

ST. ANDREW'S DAY GREETINGS FROM ALL PARTS

LOCAL OBSERVATION AT K. OF P. HALL TONIGHT

Fredericton Society of St. Andrew Sends Out Appropriate Greeting to Other Societies.

The Fredericton Society of Saint Andrew will observe Saint Andrew's Day by an informal meeting of its members at the Knights of Pythias Hall this evening at 7.30 o'clock. Piper Stewart will be present with the bag pipes. There will also be a Scottish musical program and refreshments will be served.

The society has received greetings from Scottish Societies at St. John, St. Stephen, Toronto, Philadelphia, Chicago, Ottawa, Charlottetown, Winnipeg, New York.

The Fredericton Society's Greeting is as follows:—

On this Saint Andrew's Day when we joyfully acclaim the glorious triumph of the Arms of Right and Freedom, let us with the immortal memory of our illustrious patron Saint honor also the memory of our Heroic Dead, from whose brave falling hands was thrown the Torch "to hold it high" and who "beneath the crosses row on row now lie and sleep in peace in Flanders fields where poppies blow."

OSWALD S. CROCKET,
President.

J. BACON DICKSON,
Secretary.
Fredericton Society of Saint Andrew,
Fredericton, N. B., Nov. 30th, 1918.

Three Sons Operated on
Three sons of Conn. Murray Patterson, of Lincoln, were operated on this morning for throat trouble.

Absent Without Leave
A soldier from the Depot Battalion at St. John was arrested yesterday at Oromocto for being absent without leave. He was brought to the city by the military police and was sent to St. John this morning.

Roads Fairly Good
The numerous farmers in the market this morning stated that the roads are in fairly good condition in spite of the recent bad weather. The ice farther up river than the city froze early and promises some very good skating in the vicinity of Sugar Island.

U. N. B. Basketball Notes
The Juniors defeated the Sophomores at the U. N. B. gymnasium last night by a score of 48 to 1. Three more games are scheduled for next week, the Seniors playing the Freshmen on Monday, on Wednesday the Sophomores play the Freshmen and on Friday the Juniors play the Seniors.

Turned Back Again
The steamer Majestic made another attempt to reach this city yesterday but had to turn back at Gagetown being unable to penetrate further. It was thought that the high winds would break up the ice sufficiently to allow the steamer to get to her destination.

Gunner Costley Wounded
Conductor James E. Costley of St. James Street, St. John, who is well known in the city as a trainman has received the news that his son Gunner Frank Costley was wounded November 11th just a short time before the armistice was signed. Gunner Costley went overseas with the 2nd Siege Battery.

Campbellton Schools Closed
A telephone message was received last evening from Miss Edith Dennison who has been teaching at Campbellton. Miss Dennison said that the schools had closed there and she is expecting to be home soon. Whether it was an outbreak of the influenza or not she did not say but that is presumably the reason for the closing.

Death at Devon
The death occurred at Devon last evening of Mrs. Mary J. Brewer widow of the late Arthur Brewer after an illness of pneumonia. The deceased was sixty years of age and was survived by three sons and three daughters. The funeral took place this afternoon at four o'clock. Interment was made at Sunny Bank Cemetery, Rev. H. H. Ferguson conducting the service.

Arrived Home From England
Private Archie Wilkes son of Mr. George F. Wilkes arrived home last evening from overseas. He enlisted with the 65th Field Battery but went overseas with a Tank Battalion. Private Wilkes states that the party embarked from Southampton on November 23rd on the steamer Aquitania and arrived at Halifax on Thursday the 28th. Private Wilkes stated that between thirty and forty soldiers died on the way over. He has two weeks leave of absence before he reports.

Week-End Market
A large country market was assembled this morning at Phoenix Square. Meat and vegetables were plentiful although neither seemed inclined to tumble in the prices. Beef sold for 11 cents and 12 cents by the hind quarter, pork brought 20 cents, lamb called for the usual price from \$1.50 to \$2.50 a quarter. Butter sold for 45 cents to 50 cents a pound. Eggs sold for 55 cents a dozen. Carrots brought \$1.25 a half barrel. Potatoes sold for \$3.00 a barrel and turnips for \$1.10 a barrel. Chickens sold for 35 cents to 40 cents a pound.

