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## THE MAGAZINE GUARDIAN

Succeeding *The* PRINCE  
EDWARD ISLAND  
MAGAZINE  
Issued Every Satur-  
day Morning.

### BEFORE THE BAR OF THE HOUSE

An incident of the House of  
Assembly of this Island  
in the year 1795.

WITH regard to the recent threat to bring a certain public man before the Bar of the Canadian House of Commons, it may be of interest to cite here the particulars of a rather interesting case which occupied the attention of the House of Assembly of the Island of Saint John (as this Province was at that time called) in the year 1795.

The particulars of the case are set out in the official record which has the following printed upon the title page:—

Journal of House of Assembly  
of His Majesty's  
Island of Saint John  
Regis Georgii III  
Sixth Session of  
Sixth General Assembly  
Charlottetown, Island of St. John,  
1795.

This document is in the possession of Hon. L. C. Owen of Charlottetown, through whose courtesy The Guardian is enabled to give the particulars of the case to its readers.

Certain members of the House were in that year more or less exercised over the reported utterances of a certain Captain Macdonald, of Tracadie, who it seems did not hold them in sufficient awe. Presumably the representatives of the people then, as now, were not deficient in a sense of their own importance, but the valiant captain appears not to have been in the least inspired by a similar sentiment. The story is however, well told in the Journal, in effect as follows:—

It had been communicated to the House that an accusation made by John Macdonald, Esquire, Captain on the half pay of His Majesty's 2nd Battalion of the late 84th Regiment of Foot, shows him to be a party patronizing levelling principles of the most dangerous tendency which have been fostered and encouraged for some time past. The House, conceiving it their duty to enquire into the matter to suppress the Propagation of such principles, asked His Excellency if anything had appeared to justify the accusation, and what proceedings, if any had been taken.

In reply to this enquiry the Sergeant at arms of the House, was sent to Tracadie to bring the said Captain Macdonald into Charlottetown and there

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C. L. BARNES, M. D.

produce him before the Bar of the House.

The Sergeant went. But he did not bring back the truculent captain.

He brought back, however, an interesting story of his journey to Tracadie, and of his meeting Captain Macdonald, whom he met riding on his estate. This story the House in solemn council listened to from the lips of the Sergeant at Arms.

The Captain, who really occupied in Tracadie the position of a Highland chief, being owner of the township, claiming a sort of allegiance from the Scotch settlers some seven hundred of whom he had been instrumental in bringing out from the Highlands not many years before, stopped the Sergeant when he encountered him on his land and demanded his business. This the official stated, and the indignation of the chieftain knew no bounds. According to the story told the House by the Sergeant, Captain Macdonald gave him a terrible scolding; told him he held him and the members of the House in contempt, and laughed at their demand for his appearance. He defied them to their faces, and dared them to interfere with him. Further, he was not going to be dictated to by them and had a very good mind to lock up their messenger in the cellar of his house at Tracadie, and set some of his Highlanders to guard him. All this was faithfully reported to the House and the facts are entered on the Journal.

Well, the question now was, what was to be done. The members were perturbed. Their dignity was ruffled. Were the representatives of the Government of King George III, in His Majesty's loyal colony of the Island of Saint John to submit to the indignity which it was plain to see Captain Macdonald took a delight in inflicting. There was consultation, and threatening, and talk of sending the Sergeant once more to Tracadie.

But the Sergeant was not anxious to go. He had seen some of the brawny men of Tracadie who formed the Captain's body guard.

The upshot was that the members compromised the matter and saved their dignity by passing a resolution. It is about all that can be done in a case of this kind, otherwise even at the present day there would be more people haled before the Bar of the House than we wot of especially members of the journalistic profession.

The resolution was to the effect that the said Captain Macdonald was a very terrible fellow; that he was guilty of incul-

cating principles analogous to those which had brought about the French Revolution, that he richly deserved punish-

ment—for his treatment of the members presumably—but that "the said Captain Macdonald being of a turbulent nature the bringing of him before the Bar of the House, instead of being a punishment would be gratifying to him, and might tend to raise him. Therefore this House dispenses with his attendance as had been required."

And so ended the impeachment of Captain Macdonald of Tracadie.

A polished mirror shines the sea,  
The fisher craft drift drowsily;  
No voice or sound or life is heard,  
Save cricket chirpings up the eave.  
It is the still hour of the day,  
From out the Gulf a lone sea bird,  
Across the island and down the Bay,  
In silence wheels his circling way.

