

## New Ready-to-wear Every Day

Every day sees something new coming in for this department.

This week we have received some very pretty new Silk Dresses in Taffeta, Silk Poplin and Satin.

These are made in the most up-to-date styles, some being nicely braided. Colors black, Navy, Taupe, Sand, Burgandy and Green, sizes 16 yrs to 42.

We also have a nice showing of new Cloth Dresses sizes 16 yrs. to 42. Colors black, navy, brown, copen blue and burgundy

New Colored Silk Poplin Skirts in black, plum, paddy and grey at \$7.50.

New Suits in all sizes and cloths, 16 yrs to 44 ins from \$12.75 to \$47.25

New Spring Coats from 15 yrs to 42 ins. \$14.25 to \$43.00. All Good Styles.

### Wm. R. Fraser & Co.

P. O. Box 817. 430 Queen Street. Phone 423

## Rowntree's Menthol & Eucalyptus Pastilles

Paraformic Throat Lozenges, Cough Drops just received

ARTHUR J. RYAN, - Central Pharmacy

THE PENSLAR STORE, Corner Queen and Carleton Sts.

## WE DO NOT

MAKE MUCH NOISE OR SHOW, but we have the Garments you require at Prices to suit you. Our SPRING SUITS, COATS, DRESSES, etc., are smart in style, serviceable in quality and workmanship, moderate in prices.

SUITS, \$13.00 to \$42.00; COATS \$7.50 to \$49.00; SERGE DRESSES \$15.00 to \$36.00; SILK DRESSES \$15.00 to \$39.00; POPLIN SKIRTS \$4.50 to \$10.00; SILK SKIRTS \$8.00 to \$13.00; SERGE SKIRTS \$5.00 to \$10.50; GIRLS' SILK POPLIN DRESSES, aged 10 to 14, \$5.50 to \$12.

Lots of Hosiery, Gloves, Underwear, House Dresses, Raincoats, etc., for everybody.

R. L. BLACK, YORK STREET AGENT for STANDARD PATTERNS

## Canned Tomatoes

Large sized Best Quality, 19c can. \$2.00 doz.

## Canned Salmon

GOOD SALMON . . . . . 22c. can  
BIG HORN SALMON . . . . . 25c. can  
CARNIVAL SALMON (1/2 lb. tin) . . . . . 12c. can

TEA		CORN SYRUP	
BLUE BANNER . . . . .	60c. lb.	2 lb. Tins . . . . .	23c.
KING COLE . . . . .	60c. lb.	5 lb. Tins . . . . .	50c.
LIPTON . . . . .	60c. lb.		
COFFEE		BAKER'S COCOA	
Try our fresh ground CHASE & SANBORN, only—		Same Low Prices.	
49c. lb.		1/2 lb. Tins . . . . .	24c.
		1-5 lb. tins . . . . .	10c.
		1/4 lb. Tins . . . . .	13c.
		In bulk 37c. lb.	

## Blue Banner Flour

Makes Nice White Bread

Barrels . . . . . \$12.25 Half-barrel Bags . . \$6.00

### Some Good Quarter Trades

3 lbs. Buckwheat Meal . . . . .	25c	2 pkgs Lipton Jelly . . . . .	25c
6 lbs. Common Cornmeal . . . . .	25c	3 lbs. Sulphur . . . . .	25c
7 lbs. Onions . . . . .	25c	4 lbs. Barley . . . . .	25c
3 cakes Maple Sugar . . . . .	25c	2 lbs. Split Peas . . . . .	25c
3 pkgs Snowflake Ammonia . . . . .	25c	3 cakes Rising Sun . . . . .	25c

## REV. THOMAS MARSHALL TO MR. JUSTICE CROCKET

Well Known Temperance Advocate Has a Word to Say About Prohibition—Some Criticism of Recent Court Judgments—The Legislature as Competent as a Judge to Determine What Laws are for the Public Good.

(Letter from Rev. Thomas Marshall) To the Editor of the Globe:

Sir:—In ordinary cases it is not desirable to bring into public controversy the judgments of a Judge of the Supreme Court but this case is not ordinary.

