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SUPREME COURT GIVES DECISION

LIQUOR CONTROL ACT IN
FORCE IN CARLETON COUNTY

The Supreme Court of the Province of New Brunswick handed down judgment in the test case, Humphrey J. Sheehan vs. Herbert K. Shaw, on Friday. The Chief Justice Sir Douglas Hazen read his judgment and that of Mr. Justice Grimmer in his absence. Mr. Justice Grimmer then concurred in the judgments of his two brother judges.

The court in brief finds that the Canada Temperance Act usually known as the Scott Act is not in effect in the County of Carleton and that The Intoxicating Liquor Act of 1927 has been in effect in that county since September 6th, 1927. The latter date is the one on which the Provincial Act was proclaimed.

The test case was based on a shipment of whiskey made by the plaintiff from Montreal by express to the defendant for his personal use. Payment was refused by the defendant on the ground that the Canada Temperance Act was not in effect in Carleton County and he could not legally import the liquor. The case then was referred to the Supreme Court to decide the questions, (a) Is the Canada Temperance Act in effect in the County of Carleton on and after the 6th day of September 1927? (b) Is the Intoxicating Liquor Act, 1927, in force in the County of Carleton on and after the 6th day of September, 1927.

Chief Justice Hazen's Judgment. This is a stated case under the provisions of Order 34, Rule 1, of the Judicature Act, and the court is asked to decide the following questions of law upon the facts raised:

(a) Is the Canada Temperance Act

in force in the County of Carleton on and after the 6th day of September, 1927?

(b) Is the Intoxicating Liquor Act, 1927, in force in the County of Carleton on and after the 6th day of September, 1927?

The facts set out in the stated case are as follows:

1. The plaintiff resides at the City of Saint John and carries on business there and at the City of Montreal.

2. The defendant resides in the Town of Hartland, in the County of Carleton.

3. The plaintiff on the 6th, of September, 1927, at the request of the defendant shipped to him from the City of Montreal by Canadian Pacific express addressed to the defendant at the Town of Hartland, twenty cases of Johnnie Walker Red Label Scotch whiskey, containing 12 bottles in each case, for his personal use, for which the defendant agreed to pay the sum of \$40 a case, or the sum of \$800.

4. That the sale was made on the 6th, of September at the City of Montreal, and the shipment was made by plaintiff on the advice of counsel that on and after the 6th, days of September, 1927, the Canada Temperance Act would be in force in the County of Carleton, and that under that Act intoxicating liquor could be shipped into the County of Carleton for personal use. The shipment was further made by the plaintiff for the purpose of raising the question of whether the Canada Temperance Act of the Intoxicating Liquor Act, 1927, is in force in the County of Carleton.

5. The defendant admits that he purchased the whiskey from the plaintiff as heretofore set out, and agreed to pay for same.

6. The defendant admits that he received the Scotch whiskey at the Town of Hartland on the 7th day of September, 1927.

7. The defendant admits that after receiving the Scotch whiskey he notified the plaintiff by telegram that he would not pay for the same on the ground that the Intoxicating Liquor Act, 1927, was in force in the County of Carleton at the time of the sale and that the Canada Temperance Act was not in force.

8. The plaintiff on the 8th, day of September last issued a specially endorsed writ of summons in the King's Bench Division of the Supreme Court against the defendant claimant to recover for the twenty cases of Johnnie Walker Scotch whiskey, Red Label, at \$40 a case.

9. Defendant accepted service of the writ of summons, and undertook to file an appearance thereto within

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TALKING to a roomful of high school girls on personal hygiene, an experienced district nurse said: "One of the basic rules of health for girls is to keep the system functioning naturally at all times. Normal exercise and diet habits should be encouraged. But when necessary there's no harm in taking nujol, since it works mechanically and can't disturb the normal functions of any organ of the body. Particularly with girls, there are times when nujol should always be taken. Take a spoonful every night for a few days. It's a thoroughly safe and harmless method. It won't cause distress or gas pains or griping."

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ten days, and a defence within twenty days.

10. The defendant's solicitor duly entered an appearance and a defence to the writ at the Registrar's office in the City of Fredericton, and on the same day the plaintiff's solicitor acknowledged service of the appearance and defence.

