

DROWY TESTIFIES IN PETER SMITH'S DEFENCE

Husband Killed In Crash, Wife Seeks \$16,200 Damages

FARMERS ARE SUED FOR \$16,200

Cecil Roy Brownlee Killed When Car Collided With Wagon.

DRIVING IN FOG

Did Not See Horses Until They Were Upon Them.

The damage action for \$16,200 being brought by Mrs. Emma H. Brownlee of this city against John and Herbert Zinn, farmers, of Blanchard township, Oxford county, is now in progress before Mr. Justice Riddell at the court house.

The plaintiff claims \$15,000 damages for the death of her husband, Cecil Roy Brownlee, who died from injuries received on the night of Dec. 22, 1922, one mile east of Woodstock, when the car in which he was driving with his wife struck a team and wagon, being driven by Herbert Zinn, and owned by his father, John Zinn.

Mrs. Brownlee is claiming \$1,000 damages for injuries she received in the accident, \$100 for medical attendance and \$100 damages to the car.

J. M. McEwen, K. C., and Samuel E. Weir are acting for the plaintiff, and Peter White, K. C., of Toronto, and S. G. McKay, K. C., of Woodstock, for the defendants.

First Witnesses

Mrs. Brownlee, the first witness called, told of the trip from Barrie on the day of the accident. She said her husband was a commercial traveler in the employ of the McCormick Manufacturing company, and that he received a salary of \$1,100 and commissions of \$200.

Witness stated that the lights of their car were turned on just out of Barrie, and that it was getting dark and there was quite a mist. At the place of the accident the road was quite wide. She had the side curtain up, so she could tell her husband how close he was driving to the ditch and admitted she could not see through the windshield, owing to the fog. Mrs. Brownlee said that she did not see the heads of the horses until they were almost on them, and that the tongue of the wagon went right through the windshield. She was right at the scene of the accident for twenty minutes afterward.

4 Miles an Hour.

Questioned by Mr. White, witness said she thought the car was going about four miles an hour at the time. She admitted having previously said the car was travelling about ten miles an hour. She had changed this, though, after a talk with Mr. Weir.

Delbert Brownlee, brother-in-law of plaintiff, said damages to the car were \$28.75. He had sold the car for \$100.

The case will take up most of the day, as there are seven more witnesses for the plaintiff and seventeen for defendant.

ALL SCHOOLS IN LONDON TO BE CLOSED TOMORROW

The schools of the city, public, separate, technical and collegiate institutes, will be closed tomorrow and Friday to enable the teachers to attend the London teachers' institute. The sessions of the institute will be held in the auditorium of the central collegiate.

Three hundred and seventy teachers in all will convene at the institute.

The Weather

FORECASTS.

Today—Moderate northerly winds; fair and cool.

Thursday—Moderate winds; fine and becoming a little milder.

Pressure continues high over the lake region, while the depression which has been off Newfoundland for several days appears to be moving out to the Atlantic.

The weather has been quite cool from Ontario eastward, and fine and moderately warm in the western provinces.

Temperature.

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

Stations.	High.	Low.	Weather.
Calgary	72	40	Clear
Winnipeg	58	40	Clear
Port Arthur	48	38	Clear
Perry Sound	42	28	Cloudy
Toronto	44	34	Cloudy
Kingston	48	34	Cloudy
Ottawa	48	34	Cloudy
Montreal	42	34	Fair
Quebec	42	34	Cloudy
Father Point	46	28	Fair
St. John	48	38	Fair
Halifax	48	38	Fair

LOCAL TEMPERATURES.

The highest and lowest temperatures recorded in London during the 24 hours previous to 8 o'clock last night were: Highest, 46; lowest, 32.

The official temperatures for the 12 hours previous to 8 a.m. today were: Highest, 39; lowest, 26.

Barometric Readings.

Tuesday—8 p.m.—29.47.

Today—8 a.m.—29.52.

The Voice of the West Gives Friendly Warning

Not prepared clippings from the anti-temperance columns of the Calgary Herald, but voluntary evidence in the careful personal statements of public men.