Toward the gray rocks of the shore  
The tide creeps slow, about whose floor  
The swallows flit and cool their hills;  
While, farnese hot, the sun-beams pour  
Down on sedge, sea grass, sandy dune;  
And in the background, distant hills—  
And in the heat-waves throb, aswoon,  
Hushed is the languor of mid-noon.

IN ABEGWEIT LAND.

### THE CRUISE OF THE BRIG FANNY

Extracts from the Diary  
of the late E. Love.

(Concluded.)  
We left the Brig Fanny in the last chapter of this narrative, bound from

Valparaiso on the 24th. of April 1830 for San Francisco. The ship had fine weather and fine breezes for several days there-

after, and as they were approaching the land where they expected to make their fortunes in the gold diggings, the company on board began to prepare for the event of landing. On the 7th. of May there was a meeting and a resolution was passed to the effect that doors and windows should be made from the lumber that had been taken in the brig for that purpose. A wheelbarrow had already been completed and some were set to work to make harness, etc., each man doing what his trade fitted him for.

On the 9th. there was some argument regarding tobacco, which resulted in the remaining stock being equally divided so that each man might do what he liked with his share. On the 12th. they had been six months out from Charlottetown. From this on the days passed with very little of importance to relate. On the 11th. June some of the company were not very well, and Mr. White was suffering severely from dysentery.

The entry in the journal of May 17 is worth quoting: "Monday. This morning a ship hove in sight of us right astern, and she came within five or six miles of us, when the wind died away, and after dinner we got out one of the boats to scrape the side of the ship; but some of the company wished to go on board of the ship, to see if they could not get some fresh meat for Mr. White as he is very low. So the boat went on board, and after staying on board for about three hours they came back. They said it was a ship from Glasgow, Scotland called the Commodore, Captain Bradfoot, 75 days from Pitcairn's Island, and had 10 passengers from New Zealand, bound for California. They treated them with every kindness, and killed a sheep for the sake of giving them a quarter; they also gave them some tea and coffee and preserved soup and different other things. They had a doctor a passenger with them, and the captain said that they would stay by us till tomorrow, and the doctor said that he would come on board and see Mr. White."

On the following day the doctor came on board and treated Mr. White. Three days afterwards, on the 21st. the patient died which, says Mr. Love "cast a gloom over the whole ship. He said nothing about home, but said that he was happy and that the Lord had blotted out all his sins. At half-past six o'clock his body was committed to the deep. Mr. George Moore read the burial service over his body." (This Mr. White was a son of Mr. White of White's Point, North River and a brother of Clement White now at the Point and of James White).

Thence forward the ship continued on her way. On the 28th heavy weather was encountered: "it blew half a gale all night and at 4 o'clock I got up. She was then going 8 knots and had been all night. We carried away our jib it went all to pieces. At a quarter to 9 a. m., the word was given 'Land ahead' which was a cluster of rocks about 25 miles from the harbor. The weather being thick we could not see the land, but we saw thousands of ducks, porpoises, and seals, and plenty of other birds. About 4 p. m., we made the harbor, the fog clearing up, and the pilot hailed us, and we asked him what the charge would be, and he said it would be 84 per foot. We said we would not take him, and we ran right in. There are about four or five hundred ships in the place, and the town is situated on the sides of high mountains. The officers of the port soon came on board, and we went on shore at once but saw no one that we knew. The times are not so good as they were some time ago."

Here in San Francisco the party remained for some time. On the 28th July a number left for Sacramento in a large boat which they had purchased for \$275. They arrived at that city on the

30th at 8 o'clock and there they met others of their party who had reached the rendezvous before them.

July 31. "This day hired teams to take us to Washington, and at 7 p. m. we started with two teams of six oxen each. We paid freight \$600, which is twenty cents per pound. After travelling one and a half miles we came to the American River, which we had to cross by a saw. After crossing we went a short distance and camped for the night under a large oak tree"

August 1. "At 2 p. m., we started for the gold diggings and went fifteen miles and put up for the night and lay on the open plain where the wild cattle came in great numbers."

On August 10th, the party arrived at the gold diggings and the following days were spent prospecting, and endeavoring to dig a fortune out of the ground. But they met with little success, and became discouraged. On the 10th. of August Mr. Love wrote "we went to work again on our claim and we worked hard all day, but made little or nothing, so we came to the conclusion to give it up at once and lose what we paid for it."

But some of the others had varying luck and all seem to have concluded to try the digging a little longer. But what they earned did not recompense them for their toil, and some of them got sick, and others out of patience. On the 12th. of September they went to work and worked for two hours, when a dispute arose about some trifle and we concluded to separate."