In at least two judgments (according to newspapers reports) the one ex parte Lindsay, the other re Frank Totten, Judge Crocket went out of his way to reflect upon the law, the legislators and the administrators of the law.

In these judgments he appears to forget that it is the province of the Legislature to make laws and the duty of the judge to interpret them as so made. Is it not true that upon the bench the judge's personal opinions should have no place, and as between the Legislature and the judge, the judge has no more right to reflect upon the legislators than they upon the judge, and when he undertakes to do so the dignity that should hedge a judge is broken down? The Legislature of New Brunswick is fully as competent as Judge Crocket to determine what laws are for the public good.

The following are some of the judicial expressions he is reported to have used in describing the law:

1. "Enacted ostensibly for the promotion of the virtue of temperance I can conceive of no law which is more surely calculated to produce the serious crime of perjury."

2. "I cannot refrain from characterizing these sections as the most extraordinary statutory provisions which have ever been brought to my attention."

3. "Absurd and unseemly."

4. "This extraordinary legislation."

5. "A provision which is so manifestly repugnant to all personal ideas of liberty and the free, impartial and untrammelled administration of justice."

6. "The whole tenor of the act is to reverse one of the fundamental principles of British law."

7. "However shocking to one's sense of justice, the law is there and must be recognized until the Legislature sees fit to repeal it."

8. "My view is that when a statute creates an offense out of what was never before recognized either as religiously sinful or morally wrong."

9. "So utterly subversive of all principles of British justice and Christian ethics, I cannot refrain from expressing my regret that such a provision has found a place upon the pages of the Statute Law of New Brunswick. There being fortunately I think for the good name of Canada no other law which countenances or warrants such proceedings."

The above quotations find a place along with other slighting references in the judgments of Judge Crocket and the spirit of them runs through both the published judgments.

A person with such strong opinions so bitterly and repeatedly expressed would not be deemed competent as one of twelve jurors to decide upon questions so referred to, and one might naturally ask if such be the law disqualifying jurors, is the judge with such convictions fitted to give a judicial decision upon the law believed by him to be so unfair, un-British and un-Christian.

The judge must surely have lain by the role of judge and assumed that of humorist when he presents the following hypothetical case which is given in his own words.

"For instance, Section 21 of the act provides that no liquor prescribed by a physician under the act shall be consumed or drunk by any person other than the sick person for whom it has been so prescribed. That is to say, that if any person even for the purpose of reviving him or her from a sudden prostration from heart weakness or otherwise, should swallow even so much as a teaspoonful of brandy or other stimulant which may be intoxicating, and which has been prescribed by a physician for any other person, even though a member of the same family such person is guilty of an offence."

I can hardly conceive of any one believing that to be a fair or just interpretation of the law, or a fair summary of the section, or that any reasonable judge would so interpret it and such expressions from the bench will not strengthen the legal reputa-

tion of the judge or promote respect for his decision.

The judge seems to consider it a wicked thing that in certain cases the right to appeal is taken away from the decision of a single judge. But if a single decision of his own should be wise and right in his eyes why should what is right for himself be deemed by him to be wrong for others?

He appears to overlook the fact that however erroneous his own judgment may have been in the latter of the cases, however unfair or unjust it may be deemed to be, there is no appeal from it. We are advised, in this case, that if we had the right to appeal Judge Crocket's judgment would not stand in law.

In Ontario under the Prohibition Act, a single judge reversed a magistrate's decision, but on an appeal to the Superior Court that body of judges reversed the single judge's decision and restored that of the magistrate.

In the Supreme Court of N. B. at its late session one of Judge Crocket's own decisions was reversed by it—so even a Supreme Court judge's decision is not always infallible.