LEMON EXTRACT NOT CONSIDERED INTOXICATING LIQUOR, ACCORDING TO THE POLICE MAGISTRATE

Case Against David P. Clayton Dismissed for That Reason—
Evidence and Weight of Judgment in Other Provinces and in United States is Against Classing Lemon Extract as a Beverage—Conditions Arising from Sale of Extracts and Tinctures Must be Dealt with by Legislature.

Police Magistrate today handed down judgment in the case of The King on the information of William H. Finley vs. David P. Clayton which is of considerable importance as it concerns the sale of lemon extract under the Intoxicating Liquor Act 1916. His Honor dismissed the case on the ground that lemon extract is not an intoxicating liquor and that the court should not be asked to put a strained construction upon the Act. He further stated that while it might be true that a condition in regard to tinctures, extracts, etc. may have arisen which requires a remedy it is a matter requiring the attention of the legislature and does not come within the Act.

The Judgment

The judgment of Police Magistrate Limerick in part is as follows:

This is a prosecution against the defendant, for having sold intoxicating liquor at the City of Fredericton in the County of York, on October 31st without having a license so to do, contrary to the Act in such case made and provided.

The Intoxicating Liquor Act, 1916, is an act to suppress traffic in intoxicating liquor. Section 7 of the said Act provides "That no person by himself, clerk, servant or agent shall sell any liquor without having a license so to do."

In this case I think it is shown by the evidence that the defendant (a grocer) did at Fredericton, on October 31st sell to one John McGloin, a four ounce bottle of flavoring extract known as extract of lemon. The uncontradicted evidence of the Provincial Analyst who gave evidence in the case was that the extract in question contained 76.08 per cent proof spirits by weight.

Definition of Liquor

Section 2, sub-section A of the Intoxicating Liquor Act, 1916, provides, "That liquor or liquors means and includes spirituous or malt liquor and every and any wine and any and every combination of liquor or drinks that is intoxicating, and any mixed liquor that is capable of being used as a beverage and part of which is spirituous or otherwise intoxicating."

In order to warrant a conviction un-

der the Act in this case it must be shown that the extract of lemon comes within the above definition of liquor.

And in order to determine whether the Statute applies the true test is whether the article is truly or in reality spirituous or intoxicating liquor, or if it is a mixture of liquor and other ingredients which is an intoxicating beverage, and which it is the intention to disguise under another name.

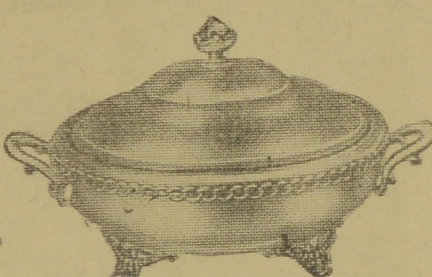
His Honor then quoted from decisions in Massachusetts and Kansas courts to the effect that medicine and articles of food in the preparation of which liquor was used including extract of lemon were not included under the prohibitory legislation which particularly in Kansas is similar to that in force in New Brunswick. Continuing the judgment is as follows:

Evidence of Analyst

The evidence in the case before me given by the Provincial Analyst, J. D. B. F. McKenzie as to the nature of lemon extract was, that the lemon extract contained three different oils and sufficient alcohol to cut or hold the oils in solution. That the percentage of absolute alcohol was 37.66 per cent. That he, McKenzie, never knew of lemon extract being used as a beverage, but that he believed a low person of depraved taste might drink it. That he did not think lemon extract could be drunk without having very bad effects, a real poisonous effect. That it is a standard article prepared and sold by all druggists and manufactured and sold for years by grocers for culinary purposes. The evidence of William H. Finley, Chief of Police was that the lemon extract was intoxicating. That if a person drank it he would become delirious, nauseated and would vomit.