In an advertisement headed, "Time for Plain Speaking," the Moderation League yesterday reprinted seven clippings from the Calgary Herald and part of a paid statement from the Vancouver Province.

The advertisement was intended to show that the western provinces are satisfied with government sale of liquor. The seven clippings from the Calgary Herald were intended to discredit as "mendacious," "malicious" and "malignant" reports of government sale results obtained by an Advertiser correspondent who spent several weeks in Manitoba, Alberta, British Columbia and Quebec in first-hand investigation of the facts.

It is sufficient to point out that both the Calgary Herald and the Vancouver Province are anti-temperance newspapers. The Calgary Herald has always opposed temperance legislation, and is today soliciting liquor advertising from brewers and distillers.

The Advertiser has no quarrel with the members of London's Moderation League, who are sincere in their hopeful opinion of government sale. Their judgment is entitled to tolerance and respect, but the Advertiser has no sympathy with the attempt of the Moderation League's hired propagandist to fool the public into believing that the Calgary Herald represents the people of the western provinces.

What responsible people of the west think of government sale is told in the personal statements quoted below. They are reprinted from articles already published in The Advertiser. They have not been challenged, and they cannot be contradicted.

Ex-Mayor Underwood of Calgary:

"I don't believe people knew what they were voting for when they brought these evils on the community."

Premier John Oliver:

"Conditions in Vancouver, so far as the sale of beer is concerned, are as wide open as they could be. No matter what legislation we pass, certain interests will endeavor to weaken its effect."

Mrs. Nellie McClung, member of Alberta Legislature:

"I saw more drunkenness in Vancouver in six weeks under government control than in ten years in Alberta under license and prohibition."

H. H. Stevens, M.P., Conservative member for Centre Vancouver:

"Never in the history of the country was bootlegging comparable in magnitude and murderous results to what it is today."

C. E. Tindall, mayor of Vancouver in 1923:

"We must do something at once. Conditions are deplorable."

A. M. Manson, attorney general of British Columbia:

"The greatest bootleggers of all are breweries and export liquor dealers."

David Whiteside, member of British Columbia Legislature:

"It is idle to deny that in Vancouver and the large centers beer is being sold frequently by the glass. I have no belief that the liquor men will obey the law."

Major Allen, representative of the Salvation Army, in Winnipeg police court:

"Conditions are disgraceful. They were not nearly so bad when we had the open bar."

Robert McPherson, new police commissioner in Vancouver:

"There's no control about it. You can buy all you want. It's not government control, but government sale." Asked the plain question, "Would you advise Ontario to adopt government control as you have in B. C.?" he answered: "I would not."

A. Johnson, chairman of the B. C. liquor control board, was questioned as follows:

Question—"What is your greatest difficulty in enforcing the law?" Answer—"Bootlegging."

Retail merchants' association of Vancouver:

"The business of the retail stores is suffering very heavily from the diversion of money into liquor channels, which should be spent legitimately to supply food and other necessities and comforts for the people."

Andrew Blyth, J. P. of "Vancouver today is more wide open than ever before, and any night may be seen cabarets in which no liquor is sold to be sold, but in which 50 per cent of the people show signs of intoxication."

Major R. V. Rude, M.L.A. from Port Alberni:

"I can take you to a dance hall in Vancouver where any night you can find boys of 16 and 17, who do not consider themselves as having

Ferguson Smashes It

Advocates of Government Sale for Ontario have quoted Premier Ferguson freely in supporting various arguments.

They now make a last minute attempt to pretend that the facts of Government Sale as expressed by responsible citizens of the western provinces are merely slanders devised by temperance people in Ontario.

In this attempt they apparently overlook the fact that no one has been more outspoken than Premier Ferguson himself in condemning the results of Government Sale in other provinces.

Here is what Premier Ferguson wrote ten days ago in a letter to Donald J. McKinnon, 141 Farnham Ave., Toronto, and quoted in the Toronto Mail and Empire of October 11th:

"Looking into the matter of operation, both in British Columbia and Quebec, their systems are called Government Control BUT THERE DOES NOT APPEAR TO BE MUCH RESTRICTION OR ATTEMPT AT CONTROL."

