

CHARLOTTETOWN GUARDIAN

FRIDAY, FEBRUARY 16, 1906.

THE STIPENDIARY MAGISTRATE.

Some letters of a correspondent over the signature Lex recently appeared in this journal impugning the recent decisions of Stipendiary Magistrate Macdonald in two important causes. In a vigorous attack it was contended that the Magistrate was altogether wrong in deciding (1) that the wife of a person charged with an offence against the Prohibition Act 1900 is not competent or compellable as a witness at the trial of such charge; (2) in setting free a prisoner brought before him for interfering with the police in the discharge of their duty under the Prohibition Act; and that in each of these cases there was a miscarriage of justice.

These were, however, attributed to error of judgment on the part of the Magistrate. The motives or integrity of the Magistrate or the general conduct of his Court were not in terms attacked. It is also to be observed that Lex had not before him at the time of writing the full text of the judgment delivered by the Magistrate in regard to the status of the wife as a witness, which reasoned judgment, strongly fortified by citations was afterwards printed in full in the Patriot. This is apparent from the first letter of Lex in which referring to the two judgments in question were used the qualifying words "if correctly reported."

We regret that with the letters of Lex in the Guardian and the replies and rejoinders thereto printed in another paper, such readers as had not the opportunity of perusing what was written on both sides cannot be fully informed as to the authorities and citations brought into the controversy, but the correspondence was too voluminous for this journal to publish the whole of it. We also regret that the language used by Lex should have come so near, if indeed it did not cross the border line between fair criticism and that border censure to which no court of justice ought ever to be subjected.

Whether the Magistrate was right or wrong in his decisions upon the legal and constitutional questions which it became his duty to rule upon, The Guardian will not attempt to decide. Where lawyers differ in such matters it would be presumptuous to offer a lay opinion. But if the Magistrate erred he at least erred in good company, with support not only among the higher authorities of the law but also in our local bar, a majority of whose leading members we believe endorse his decisions on both the points in controversy. We do not think anything that has been said or written during the controversy will affect the generally high regard of the community for the Stipendiary Magistrate in the conduct of his important office or lessen the respect for his usually clear, and well-considered decisions.

We do not think that a miscarriage of justice has taken place in either of the two cases under review. In due time we shall learn whether the higher courts will hold that the wife is or is not a competent witness in such cases, and whether those who resist the police ought to be proceeded against under the federal or the provincial law. We need only add that various wild guesses have been made by interested parties as to the personality of Lex. They are guesses and nothing more, each of which challenges the correctness of all the others.

Election day was a cold day for that political on Prohibition that was in process of incubation. It could never have hatched, even if a majority had been obtained in the City Council to give it temporary warmth. The air of the Legislative building would have proved fatal.

A GUARANTEED CURE FOR PILES
 Heching, Blind, Bleeding, Protruding Piles. Druggists are authorized to refund money if PAXO OINTMENT fails to cure in 6 to 14 days. 50c. 12-15 dmswf 6 m.

PASSENGER AND FREIGHT RATES.

The Legislature of Ohio has enacted a law requiring the railways within the State to carry passengers at two cents per mile and the people rejoice in the hope that it will save them \$4,000,000 in a year. Other states are ordering the freight rates cut down. Illinois has reduced freight rates on railways 20 per cent. Missouri has ordered 10 per cent reduction upon agricultural freight. Kansas has ordered grain rates to be reduced five per cent. Minnesota has ordered reductions of 25 to 30 per cent in freight rates, and the railways are contesting the reduction in the courts.

Wisconsin has taken action in another way by increasing the taxes upon railway companies, and Indiana and Nebraska are contemplating like action. Again, Indiana, Michigan and Illinois are likely to follow Ohio's action in regard to reducing passenger fares to two cents, and a bill for that purpose has been introduced in the Maryland Legislature. This is what our neighbors are doing. In Canada—Eastern Canada at least—passenger rates are maintained on a three cent basis and freight rates being advanced on the Government Railways. This is clearly a retrograde move.

THOSE SCRUTINIES.

The plentiful crop of civic scrutines was speedily blasted as by the east wind yesterday. Not one of them was possible of being carried on, for the machinery prescribed by law to that end is wanting. And if scrutines could have been carried on, the votes under challenge were so few that in no case could they have unseated a Mayor or Councillor elect, or have given a defeated candidate a seat. We are not clear as to the legal validity of the City Clerk's action. He has simply cut a Gordian knot. And he was right, as the knot could not be untied. "The will of the people is the supreme law." The will of the people unmistakably indicated whom the people wanted for Mayor and Councillors, and they will all be sworn in. If the validity of this action is hereafter challenged the Legislature may be depended on to give it sanction.

Brick and stone do not make buildings fire proof. The disastrous fire in St John destroyed some of the most substantial buildings, the first attack being from inside.

Andrew Carnegie is coming to Canada to receive plaudits for all those new library buildings he has bestowed. He will visit Ottawa during the session of Parliament, when he can be most conspicuously banqueted and lionized.

