows that all the voters did not vote on all four questions and that therefore ballots which were void under the act were counted.

"In view of the great many discrepancies and errors disclosed by the returns it does seem that this is an occasion where the government should seek to expedite a recount by taking every step and doing every act within its authority—the question being one of deep interest to the public at large," concludes Mr. Knox.

SPEED FIENDS MAKE HIGHWAYS UNSAFE

Safety League Manager Says Accidents Disproportionate to Traffic.

In a statement issued yesterday, R. B. Morley, general manager of the Ontario Safety League, attributes the increase in traffic accidents to the increased rates of speed on the highways of the province. The statement calls attention to the fact that the city of Toronto has had an alarming number of collisions between vehicles of all kinds and street cars in the past year and "the jump in accidents on the Toronto-Hamilton highway is out of all proportion to the increase in traffic."

The statement continues that "it was a generally recognized fact that the authorities winked at anything up to 20 miles per hour under the old regulation of 15 miles per hour, and there is reason to believe that the present regulations allow the same spread of five miles an hour."

"How long will the decent element in automobilism stand this?" continues the statement. "Some day the public will arise in its wrath and demand legislation that will bring down motorists to a degree which will rob motoring of all pleasure. Let us have safe and sane use of our streets. Let us get back to the limit of 15 miles per hour in cities. Let us have reasonable enforcement of existing laws. And let us look to our magistrates to 'soak' the habitual speed fiend. Safety demands all these."

"LET A LITTLE SUNSHINE IN"

BY IDA L. WEBSTER.

We have often wondered where the folks who desired to be placed in hospitals at the city's expense went to make such arrangements. Naturally, after reading of the sums of money which are expended every year in that manner, we knew that such a place or office must exist.

Yesterday we found it.

It is on the lower floor of the city hall, and is designated by the number 21 on the door.

Inside the room, or office, because we suppose that is really what it is, there is a circle of chairs grouped around the walls in one corner, by the only window, there is a desk. In the centre of the floor there is another. Beside each of them a chair is drawn.

The lighting of the room is extremely poor. A chandelier of the old-time type graces the centre of the room, and at the desk by the window there is an extension light. Other than that the window, which is not exactly like crystal, provides the means of "seeing."

Upon close inquiry, we discovered that those persons who are unfortunate enough to be sick, and who are moreover unfortunate enough to be forced to have hospital attention, go to that little hole in the wall and wait their turn to be heard.

Waiting one's turn in that place means that the patient must sit on one of the chairs around the walls, while some other poor soul sits at the desk in either the centre of the room or at the side, and there unburies his or her soul to the inspector.

To be poor is, of course, a horrible thing, but to be poor and to be expected to tell the whole world, or that portion of it which is in the same position, is not quite what any real person cares to do.

Because a man or a woman is forced to ask for charity of the hospital varies from the city of Toronto, surely it is not a criminal enough act to necessitate a public story?

Besides that, such public conversations and explanations are not fair to the men who are paid to investigate the cases, and who are asked to pass judgment upon them. People have been known to find grievous fault with these inspectors, because some persons in advance of them have been allowed to go to the hospital at the total expense of the city while they are asked to pay a small fee.

If conditions in the city relief were what they should be, each inspector would have a small private office. People who go there for aid would then be able to tell their stories, knowing that only the man in charge would know the sad details. Also, they should be a means of getting daylight and sunshine into the place, not to mention fresh air.

WELCOME INQUIRY

Toronto Magistrates Consider Interpreters Perfectly Honest—Want Specific Charge.

Three Toronto magistrates expressed themselves yesterday as welcoming an investigation of the sensational charges made against the administration of justice in Toronto courts by Alderman Joe Singer in the city council on Monday.

Magistrates Cohen and Ellis are of the opinion that the appointment of an official court interpreter would be better than the present system, though neither have experienced any attempt on the part of interpreters to misstate evidence. Magistrate Denison said that the present system is good enough. He speaks three languages and is able to check interpreters of those tongues. He also had never experienced any effort to mislead on the interpreter's part. Magistrate Ellis thought that Alderman Singer should make specific charges.

SNOW BRINGS FINES.

Lee Pack, A. Jennings, Walter Pritchard, John Abbit, Chong Wing, C. Robinson, Robert A. McTavish, Isaac W. Plewman, T. D. Smith and the Hambourg Conservatory of Music were fined \$1 without costs yesterday, settling out of court for not removing the snow or ice from their sidewalks.

AFTER EATING, PLAY SAFE

It Is a Wise Precaution to Take a Stuart's Dyspepsia Tablet After Eating to Avoid Gas, Sour Risings, Heaviness, and the Lazy, Luggy Feeling So Apt to Follow.

The range of food is so great, its preparation varies so widely, that few

stomachs are strong enough to grapple with all conditions of restaurants, hotels, clubs, depots and banquets. The safe plan is to be provided with Stuart's Dyspepsia Tablets, that may eat rich and palatable food served or selected and not be troubled with gas, sour risings or such forms of indigestion. These tablets digest food, they assist the stomach secretions, and for this reason people who travel away from home and must eat as it is served may play safe by taking one or two Stuart's Dyspepsia Tablets after each meal.