Premier Ferguson's signed statement is convincing acceptance of the evidence which The Advertiser has presented in its series of articles dealing with the facts in Manitoba, Alberta, British Columbia and Quebec.

The Premier supplies a smashing reply to the Moderation League's attempt of yesterday, and no amount of expensive advertisements can change it.

Municipalities of B.C., in session in Prince Rupert in August:

"That this convention places itself on record as strongly protesting against the present disgraceful situation throughout the province in regard to the formation of clubs and the sale of liquor therein; that the present situation is worse than in the days of the open bar, and is not only destructive to the morals of the people, but is resulting in bringing about a general contempt for law and order; that the government be urged at the earliest possible moment to consider this situation and enact laws to alter this deplorable state of affairs."

LONDONERS WILL VOTE IN FORCE

Temperance Leaders Sure of Victory If Weather Fine.

PLANS COMPLETE

Five Hundred Travellers Will Not Be Able To Cast Ballot.

If the weatherman maintains his record of the last few days and provides a bright, sunny day tomorrow, a record vote will probably be recorded in the plebiscite on the O. T. A. question.

W. C. Fitzgerald, district returning officer, is looking for a record figure, and expects the 22,000 of the last provincial election to be surpassed.

E. E. Reid, chairman of the London temperance committee, is enthusiastic and has no doubt of the result of the plebiscite.

"If we only have a good day tomorrow we will win," he told The Advertiser this morning. He looks forward to the excitement of watching a good fight in a just cause. His organization has completed every arrangement for the day. A fleet of cars has been mobilized, and voter unable to walk to the polling stations will be missed in the canvass for ballot passers.

Completes Work.

W. C. Fitzgerald has completed his preparations. All returning officers and polling stations have been named and settled. He emphasizes the fact that the polling stations open sharp at 8 and close equally sharp at 6 o'clock. He is not worrying about spoiled ballots.

"In the last few years," he says, "spoiled ballots have been very scarce. There were only 64 in the last provincial election out of 22,000 ballots cast. I am not expecting many tomorrow. But I believe there will be a record vote cast, and I shall not be at all surprised to see 25,000 votes returned. Those statements speaking of 35,000 votes being a possibility are not correct. There are a good many dead names on the lists, that will greatly reduce that number. Impersonation, too, has very largely disappeared in the past, and I do not anticipate any difficulty in this way."

Travellers Out.

Some five hundred commercial travellers will not be able to record their vote on the question, according to George Hair, secretary of the Ontario commercial travellers' association. They will be on their trips. The travellers have never had an advance poll granted to them for a provincial election, although they have for the federal and the municipal elections.

As to the right of a scrutineer to leave the polling place at which he is employed and make way for someone else, Mr. Fitzgerald says that he would not be given to anyone.

"If a scrutineer wishes to retire at any time during the day, another scrutineer appointed by the representative of the same side, according to the resolution points out that 'competent and effective regulation of the Lake of the Woods are essential to the future development of power on the river.'"

The principle of government ownership of the dam against private ownership was also endorsed, the resolution stating: "The control should at all times be vested in a competent permanent public body."

The meeting was attended by representative citizens, members of the civic and provincial governments, hydro power and business organizations. Mr. Bracken and others spoke in opposition to the agreement, all emphasizing the risk of too much was at stake to run the risk of possible interference by a private individual.

SUGGESTIONS ARE SOUGHT FROM STATES IN LEAGUE

Geneva, Oct. 21.—All the states belonging to the League of Nations have been requested to forward to Geneva before Nov. 17 any suggestions which they may consider of value in the preparation of the program for the international conference on reduction of armaments which is planned for Geneva next June. It is on Nov. 17 that the first meeting of the special league council committee entrusted with the task of tackling the problem of agenda will be held.