It is not, however, with his interpretation of law we are just now concerned, but with his so-called facts. For instance, the Judge says the law makes a crime of what was never before recognized as religiously sinful or morally wrong, and also he says, "there being fortunately I think for the good name of Canada no other law which countenances or warrants such proceedings." In making these assertions he surely must have overlooked the fact that every province of the Dominion has a prohibition law, some of them embodying the very principles he so rashly condemns and which he says "were never before enacted." The very facts he says, "never before existed and that are un-British" are in some of these acts and existed prior to the New Brunswick law. The special section caricatured by the judge is taken bodily from the Manitoba act and is also in the acts of other provinces. These acts also take away the right of appeal, which seems in the New Brunswick act to be such a sore point with Judge Crocket and constitutes a special sin in his eyes.

A judge who undertakes so generally and indiscriminately and whole heartedly to condemn the New Brunswick act would do well to make sure both of facts and law. A careful study of Canadian prohibition laws and of the prohibition laws of the United States and also of other countries might possibly lead the judge to revise both his facts and opinion, if not also his law.

It is now too late even for a judge to raise the personal liberty cry; that is only for thoughtless, short-sighted people to do. Nearly all law is in restraint of personal liberty, and it is so intended for the greater public good. Even the judge himself in his somewhat brief and stormy political life, was guilty of aiding in passing laws interfering with personal liberty. The slightest remarks in the judgment describing the sworn affidavit of the chief inspector will not be to the disadvantage of the inspector with those who know all the facts.

I was in the court on other business at the time Judge Ritchie gave the decision reversed by Judge Crocket. I sat alongside of the defendant Totten, although I did not then know him, and heard and saw what took place, and my personal knowledge leads me to support the inspector's affidavit and to differ from Judge Crocket's judgment and to believe in the truth of the chief inspector's affidavit, which the judge rejects.

The judge may be flattered by the fact that his strictures upon the law and its administrators have been telegraphed to outside papers and are being used in the propaganda against prohibition, yet that fact will scarcely increase general respect for the bench.

This letter is published by order of the Council of the Temperance Alliance as passed by resolution at its meeting at Fredericton, March 6th, 1919.

THOMAS MARSHALL,  
Vice-President of the Temperance Alliance of New Brunswick.

St. John Globe: Mrs. Ernest Howes arrived from Fredericton this afternoon on a visit to Mrs. Thomas F. Mooney, Orange street.

# GEM

SEE IT  
TO-DAY

## Charlie Chaplin

IN A BRAND NEW ESSANAY COMEDY

## 'Triple Trouble'

Charlie in this 2-reel offering resorts to his old-time make-up with the familiar baggy trousers, the funny cutaway coat, his dingy derby, slender cane and Chaplin shoes.

IT'S A REGULAR SCREAM

2 Reel Drama 2

## "John Brewster's Wife"

Also our serial story

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Two shows every Saturday afternoon

LOOK Mon. - Tues. LOOK

## "The Better 'Ole"

A British Production

### TODAY'S PROGRAM

EVELYN NESBIT  
AND HER SON

RUSSELL THAW

in

## "The Woman Who Gave"

### "THE IRON TEST"

Episode 9 - - - - - "THE LOST HOPE"

Monday

# GAIETY

MARGUERITE CLARK  
and FATTY ARBUCKLE

## House Cleaning Supplies

You'll soon be needing Smoky City Cleaner to clean your papered and painted walls, Cold Water Paste to apply your new wall paper with, Alabastine, Murseoe, Whiting, Whitewash and Paint Brushes in a great variety to select from. Maple Leaf Paint and Kyanize to make the home bright and cheerful.

## LAWLOR & CAIN

Headquarters for Housecleaning Supplies.

## On Account of Staff Shortage

due to military enlistments, the Royal Bank of Canada find it impossible to continue collection of this company's light bills.

FOR THE CONVENIENCE OF OUR CUSTOMERS, we have engaged an Office at No. 88 YORK STREET, in the premises occupied by HARRY C. MOORE, Electrical Engineer, where bills may be paid from the FIFTH to the TENTH of each month from 9.30 a.m. to 5 p.m.

THOSE MAKING PAYMENT LATER IN THE MONTH must do so at the Company's Main Office, No 1 Shore Street.

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