You can get these tablets in any drug store anywhere in the United States or Canada, which shows in general favor they are among those who have learned how to enjoy their meals.

STILL NO LAWYERS.

Mr. Justice Logie has again ordered cases to be struck from the list because of the non-appearance in court of either lawyers or clients.

There was only one lawyer, with several cases on the list. The lawyer asked for adjournment for sick clients and lawyers who were ill. Storey v. Buchanan and Weston v. Hollins, his lordship ordered struck from the list, not to be restored without application to himself.

ARRESTED FOR THEFT.

Sidney R. Growcock of Port Credit was arrested yesterday afternoon by Detectives Wickert and Cronin, charged with theft. Growcock is alleged to have stolen \$253 from the Toronto and Niagara Power Company in 1919. At that time he was employed by the company as a clerk.

ADDED TWO FIGURES.

In the sessions yesterday before Judge Coatsworth Sam Rappaport was found guilty of raising and uttering false cheques fraudulently. It was charged that Rappaport had raised two cheques for \$35 and \$45 to \$3,500 and \$4,500, respectively. He was returned until a date in February for sentence.

BROKE HIS KNEE CAP

Walter Barber, aged 50, of 897 Greenwood avenue, was admitted to Grace Hospital last night, suffering from a broken knee cap. Barber fell on the sidewalk at the corner of Richmond and Victoria streets.

E. Teyssyre. Undertaker

PARIS, FRANCE

Announces

through his Canadian representative, Mr. Robert U. Stone, that he will accept commissions from relatives who so desire, to exhume, prepare, and transport to Canada, the Sacred Remains of their Soldier Dead, now in France and Flanders.

Robert U. Stone Undertaker

TORONTO

Announces

that he proposes to personally visit the British Isles at an early date, and will accept commissions for removal to Canada of the Remains of Soldiers buried in England, Ireland or Scotland.

Address Enquiries to The Overseas Mortuary Association

525 Sherbourne Street
Toronto, Ontario

BURFORD TOWNSHIP COMMENCE APPEAL

Think They Should Be Allowed Expenses of Anti-Conscription Deputation.

Acting for William Barker, Gordon Waldron appeared before Chief Justice Mulock in the appellate division yesterday at Osgoode Hall from the decision of Judge Hardy, requiring the members of Burford Township Council, of which the appellant had been a member, to restore to the township the money they had used to pay the expenses of an anti-conscription deputation which went to Ottawa.

W. S. Brewster, K.C., represented the other members of the council. A. W. Eddy, A. W. Smith, H. A. Lester and W. H. Shillington; W. T. Henderson, K.C., appeared for William Milmine, who opposed the payment and brought action to compel the members of the council to replace the money.

After the passing of the conscription order, 6000 farmers met in the village of Harley, Brant county, on May 1, 1918, and demanded that the order be rescinded. Following the meeting, the township council of Burford passed a resolution that the members of the council, with Clerk F. W. Taylor, ex-Reeve Burtis, ex-Reeve Doran and Wm. F. Gowdy, should be a deputation to go to Ottawa to protest. They went and later drew \$219.15 from the township treasury for expenses. Wm. Milmine brought action to have the money returned, and Judge Hardy gave him judgment, as he asked, with costs.

WITNESS STATE.

It was contended in the appeal that the payment came within the statute, which gave the township permission to spend \$500 a year towards the reception or entertainment of distinguished persons, or the celebration of events of national importance, or for travel expenses incurred in connection with matters pertaining to or affecting the interests of the corporation.

Mr. Waldron argued that there was no local discontent with the action of the council. At the following township elections no question had been raised concerning the payment. Mr. Henderson argued that the council would only be justified in voting money for traveling expenses for the purpose of promoting or opposing matters which affected the corporation as a corporation.

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CAMPAIGN WORKERS FEEL ENCOURAGED

(Continued From Page 1).

work. The money collected would be sufficient to serve the city in the most efficient manner, said the speaker. The workers need offer apology to none, and it was his hope that every man would give according to his capacity.

What the farmer does in breaking in a new piece of ground was the simple used by the chairman, Col. MacKendrick, when he compared the things that had been done by the teams. The workers had done wonderfully well, said the colonel as he called on the captains for their returns.

A Cold Reception The cold reception given the canvasser at the parliament buildings was an outstanding note in the report. Many departments would not permit the canvasser to enter. All with one exception—that of the high roads—were callous to the appeal, giving an absolute refusal to contribute, some saying they could not afford it and others contenting themselves with a simple indifference, the sum total of the day proving very discouraging to the canvasser reporting that civic employers, some of whom had been officials for thirty years, were altogether, with the exception named, deaf to his appeal.