Surely this evidence, while it may show that lemon extract is intoxicating, if sufficient is taken, does not make it clear that lemon extract is a beverage. I am rather inclined to the view that this evidence is to the opposite effect and tends to show that lemon extract cannot be used as a beverage in the ordinary sense.

His Honor further quoted from
(Continued on page five)



SILVER-PLATED DISHES
FITTED WITH

"PYREX"
TRANSPARENT
OVENWARE

Sales continue to increase week by week of PYREX CASSEROLES and PIE PLATES. The true reason for this is the absolute satisfaction they give to the housewife. Perfectly clean and sanitary cooking in plain sight; the food in every instance cooked exactly as desired; no fear of the PYREX INSET cracking with the heat; one dish less to wash than usual. "SILVERWARE THAT SELLS."

Shute & Co. WATCH MEN
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New stock received, New styles
and new colors.

- also -

White and Grey Goat
Robes

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THE HOME FURNISHERS.

Seasonable Advice Buy your Xmas Goods at EDGECOMBE'S

DO YOUR CHRISTMAS SHOPPING EARLY.

SENSIBLE AND PRACTICAL BUYING WILL PREVAIL.

LADIES' WINTER COATS and SUITS at Clearing Prices. One of these would give a comfortable Xmas feeling to the recipient.

An Elegant Display of DRESSES in Satin, Messaline, Crepe de Chene, etc., etc. Would appeal to all who would dress well and save money, as these Dresses are marked away down.

STYLISH SKIRTS, Silk, Morette and Sateen Petticoats.

DRESSY WAISTS put up in Xmas boxes, in Jap Silk, Taffeta, Crepe de Chene,orgette, Messaline and Dainty Voiles.

KIMONAS, DRESSING JACKETS, BATH GOWNS, SWEATERS, Skating Suits, Caps and Mufflers, Kiddies' Suits, etc.

PERRINS' and DENT'S GUARANTEED KID GLOVES.

SILK, CASHMERE and LISLE HOSIERY.

PRETTY TEA APRONS, CHARMING BOUDOIR CAPS, each in a Xmas Box. Prices 45c., 59c., 68c., 79c., 98c., \$1.19, \$1.59, \$1.98, \$2.19.

OUR HANDKERCHIEF BOOTH this season is more attractive than ever.

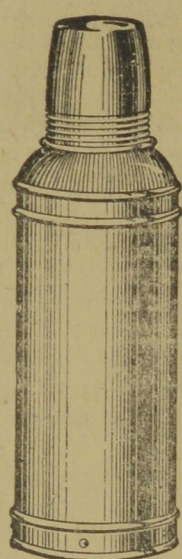
Our Display of LINEN GOODS is admired by every housekeeper.

CHRISTMAS COMFORTS FOR KIDDIES.

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The Big, Bright, Bustling Store, where ladies can always find something for their gentlemen friends, and men can find something to please their lady friends.

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Pint and Quart Bottles, Lunch Kits, Food Jars
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Combination Stocking and Rubber

Stocking all the way through rubber. Note the low price. Don't delay if you want to take advantage of the offer.

Misses Sizes 11 to 2 Price \$1.00.

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SHOEMAN Cor. York and Queen Ss.

WHEN YOU THINK SHOES THINK CAMPBELL'S

COCOA NUTS

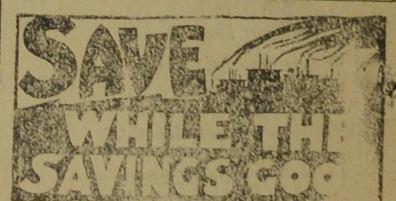
Headcheese fresh Saturday.
Prince Louise Apples, none better for eating.
Theroz Fuel Cubes—put a can in the overseas box.
Oversea Boxes, two sizes.

C. H. BURTT,

Grocer

Uptown

License No. 8-3372



Prepare for Winter

The undersigned G. W. Holmes, now having some leisure on his hands, is in a position to give prompt attention to odd jobs of mason work, such as topping chimneys and fixing walls and ceilings. I keep stock always on hand and will give all orders prompt attention.

G. W. HOLMES,
192 Northumberland Street, City.