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Legislative Council

(Continued from page 8.)

the opening, we can at once take up this legislation, which by then should be ready to come before us.

While the Manifesto of the Prime Minister referred to prohibition, it was not seriously considered during the election campaign. The literature of the opposing parties had no serious reference to it. As a matter of fact it is well known that the whole issue of the election was "a clean up," and the people asked for that in no uncertain sound. It is my humble opinion that the liquor business was not a factor in the election, at the same time I am free to admit that the Prime Minister was elected upon a Manifesto which included the repeal of the present Act, but in a manner which is not the one he has chosen to adopt.

As a member of the Select Committee which had this Bill in hand, I heard the protests of those who appeared before us, they were, for the most part, courteously given, and I was convinced that the welfare of this community was the motive that actuated them one and all. I refused to sign the Report for that reason, and for that reason only, and I repeat that this House should defer legislation on this important matter at the request of these gentlemen who appeared before our Committee.

One more word. There is no class in our community more interested in this business than the women of our country. I am not going to preach a sermon on the conditions into which many of our women and children are thrust because of the liquor traffic, but I am going to ask, in their behalf, that they be given a chance to meet in their several communities, if they so desire, in order that their views may also come before us.

For these reasons Mr. President, I must oppose the second reading of this Bill, during this session, in doing this I am not committing myself as to the merits, or demerits, of the Bill, as I do not feel called upon to consider such at this time.

Hon. Sir Patrick McGrath congratulated Hon. Mr. Morine on the comprehensive and illuminating address he had given. He favored the principle of the Bill, not that he had shared in any way his belief that the desirable state was that of Prohibition. He did not agree with many of the Hon. gentleman's observations, and thought Prohibition had more to its credit than was admitted, for instance, the closing of the bar. He did not think the system of lawlessness began with Prohibition and quoted figures given by the Minister of Justice as to arrests for drunkenness, which he thought disproved that, as follows:—

In 1915 there were	714
" 1916	618
" 1917	95
" 1918 (last year war)	87
" 1919	225

AT THE STAR MOVIE TO-NIGHT

The CODE of the WILDERNESS



" 1920 276 || After that the number rose. | |
In 1921 there were	241
" 1922	409
" 1923	619
And for first six months of 1924, 230	

As regards moonshining he did not think there was nearly as much as some people thought and was of opinion the number of stills was very few. In his opinion the death of the enforcement of Prohibition was sounded when the Cornwall was sent to Bonaville Bay to enforce the law, and the proceedings made political issue of. The fact that four Ministers had said it was unable to be enforced did not in his mind condemn its enforcement. During the early years of the Bill, it was comparatively effective. He realized that the law had not been perfectly kept, if he said all laws were perfectly kept, what need were there of men to deal with offenders. He added that in 1914 25,000 persons voted in favour of Prohibition and only 6,000 against it. Why was it then he asked it could not be carried out.

Mr. Morine replied that it was impossible for the Government to enforce it.

Sir P. T. McGrath stated that the main of the Outports wanted it and the whole machinery of justice had become so demoralized that at the present time it could not be enforced. If those who were responsible for putting the Prohibition Law on the Statute Book were prepared to carry it out, Sir Patrick said he would vote for it again.

Mr. Morine interposed that 250,000 police would be necessary in the carrying out of it.

Sir Patrick did not agree that that was necessary and quoted the United States as an example.

Mr. Morine said it cost the United States millions of dollars to try and enforce the law.

Sir Patrick agreed and said it may cost them millions a few years longer, but the conditions in America were better as a result and he was convinced that the Prohibition Law had done a great deal to add to the comfort and welfare of the people there, and he wished that the law could do the same here. Such a state of demoralization existed, dishonour was rife—that now it was hard to enforce the law, he added and the Government, not of to-day, but each in turn had let the bars down until the whole thing was a scandal.

Because of the existing state of affairs Sir Patrick stated he would support the Bill before the House and it was a trial, a year or two would show whether the experiment were satisfactory or not. The Act, he said, had a good many teeth in it and if the machinery provided were effective the result may be beneficial.

He knew of cases during Prohibition that the number of medical men getting 8 or 10 books of scripts a month. If the nominal charge of \$1 were made per script an income of \$1000 a month would result. And again of medical men from the Outports selling scripts in town. They, however, were prosecuted and fined.

In reference to the Controller's staff, he stated with one exception, they had acted honestly, and in the case of that exception those in authority who permitted the wrongdoing were responsible. The suggestion to re-staff the Department came too late, he thought, it should have been done long ago. Sir Patrick said that a hearing should be accorded outsiders as members of the Temperance Societies or as individuals, but he did not admit that the welfare of the country was of greater concern to them as it was to him. He was prepared to do his duty and give notice that as an amendment he would ask that "a bottle a day" be substituted for "a bottle a week." He would then be prepared to support the Bill and give the Government every assistance in enforcing it.