The public are reminded that by assisting in this drive for community service they are helping not one institution but nearly fifty organizations which care for something like two hundred institutions. In the eight months that the plan was tried out in the past year, it worked so well that those in charge and those who voluntarily give their services to the cause of charity, labored more efficiently than ever before, and are representing a more time, the assurance of sufficient funds making for success. The public too, should understand that in the federation all denominations are represented and are represented on the board of management of the budget.

District Collections

District A. Thos. Rodden \$5,450
District B. Stuart B. Playfair 20,584
District C. A. R. Auld 20,739
District D. R. T. McLean 6,510
District E. A. E. Clement 5,250
Special subscriptions 16,500
Counter subscriptions 398

Total for the day 75,481

Special Subscriptions.

Toronto Plate Glass Importing Co. \$600, Salada Tea Co. \$500, Gurney Paints Co. \$500, Ideal Bread Co. \$600, A. R. McDougall \$600, Gordon McKay Co. \$2,500, W. R. Brock Co. \$1,500, Toronto Carpet Manufacturing Co. \$1,000, Sir Joseph Flavell \$5,000, Mrs. H. D. Warren \$2,500, Mark Bredin \$2,000, H. C. Cox \$1,000, Canada Bread Co. \$600, Russell Motor Car Co. \$1,000, Overland Limited and Canada Cycle and Motor Limited \$2,500, Lowndes Co., Limited, \$500, Warren Bituminous Paving Co. \$1,200, Nisbet & Auld \$1,000, Col. W. G. MacKendrick \$1,000, Toronto Star \$1,000, P. W. McEachern \$750, P. D. Gillespie \$1,200, Christie-Brown Co. \$2,000, R. S. Williams, Son & Co. \$2,500, H. G. Stanton \$2,000, House of Hoberlin \$500, R. L. Baker Co. \$500, Wilson Canham Limited \$1,000, Irish Maudslough Limited \$500, Graves & Bigwood \$1,500, Consumers Gas Co. \$750, Toronto Type Foundry \$1,000, Warren Bros. \$1,000, John Inglis Limited \$500, F. G. Osier \$500, King Edward Hotel Co. Limited \$1,200.

REAL ESTATE NEWS

The old plant of the Cyclone Woven Wire Fence Company at the corner of Dundas and Chelsea streets, has been closed up and it is understood the money realized from the sale of the property and the settlement of the law suit was only sufficient to satisfy the claims of the bondholders and that the shareholders have sustained a loss.

The General Construction Company have purchased thru W. A. Price the row of houses from 364 to 380 West Adelaide street and are now clearing the land for the erection of an eight-story warehouse and light manufacturing building on the site, which has a frontage of 120 feet with a depth of 140 feet to a lane.

CLAIMS AFFECTIONS ALIENATED.

Albert E. Bulley is suing George Foote for \$5,000 before Mr. Justice Lennox at the winter sittings for the alienation of his wife's affections. The plaintiff charges that when he returned from overseas one child, not his own, was born. He claims that the defendant induced and persuaded his wife not to go to him while at Camp Borden and Niagara. Defendant denies all the allegations wholly.

Patriotic Association Claims

Veteran Got Money by Fraud

Solomon Yonovitch was charged in the police court yesterday before Magistrate Denison with having obtained \$50 from the Canadian Patriotic Association by fraud. An official of the association administering the federal emergency fund for veterans in need, stated that Yonovitch had signed documents declaring himself to be out of work, with eight children to keep. He was given one \$50 and came back for another. The witness charged that he was not out of work. One week when he was supposed to be out of work he had made \$40. The case was postponed for one week for further evidence of the accused's earnings.

ALLEGED GAMING IN ARMORIES.

Charged with keeping a gaming house, Alfred King, 122 St. George street, was arrested last night by the military police and handed over to Inspector McKinney of the morality department. King is alleged to have been running a crown and anchor board in the armories. When searched he had two cheques, each for \$70, on him.

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Vaccination Truths

In the control of smallpox "enforced hospitalization and other forms of isolation are both relatively expensive and inefficient."

Read the views of a practical newspaper man:

The Chicago Tribune

The World's Greatest Newspaper
(Trade Mark Registered)
EDITORIAL ROOMS

HEALTH DEPARTMENT
W. A. EVANS, M. D.

Dr. W. J. S. McCullough,
Provost Board of Health,
Toronto, Ont.

Dear Dr. McCullough:

In my experience there is no method of fighting smallpox that is satisfactory except vaccination. Enforced hospitalization and other forms of isolation are both relatively expensive and inefficient. Equipped with plenty of hospitals and men you might be able to bring the disease under control with the oncoming of hot weather without vaccination but no amount of equipment would effect this end much short of the oncoming of hot weather unless you are backed up with a policy of universal vaccination compulsory for all of those not already protected.

At the present time, in the city of Chicago, there is a family in the smallpox hospital. The father and mother have been vaccinated and did not catch the disease. They refused to have their children vaccinated and, in consequence, the children are now in the hospital sick with smallpox.

Very truly yours,

W. A. Evans.

Yours for Good Health,
THE PROVINCIAL BOARD OF HEALTH.