DROPPED ALL OTHERS.

"I dropped all liniments but Nerviline because I found Nerviline the quickest to relieve pain," writes E. S. Benton of St. John's. "If my children are croupy or sick, Nerviline cures them. If a case of cramps or stomachache turns up, Nerviline is ever ready. We use Nerviline for neuralgia, rheumatism and all kinds of aches and pains. It's as good as any doctor." The great Canadian remedy for his past fifty years has been Posion's Nerviline—nothing better made.

Fruit and ornamental trees, shrubs, etc. We are now receiving orders for the very best standard fruit and ornamental trees in Canada. Orders must be in by the 25th March no later (for large quantities)—Send for price list. There is an advantage in ordering from us, we are always to be found—We are fixtures right here in the market, and at home.—J. J. Gay & Son, Charlottetown, P. E. I. Phone 80 and 270. dtwt twtf.

WHAT ABOUT THIS.

The following figures are taken from the Dominion Government report for 1905.

The profits earned for the previous year per \$100.00 of insurance in force by the different Life Insurance Co's here mentioned are:—Canada Life \$5.75, Confederation \$3.00, Federal \$3.30, Great West \$3.45, Imperial \$2.25, Manu. factors \$4.35, Mutual of Canada \$3.27, North American \$1.55, Sun \$4.03, LONDON & LANCASHIRE \$10.80. The profits accumulated per \$100 on the business in force by the same Co's are:—Canada Life \$13.32, Confederation \$18.08, Federal \$3.48, Great West \$14.10, Imperial \$7.34, Manufacturers \$12.17, Mutual of Canada \$10.07, North American \$14.15, Sun \$13.76, LONDON & LANCASHIRE \$83.02.

The reason this reliable English Co. can show such a difference in profits compared to the Canadian Co's is quite apparent to any person who knows. Anticipating the action of the Dominion Government and the reductions that would occur in interest rates, the management of this Co. set aside a large sum in 1902 and later again in 1907 thereby providing for the decreasing rate of interest and placing the reserves of the Co. upon a basis equal to that adopted by other Co's years after.

The Vice-President of a leading Canadian Co. at their annual meeting held in Feb. 1900 said:—"I am free to say that if ten, fifteen or twenty years ago the Directors could have foreseen what remarkable reductions would occur in interest rates they would undoubtedly have applied a portion of the profits at each quinquennial period towards strengthening the Co's Reserves."

This certainly reflects credit on the management of the LONDON & LANCASHIRE LIFE.
 Lewis H. Beer, Charlottetown, is the representative for this staunch Co. in this Province and will be pleased to quote rates at any time.
 11-11dithsa twtf

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We have a fresh supply of Mulford's in 500, 1000, 2000 and 3000 units.

J. G. JAMIESON,
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Passengers, baggage, etc., conveyed anywhere desired. Leave orders at McDonald & McKinnon's Drug Store or at Stables, Sydney Street, near Stevenson's Corner. **J. M. NICHOLSON,** 1-28 d i vt. Telephone No. 253

Card

To the Electors of Ward Five

LADIES AND GENTLEMEN:—I hereby thank you for giving me your support at the civic election held yesterday and electing me at the head of the poll. I shall endeavor to carry on the business of the city during my term with strict economy consistent with an efficient service.

Yours Sincerely,
LEX, ROGERS, Jr.

16d11

Card

To the Electors of Ward Five

LADIES AND GENTLEMEN:—I take this first opportunity of thanking you for returning me as your representative in the City Council for the seventh time and I will discharge my duty faithfully to those who did not see fit to record their votes in my favor. I can assure them I harbor no resentment, as I accord to them the same sacred privilege I enjoy myself, namely, to vote as they think right.

D. L. HOOPER.

16d21

CARD

To the Electors of Ward 1

Ladies and Gentlemen—I take this opportunity of tendering my most sincere thanks to the electors of Ward 1 for having re-elected me as your representative at the Council Board—I shall use my best endeavor to promote the interests of the city at large and Ward 1 in particular.

Yours respectfully,
D. O. M. REDDIN.

16d11

YOU

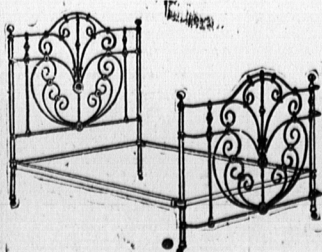
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Unparalleled Bargains