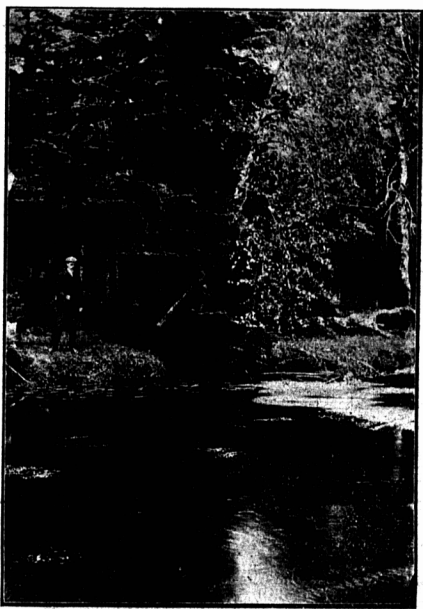
So the company was dissolved, but hope was not yet dead in the breast of Mr. Love and a few of his companions. They determined to try again, and for a while better luck attended their efforts. The diary relates:—"Sept. 17. Made one ounce this day . . . 18th. McGowan and myself worked hard all day and only made six dollars . . . 10th. 20th. 21st. We made \$30 dollars . . . From the 21st. to the 28th. we made \$113; on the 28th we took out \$88."

But on Oct. 10th. those who remained came to the conclusion that they were not making enough to pay them, and they started for Sacramento.

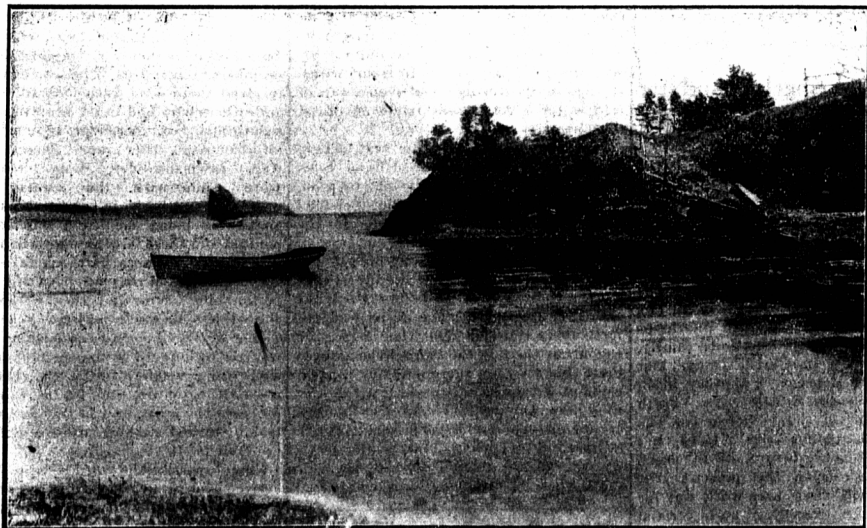
Thus came to an end The California Association which had set out from Charlottetown nearly one year previously. Of those who formed the company there are but two survivors, as far as we can learn—John H. Gates and Edward Moore, both of Charlottetown.

## SUMMER NOON

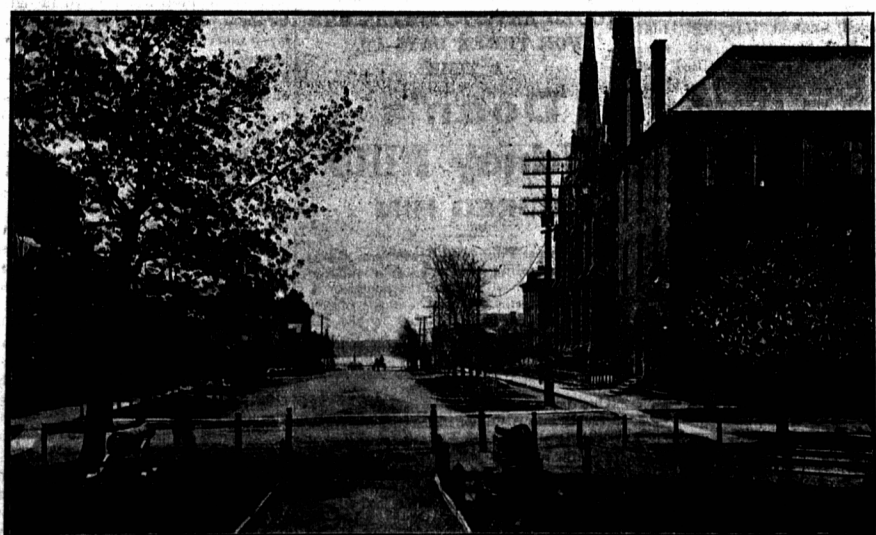
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