11. It is admitted by both the plaintiff and defendant that an Order-in-Council was passed by the Governor-in-Council of the Dominion of Canada under the authority of Statute 7 and 8, George V., c. 30, 1917, Dominion Acts, suspending the operation of the Canada Temperance Act in the cities and counties of the Province of New Brunswick in which it had been in force, and stating that such suspension would remain in force during the time that the laws of the Province of New Brunswick relating to the sale and traffic in intoxicating liquors continued as restrictive as the provisions of the Canada Temperance Act.

In answer to the questions submitted to us I would say—

(a) The Canada Temperance Act is not in force in the County of Carleton, and has not been in force in the County of Carleton since the 6th, day of September, 1927.

(b) The Intoxicating Liquor Act, 1927, is and has been in force in the County of Carleton on and after the 6th, day of September, 1927.

9 MISSING IN BOAT WRECK

Macduff, Scotland, Nov. 21—Nine men of the crew of the motor-fishing boat Alaska are believed to have been lost in a week-end storm.

The Alaska was washed ashore yesterday on the Kincardineshire coast. It left Lowestoft Thursday and was due at Macduff, its home port, Saturday. When it did not arrive on time the coast guardsmen began looking for it and on Sunday found wreckage bearing the name Alaska.

About one out of nine persons Mexico belongs to the modern or European type of civilization.

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CLUB BRIDGE TOURNAMENT

The fifth night's play of the Club Bridge Tournament on Tuesday night was held in the rooms of the I. O. O. F. and, as usual, was most interesting and very enjoyable. This (Tuesday) evening the play will be in the K. of C. rooms under the auspices of the Garrison Club.

The Garrison Club still leads, but, in the second position, the K. of P. have considerably cut down the lead during the last two nights of play. The I. O. O. F. is still in third position. The Masonic Club takes the fourth position from the Canadian Legion, which drops to the foot of the procession, the K. of C. advancing to the fifth position.

FIFTH NIGHT'S PLAY

K. of P.	13,364
Garrison	11,793
K. of C.	10,352
Masonic	9,357
I. O. O. F.	9,157
Canadian Legion	7,878

GRAND TOTAL

Garrison	56,553
K. of P.	52,854
I. O. O. F.	46,900
Masonic	46,366
K. of C.	45,435
Canadian Legion	45,308

Garrison Club No. 1—Lt. Col. C. G. McLaughlan, Major W. B. Manzer, 1928; vs. K. of P. Club No. 1—Thos. Nodden, Fred C. Cowan, 2623.

Garrison Club No. 2—B. H. Lamont, Geo. Mitchell, 2616; vs. Masonic Club No. 1—C. J. Durling, A. Gordon Bailey, 1564.

Garrison Club No. 3—A. E. Jones, C. J. Jones, 1927; vs. I. O. O. F. Club No. 1—Arthur G. Bailey, D. Stewart, 2288.

Garrison Club No. 4—Dr. T. W. Griffin, W. R. Adams, 2984; vs. Canadian Legion Club No. 3—F. M. Buck C. Briggs, 1460.

Garrison Club No. 5—A. S. Hood, G. E. Balmann, 2338; vs. K. of C. Club No. 2—Dr. G. T. O'Donnell, Edward Brewer, 2633.

K. of P. Club No. 2—Hon. W. P. Jones, F. O. Creighton, 2384; vs. Masonic Club No. 4—W. J. Dibblee, Wendell Slipp, 1421.

K. of P. Club No. 3—E. Raymond Jones, Cecil Stewart, 3198; vs. I. O. O. F. Club No. 4—C. J. Vanwart, R. Briggs, 1056.

K. of P. Club No. 4—Dr. J. F. L. Brown, R. P. Hartley, 2603; vs. Canadian Legion Club No. 5—Dr. T. H. Lewis, R. L. Daniel, 1584.

K. of P. Club No. 5—Robt. Strain, R. E. Holyoke, 2556; vs. K. of C. Club No. 5—R. C. Tait, J. H. Thompson, 2287.

I. O. O. F. Club No. 2—J. R. Brown J. E. True, 2154; vs. Masonic Club No. 3—J. R. Gilliland, Harry Cowan, 1463.

I. O. O. F. Club No. 3—Chas. Cornben, W. B. Belyea, 2252; vs. Canadian Legion Club No. 2—Dr. J. E. Dunham, W. J. West, 2117.