FORMER COP INDICTED IN \$20,000 EMBEZZLEMENT

Quebec, Oct. 22.—Philippe and Paul Fafard of Montreal were found guilty yesterday of conspiracy to defraud Adolphe Lauzon of Chicoutimi of \$20,000 on Aug. 7 last. Philippe Fafard is a former member of the Montreal police force. The Fafards were arrested charged with theft of \$20,000 from Adolphe Lauzon in a confidence game. The \$20,000 was to have been used in swinging a deal in which Lauzon, according to his own testimony, was to have made a profit of \$14,000.

NORTH BAY WILL HEAR DOMINION'S PREMIER

Canadian Press Despatch. North Bay, Oct. 21.—Premier King, it was announced here today, will speak in North Bay on Nov. 7, on his way back to Ottawa from the west.



R. H. DOWLER, prominent London merchant, who was yesterday elected president of the London chamber of commerce.

BUTCHER MEETS HORRIBLE DEATH

Runaway Team Crushes Horse and Buggy Driven by Samuel Hogg, Erin.

Canadian Press Despatch. Guelph, Oct. 22.—Samuel Hogg, a butcher at Erin village, a short distance out of Guelph, met a horrible death this morning when driving into this city.

He was approaching Guelph in a horse and buggy coming down Mooney's hill on the Bramosa road, followed by a team driven by his brother, Hugh Hogg. The king-bolt of the wagon broke on the hill and the frightened horses, bumped by the heavy vehicle, raced ahead madly, leaping on the buggy in front of them and frightfully mauling its occupant, Sam Hogg, and crushing the buggy to splinters.

Mr. Hogg was so badly injured that he died before reaching the general hospital, only a short distance from the scene of the accident.

BACKUS DAM CONTROL STRENUOUSLY OPPOSED

Public Meeting in Winnipeg Condemns Proposed Government Agreement.

Canadian Press Despatch. Winnipeg, Oct. 22.—The proposed agreement between the dominion government and the Backus interests regarding the control of the Norman dam, the key to a dependable flow of water on the Winnipeg river, was strenuously opposed at a public meeting here last night, and a resolution of protest was wired to Premier W. L. Mackenzie King and members of his cabinet.

Winnipeg's hydro development plants are situated on the Winnipeg river, and the resolution points out that "competent and effective regulation of the Lake of the Woods are essential to the future development of power on the river."

The principle of government ownership of the dam against private ownership was also endorsed, the resolution stating: "The control should at all times be vested in a competent permanent public body."

The meeting was attended by representative citizens, members of the civic and provincial governments, hydro power and business organizations. Mr. Bracken and others spoke in opposition to the agreement, all emphasizing the risk of too much was at stake to run the risk of possible interference by a private individual.

Don't Open the Door

Give the brewer government sale in Ontario and he will soon want even more—for the safety of your home keep the O. T. A.

A. Johnson, chairman of the British Columbia liquor board, has been reported as saying:

"Give the brewers a bung and they'll soon want a whole barrel. OPEN BUT A CRACK OF THE DOOR AND THEY'LL PUSH IN AND TAKE POSSESSION OF YOUR WHOLE HOUSE as they are doing in British Columbia."

Mr. Johnson was right and the following Canadian Press despatch received today from Saskatoon proves it. Saskatoon already has government sale. Now the liquor people want more.

WANT MORE BEER.

Canadian Press Despatch. Saskatoon, Oct. 22.—A circular letter is being sent out by the Moderation League of Saskatchewan asking that the members of the legislature institute the Alberta plan of government control of liquor, permitting sale of beer by the glass in approved licensed premises.

Government sale in Ontario would open the door part way for the brewer and distiller—"THEY'LL PUSH IN AND TAKE POSSESSION OF YOUR WHOLE HOUSE AS THEY ARE DOING IN BRITISH COLUMBIA."

DEFENCE'S PLEA TO DISMISS SMITH-JARVIS CASE REFUSED

Former Premier E. E. Drury Is First Witness Called on Behalf of Defendants.

CLOSELY QUESTIONED

Declares He Never Had Any Reason to Doubt Honesty of ex-Treasurer.