Mr. Gibbs congratulated the Government on having the courage of its convictions in bringing in a Bill such as that before the House. In reference to the United States he said that it was quite a common practice for bootleggers to call at private houses for weekly orders.

Sir P. T. McGrath in reply stated that when the British Government asked Geddes to make his report in regard to Prohibition in the States he said that in the main it was a success.

Hon. Mr. Gibbs did not consider that U.S.A. with its easy divorce laws, murders, etc., was so prosperous as might be imagined. He contended that a law could not be enforced which had not the sympathy nor the co-operation of the community and mentioned Egypt, India and Ireland by way of example. In referring to those who voted for Prohibition he said some did so on advice and some were grossly misled.

The Honorable gentleman was incorrect in his opinion as regards the number of stills. Within 120 miles of the city, going north, he heard from a reliable source that there were over 300 stills in operation, besides the large number in operation in the city itself. As regards the open bar, he was always opposed to it, but that was far enough to go. He thought the Police Statistics were no criterion as to the amount of drunkenness prevalent as many drunks, particularly since Prohibition, kept off the streets when under alcoholic influence either through fear of arrest or

of detection of the parties who furnished them with liquor. Another horrible aspect of the subject was the use of so-called substitutes. When men had to resort even to the consumption of shoe polish to take the place of spirits. When the Bill goes into Committee he would have some amendments to propose which he hoped would be helpful. He supported the second reading.

Hon. Mr. Murphy said it was very well to talk of Prohibition but who was going to enforce the law? Are good men to be penalized for the actions of the offending. That is just what Prohibition has done and it is up to us to remedy the existing state of affairs. This may not be an easy task but if the new law now being introduced is found unworkable in any respect then by all means we can make room for amendments, as soon as abuses crop up. No state of affairs would be any worse than those now existing.

Hon. Mr. Gibbs congratulated Mr. Morine upon his clear explanation of the new Bill which should go far to dispel the wrong impressions that were current regarding it.

As a member of the Joint Committee he had gone into the matter very thoroughly—and he had decided to support the principle of the Bill because he thought it was the one most likely to be enforced.

When this Bill was before the Select Committee of both Houses, a few days ago, he had endorsed its principles, being convinced that the Prohibition Act in force in this country the past 8 years was unworkable and that this condition gave rise to lawlessness throughout the country to such an extent that respect for our laws generally would, he feared, soon be held in utter contempt.

He was not altogether in agreement with the measure proposed, but he was of the opinion that it was a necessary step towards the enforcement of the law, and he was prepared to support it.

All his life he had been connected with an institution whose main endeavor was to check the abuse of intoxicating drinks and for over half a century a good deal was accomplished in that direction. While thus engaged, though being fully aware of the evils resulting from excessive indulgence, he had never regarded the deed as an unforgivable sin, and was always of the opinion, though voting to give Prohibition a trial, that moral suasion helped on by Legislative enactment would be more effective than any measure of an arbitrary nature and the feeling was always strong and it is so to-day that when a person who arrives to the age of manhood his attitude to think and act should not be too closely circumscribed. He therefore thought that in this case every man should be allowed reasonable scope to exercise his own judgment as to how far he would make use of the privilege embodied in a Bill—such as the one now before the House.

The chief defect he saw in the new Bill was that it had no provision for registration or other machinery to prevent abuse in the way of parties getting excessive quantities of liquor. He believed in a system of individual licenses such as he understood they had in Sweden. Under this a man applied for a certain quantity each week or month and was issued a license accordingly. In his opinion such an application for license in the case of a family should be countersigned by the wife and not issued otherwise. This permit would have to be produced at the Control Store every time a quantity of liquor was sought. By this means one of the greatest opportunities for practicing fraud would be prevented. This would enable the Board to make a fairly

close estimate of the requirements in the way of liquor from year to year.

Hon. Mr. Morine craved permission to correct some of the statements made by Hon. Mr. Miller. He had stated in his speech that the Premier's Manifesto said that "if a repeal Bill was introduced it would be as the result of the work of a Commission." The manifesto really stated that "a Bill shall be introduced and referred to a Joint Committee of both Houses" which had been done. The only part he thought to which exception might be taken was the statement "and before which representative people shall be able to fully and freely express their views." Sufficient time may not have been given for that but a Commission would be appointed after the passing of the Bill which could get all the information necessary during the next three months before the House meets again.

Now nothing had been said by him in any way criticising the motives of those opposing the Bill, but on the contrary ulterior motives were attributed to the members of the Government and those supporting the Bill, and that is one of the sad things in connection with it, that people are ever prone to criticize and attribute motives to those who oppose the Bill, but in this country in his claims as a Prohibitionist, but the Committee were absolutely unanimous that the Prohibition Act had failed; the Bill could not be enforced and they were compelled to introduce a Bill of this kind. Why was it not possible to differ without having ulterior motives?