I. O. O. F. Club No. 5—John Milbury, Ansley Rogers, 1407; vs. K. of C. Club No. 3—John P. Malaney, D. F. Nardy, 2278.

Masonic Club No. 2—D. G. Scott, Geo. Dibblee, 2551; vs. Canadian Legion Club No. 1—W. Mersereau, Hazen Flemming, 1220.

Masonic Club No. 5—P. S. Marsten E. W. Smith, 2368; vs. K. of C. Club No. 2—Dr. R. G. Thompson, C. J. Sullivan, 1236.

Canadian Legion Club No. 4—A. R. Mooers, H. J. Speer, 1487; vs. K. of C. Club No. 4—L. A. Moore, C. J. Breneol, 1918.

INSPECTION AT ARMORY

The local Armories were inspected on Tuesday last by Col. Commandant W. B. Anderson, D.S.O., D.O.C., M. D. 7, and Lt. Col. Brooks, D.S.O., the new general staff officer of the district.

Both officers were especially impressed by the general cleanliness of the entire building and expressed it as one of the tidest in the province—and much credit is due Harry Hockenhull the assistant caretaker for the special attention given to same.

After play finished in the weekly tournament Col. Anderson and Lt. Col. Brooks met the local officers in the mess.

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For The Women

PLAIN BROWN BREAD

Seven-eighths cup flour, two cups graham flour, two thirds cup brown sugar, two thirds teaspoon salt, one and two thirds teaspoon baking soda one and a half teaspoon cream of tartar, two cups sour milk. Mix all dry ingredients into mixing bowl. Add dry ingredients, mix well. Turn at once into an oil bread pan and bake from 50 to 60 minutes.

POTATO LOAF.

2 cups mashed potatoes
4 tablespoons minced onion
2 tablespoons green pepper and pimento
1/2 cup tomatoes
1 egg
1 teaspoon salt
1/2 teaspoon soda
Mix and shape into loaf. Bake in an oven over 450 degrees F., about 20 minutes.

LEMON RICE

Boil one half cup rice in one quart milk until very soft. Add to it while hot the yolks of three eggs, one cup sugar, the grated lemon and a pinch of salt. It should be thickened than boiled custard. Turn into a pudding dish. Beat the whites of the eggs very stiff with four table spoons powdered sugar and the juice of the lemon, pour over the top and brown. To be eaten cold.

CEREAL CAKES WITH BACON.

3 cups cold oatmeal
1 tablespoon minced onion
1 teaspoon minced parsley
Bacon
Cornmeal
Mix the seasoning with the oatmeal and form into small cakes. Roll in cornmeal. Place in a greased baking pan and place strips of bacon on the top. Bake in oven 450 degrees F. until the bacon is crisp.

GINGER CAKE

4 tablespoons fat
1/2 cup sugar
1 egg
1/2 cup sweet or sour milk
1/2 cup molasses
1 teaspoon cinnamon
1 teaspoon ginger
1/2 teaspoon soda
1 1/2 cups of flour
Cream the fat, add the sugar gradually. Beat the egg well and add. Mix the molasses and the milk. Mix and sift the dry ingredients add alternately with the liquid to the creamed fat and sugar. Bake in a moderate oven (375 degrees Fahrenheit) thirty to forty minutes.

Pork Chop With Sweet Potatoes

Pare sweet potatoes and place them in the bottom of a roasting pan. Wipe the pork chops and place them on the top shelf of a hot oven in order to brown the chops. Brown one side turn the chops with a fork and brown on the other side. Then remove the roasting pan from the oven, sprinkle the chops with salt, pepper and powdered sage, add a little boiling water. Return to the oven, cover and bake one hour or until potatoes are done.

Cranberry Sauce Without Straining.

Put a quart of selected berries in a kettle and sprinkle with two full cupfuls of sugar. On top of the sugar pour one cupful of water. Cover and cook ten minutes from the time the berries begin to "pop," then uncover, cook ten minutes longer, and turn into a dish to cool. Cooked in this way, the skin will be tender and soft, the berries whole and the syrup a rich jelly.

Cranberry Cottage Pudding.—Make

the pudding as usual by beating together a cupful of sugar and two tablespoonfuls of butter with two beaten eggs and a cup of milk. Sift into it three cupfuls of flour and two teaspoonfuls of baking-powder, adding at the last a cupful and a half of cranberries. Put into a buttered pudding-dish, and bake in a moderate oven. Serve hot with a liquid sauce.

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