Canadian Press Despatch. Toronto, Oct. 22.—Former Premier E. E. Drury was the first witness called this morning for the defence in the trial of former Provincial Treasurer Peter Smith, Aemilius Jarvis, Sen. Aemilius Jarvis, Jun., and Harry Papall, on charges of conspiracy to defraud the province. On the conclusion of the crown's evidence, the defence asked for a dismissal on the ground that no case had been made out. Chief Justice Macpherson, who is presiding, refused to dismiss the case. Replying to questions by T. H. Lennox, counsel for Smith, Mr. Drury said he never had reason to doubt the integrity of his colleagues and that he trusted him. He was still without personal knowledge of anything which would give him reason to doubt Smith. The latter had introduced him to Papall as a friend. Smith did not mention that Papall was negotiating sales for the Jarvis firm.

"He didn't say that he was splitting the defence of the six Montreal bandits sentenced to be hanged Friday for the Bank of Hochelaga collection car hold-up which resulted in the death of Henri Cloutier, chauffeur, it will, it is stated by a local paper, have before it a confession of Louis Morel, one of the ringleaders of the gang, exonerating Frank Gambino, Mike Valentino and Tony Frank from any part in the hold-up itself. These three are among the six condemned men. Morel had previously sworn Leo Davis was not present at the hold-up. The men named, however, figured in the original case against the hold-up and are therefore accomplices.

Morel has written a letter to Mrs. Gambino, incorporating in it his latest confession, and his letter will be submitted to the cabinet by defence counsel, it is stated, in a plea for a stay of execution.

Never Doubted Smith.

Mr. Drury understood that the government had approached the Jarvis firm for advice. The advisers had become the purchasers. Mr. Drury said he was introduced to Jarvis, Sen., by Smith. The bonds purchase had been discussed in cabinet. Witness did not remember seeing the purchase of the Jarvis bonds, although he had no doubt that prices were discussed.

"At what price did you understand that the first class of bonds was purchased?" asked Mr. Drury. "No," replied Mr. Drury. Mr. Drury read a letter from Jarvis, Sen., to Lloyd's, and regarding the purchase of the bonds in England. The letter said that one price was to be paid to all.

The trial is drawing a large number of collectors and onlookers in the legislature and several former U. F. O. members, including W. E. Roney, former attorney-general, Edgar Watson, ex-M.L.A., and D. Ross, M.L.A., were interested listeners this morning. Mr. Drury stated that he had never had any reason to doubt the integrity of the Jarvis firm. He told of the proceedings leading up to the decision to buy in bonds in England. The matter was discussed at several cabinet meetings of the cabinet council.

Gives Partial Explanation.

Letters and other evidence showed that Jarvis paid \$7, 82 and 84½ for these bonds respectively. Mr. Drury was asked directly by W. N. Tilley, crown prosecutor, if the price to be paid by the government was fixed, why it was necessary to send Andrew Papall to England at all. Mr. Drury said he did not know beyond the fact that the government sent him to watch the transactions for the government. Mr. Drury in reply to direct questions said he did not know that Mr. Smith ever got anything out of the transactions. Mr. Drury said the government had decided to buy the bonds in as cheaply as possible. Then the price was set at the figures mentioned when the market values of these bonds were much below those figures. Mr. Drury said that he had personally felt that the government would be able to buy very few of the bonds at a low figure, because the prices would be when it became known that the government was in the purchasing field. He said he could not explain beyond that, when his lordship pressed for further reasons.

JUDGE GOULD BEGINS PROBE IN HAMILTON

Canadian Press Despatch. Hamilton, Oct. 21.—The sessions of the civic inquiry conducted by Judge Gould, the investigation was confined to the departments of the city auditor and city treasurer, and the bookkeeping system was thoroughly probed. Just where the responsibility rests for the audit of the treasurer's books is one of the questions Judge Gould will have to decide. There was a difference of opinion on this question. Particulars of the defalcations of H. S. Forbes, missing cashier, were given, and the sum alleged to be taken by him was announced as \$49,899.72. It was brought out that a check would have revealed this shortage, but the auditors were too far behind to find it in time, it was explained.