The Buying Opportunity of a Whole Lifetime

Read About The Bargains

- EIDERDOWN**—Double width, tipped, white, pink, and sky, best quality, sells regularly at \$1.10 a yard, a small quantity on y of each color—now only 58c
- BLANKETING**—Double width navy blue all wool blanket cloth an ideal fabric for children's wear. A small quantity also in royal blue, sells regularly at \$1.20 yard, now only 65c
- ITALIAN CLOTH**—double fold Italian cloth for linings, good finish, fast black, sells regularly at 35c yard, now only 22c
- STOCKINET**—Nearly all sizes in all qualities including heavy rib, worsted and cashmere, 42c for 28c, 32c for 21c, 24c for 16c, 16c for 11c
- INDIGO DUCKS**—A few pieces of navy and white and black and white ducks, plain navy and plain black, a splendid wearing and washing fabric, regular 14c yd, now only 9c
- QUILTED SATINS**—Fine satins, quilted in various patterns, black, brown and grey, regular \$1.15, \$1.20 and \$1.55, now 58c, 60c and 78c
- FRENCH FLANNELS**—Plain and fancy colors in fine 58c French flannels, including plain pink, black with white stripe, cream with blue stripe all now per yard 23c
- VELVETEENS**—Three pieces of plain velveteen nice quality, colors fawn, pink, grey, sold regularly at 50c, now only per yard 23c
- OSTRICH TIPS**—pretty Ostrich Tips, black and colored, good size and quality, worth up to 75c each, now for only 5c
- EMBROIDERY**—About two hundred yards embroideries and insertions, various widths, worth up to 5c a yard, now 5 yards for 9c
- BONE BUTTONS**—Large sizes suitable for coats, etc., in brown, fawn, etc., two dozen on each card, Card for 5c
- SHAWL STRAPS**—Strongly made, with nickel plated handle, long straps of selected leather, 32c for 21—20 for 13c
- UNDERWEAR**—Ladies' and Children's Underwear mostly fine grade, consisting of Vests, drawers and combinations range from 60c to \$2.00 each—now 30c to \$

BARGAINS FOR MEN!



WITH A SAVING ON EVERY ITEM OF 1/3 TO 1/2 ITS NOT SURPRISING THAT SHREWED MEN BUYERS ARE HUNTING UP OUR FIRE SALE BARGAINS. The well known high class goods we carry in this line adds to the attraction. Good choosing still in
Hats and Caps, Silk Neckwear, Lined Gloves, Flannel Shirts, Waye's Mufflers, Cashmere Hose, White Shirts, Collars and Cuffs, Unlined Gloves.

- BRUSH BRAIDS**—Quite a range of colors in best quality Brush Braids—Sell regularly at 5c to 10c yd—all now at 2c
- SILK HANDKERCHIEFS**—Plain and initial silk handkerchiefs at half price, finest pure silk, 98c for 49c, 70c for 35c, 55c for 28c, 38c for 19c
- GIRLS' SWEATERS**—Half a dozen Women's and Girls' all wool sweaters, button over shoulder. Colors, white, green and navy, \$1.60 for 80c, \$1.20 for 60c
- LACE**—A table full of all sorts of pretty lace, wide and medium widths. Formerly sold up to 25c yard, now any at 10c
- DRESS GOODS**—Double width, 54 inch, all wool suiting cloths in black and colors—Regular prices \$1.15 to \$2.20 yard, now any for 69c
- SILKS AND SATINS**—Remnants of silks and satins in almost every color—Including values up to \$1.50 a yard—All at 38c
- SILK LACE**—A basket of pure silk lace—all widths—white, cream, butter, worth up to 25c a yard. Now only 10c
- GLOVES**—A basket full of lisle thread and taffeta silk black and colored gloves. Formerly sold 2c to 30c, now 10c
- WORKED DARNING**—Best black worsted mending, very strong, worth 6c each ball, now 3 balls for 10c
- HOOBS AND EYES**—Large size, a dozen and a half on each card, worth 6c, now the card for 2c
- HANDKERCHIEFS**—Pure linen with 3/4 and inch hemstitched border, half price, 42c for 21c, 35c for 18c. Pretty hemstitched embroid red linen lawn handkerchiefs are half price 24c for 12c, 18c for 9c
- WARM GLOVES**—A basket full of all kinds cashmere and heavy knitted wool, worth up to 30c the pair, now only 15c
- CHILDREN'S MITTS**—Of grey and black Astrachan with deep gauntlet cuff, very warm and comfortable, worth up to \$1.00 pair, now only 48c
- EVENING GLOVES**—Elbow and full length gloves of pure silk; colors, pink, sky, helio, cream, and white 38c for 19c, 42c for 21c, 52 for 26c and 74c for 37c
- CORSETS**—40 pairs of Corsets, made of fair quality jean, good fitting, all sizes up to 25, worth to 35c the pair, now only 21c
- SILK VELVETS**—Fine Silk Velvets, all colors, and including some very pretty fancy velvets, worth \$1.15 to \$1.20 all at, per yard 65c

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The undersigned offers for sale the following valuable building lots:
 4 lots on the east side of Upper Hillsborough Street each having a frontage on Street of 50 feet and extending back 75 feet.
 2 lots on the west side of Orlebar Street each having a frontage on Street of 50 feet and extending back 75 feet.
 The said six lots lie immediately north of the residence of Dr. Anderson, lately J. D. Reid.
 1 lot on the west side of Upper Hillsborough St., having a frontage on Street of 50 feet and extending back 75 feet. This lot lies immediately opposite the residence of Dr. Anderson.
 It is impossible to procure a more desirable locality for residences than these lots afford.

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