All the arguments he had heard from those not favouring the Bill had been of a criticising type, they had offered nothing materially constructive and he assured the Hon. Gentlemen that the members of the Government in constructing this Bill were as pure as those of the Rev. gentlemen who had pleaded their cause at the Bar of the House. He was convinced that they were sincere but he was also convinced that they were wrong.

As to Hon. Mr. Miller's statement that the Controller's Department had never been properly staffed he concurred, but surely the Controller was not to be blamed for the existing traffic in dope and smuggling and moonshining. By the passing of this Act an efficient Board of Control will be invested with adequate powers so that there will be no excuse for failure of enforcement.

He also reminded Sir P. T. McGrath that statistics very often lie. The number of arrests for drunkenness in the city was no proof of what was happening in the outports and many reasons were accountable for the falling off of the number of arrests in 1917 for drunkenness other than the actual enforcement of Prohibition, such as the number who enlisted for war service, the feeling against Prohibition as well as it being a general "dope" period.

As far as the use of stills were concerned it was seemingly very general, and in 1919 on the North Side of Bonaville Bay, nearly every house had a still. But when he had made an honest attempt with Magistrate Millem to remedy this state of affairs the action was made use of as a political weapon against him and the new Government did not follow matters up to a proper sequence and enforce the law. After the Cornwall incident and the new Government came in and pardoned the offenders, the whole machinery of keeping the law broke down, as the Government had shown itself in sympathy with the people who broke the law.

Mr. Morine said when he spoke of the Prohibition Act as being unenforceable, he referred to the condition of public and political sentiment. No Government since 1919 had tried to even one instance to enforce it, and he did not believe any Government could be enforced which could enforce it. There are other matters, and if this were made as the breaking point and defeated Government after Government, we might have others coming in power which might

do much worse in other respects. Take the late Government from 1919 to 1923, their first act was to diamas the charges against the Flat Islanders and transfer the best Magistrate in the country to some more remote place and embark on the selling of liquors by wholesale, and put the control in the hands of Meaney, and today they are Temperance advocates. In his opinion you cannot get a Government in this country so composed that it will make an issue of strict enforcement of the Prohibition Act and put it in full practice and when he said it is unenforceable, he comprised within his view everything of that nature. We force nothing to an issue. We pass laws and never enforce them and that is going on and is bound to go on.

Mr. Morine stated that politically, geographically and educationally, the conditions were such as to make it impossible to carry out the law. The reason that it did not get the support was largely due, he considered to the fact that people did not believe in it, and it did not get their sympathy on that account. He did not believe that every man who was a "wet" was opposed to good Government, as a matter of fact he was desirous of it. This Bill, he argued, was to give more decent drinking and he believed it would have the support of 90 per cent. of the people and be enforced with their aid.

Sir P. T. McGrath said again that the death blow to Prohibition was given when the Bill was introduced in the House of Bonaville Bay. Its descent after that was disastrous. He contended that at the outset the public were disposed to respect and live up to it, and adhered to his opinion that if the people had not wanted it they would not have voted for it.

Mr. Morine said many voted for Prohibition because of religious and patriotic sentiment, and after doing so were sorry.

Sir P. T. McGrath pointed out that smuggling was not a matter of Prohibition times only. He gave an instance of a tremendous smuggling crusade many years ago, organized because of the smuggling of liquor into the stores and basements along the waterfront of St. John's. Neither he contended was "dope" a new thing. He remembered cases, years ago, of prominent men getting drunk on Jamaica ginger, and a regular business was done in Beef, Iron and Wine and later Tanlac. He stated he would vote again for a Prohibition Bill, if there were a prospect of its being enforced, and, for conditions would be much better.

The motion being put was carried and the Bill was read a second time, and will be committed on to-morrow. House then adjourned until to-morrow Friday at 4 o'clock.

FRIDAY, Aug. 15.
House met at 4 p.m. pursuant to adjournment.

The House went into Committee on the Bill respecting Alcoholic Liquors Hon. Mr. Murphy in the chair.

Hon. Mr. Gibbs moved as an amendment to Section 3 that members of the Board of Liquor Control should hold office "during good behaviour" instead of "during pleasure." He pointed out that the powers given the Board were very great, in fact, no other person in the Government's employ is vested with such powers. It will have the control of the expenditure and collection of hundreds of thousands of dollars free from control except an audit of accounts. It may pledge borrowed money, guarantee loans, but in the most important essentials, that is the personnel of the Board, the officials come under the control of the powers that be. You cannot have efficiency and honesty when the Board and its officials are subjected to political control, at least not in this country. There will be branches opened, officials will be required in those branches, and the party supporter will go to his representative and demand one of the positions. The representative having to depend upon

(Continued on 10th page.)

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