ENGLISH SPINNING TRADE SHOWS FINE CONDITIONS

Associated Press Despatch. Manchester, England, Oct. 21.—The spinners of yarn have decided on an increased working week from 26½ hours to 32 hours, beginning Nov. 3. The step was taken upon complaints by manufacturers of slowness in deliveries. The change is taken as proof that trade is improving.

"LITTLE HSU" EXPECTED AT TOKIO IN NEAR FUTURE

Associated Press Despatch. Tokyo, Oct. 22.—Hsu Shu Tseng, "Little Hsu," who attempted to revive the defeated Chekiang army at Shanghai to renew fighting against the Kiangsu central government, arrived today at Nagasaki on his way to Tokyo.

"Little Hsu" has been a spectacular opponent of the Peking government for years. Shanghai dispatches yesterday reported his escape from the international settlement there aboard a vessel bound for Vancouver, B. C., with England as his destination.

Yukon Witnesses Big Gold Rush

Associated Press Despatch. Carcross, Yukon Territory, Oct. 22.—Practically the whole of the male population here has set out for Little Atlin lake, where it is said a band of Indian prospectors, under the leadership of Big Lake Jim, have discovered placer gold within forty miles of this town, and twenty miles east of the old Tughish posts. The dirt pays approximately \$4 to the pan, and as a rule the gold comes in flakes or in small nuggets valued at a dollar.

CONDEMNED MAN EXONERATES PALS

Cabinet Will Decide Fate of Montreal Bandit-Slayers Today.

Canadian Press Despatch. Montreal, Oct. 22.—When the cabinet meets in Ottawa today to consider the case of the six Montreal bandits sentenced to be hanged Friday for the Bank of Hochelaga collection car hold-up which resulted in the death of Henri Cloutier, chauffeur, it will, it is stated by a local paper, have before it a confession of Louis Morel, one of the ringleaders of the gang, exonerating Frank Gambino, Mike Valentino and Tony Frank from any part in the hold-up itself. These three are among the six condemned men. Morel had previously sworn Leo Davis was not present at the hold-up. The men named, however, figured in the original case against the hold-up and are therefore accomplices.

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Adopted I. O. U. System.

There was a difference of opinion later as to whether the cashier had paid, and he heard no more of it until after the breaking of the tax fraud scandal, when he went to the cashiers, warning them that an audit would be made, and that they should clean out all checks and I. O. U's. According to Mr. Griffith, the I. O. U. practice was an ancient custom. He had carried I. O. U's when he was cashier more than four years ago, and he had also carried checks marked N. S. F., which had been presented in payment of taxes.

There was a humorous turn to the inquiry just as it was being adjourned for lunch, when the town attorney Ballard and Judge Gould discovered that there was money due them from the tax department through over-payment of taxes.

This morning Mr. Ballard dealt with the city accountant's department in its relation to the allegation that Thomas Fisher, a former employee of that department, had received from the Bell Telephone receipts, and then turned to the department, putting Mr. Griffith in the box as the first official to testify for the department.

No Real Checking Method.

This afternoon C. Stewart, cashier in the tax department, will tell more about the I. O. U. system. Inquiry into the system in the accounts department is being made, and there was no method of checking Fisher's payable clerk, who was Fisher's superior, had never checked the latter's work to night before he was being properly. It showed also that no one in the department had any knowledge of arrears in telephone charges, which were found as soon as Fisher left.

Before the court opened this morning, J. P. MacDonald, assistant to the city auditor, who was cross-examined yesterday, said that he had with Harold Forbes, missing cashier from the city treasurer's office, was put through lengthy questioning by Detective Crocker and Chamberlain.

CAMPAIGN SLUSH FUND IS BEING INVESTIGATED

Senator La Follette Launches a Bitter Attack on President Calvin Coolidge.

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FARMER IS ACQUITTED.

Saskatoon, Oct. 21.—Joseph Ratcliffe, a farmer of the Square Hill district, was acquitted today of trying to poison his wife and son with strychnine by a jury at the assizes.