

THE DAILY EXAMINER.

NOVEMBER 14, 1894.

THE THORNE CASE.

The Supreme Court held, yesterday, that that court had no jurisdiction to review on certiorari a judgment of a Stipendiary Magistrate in a prosecution under the provisions of the Canada Temperance Act when there was any evidence of a sale contrary to that Act. But in cases where there was absolutely no evidence, the court could issue the writ and quash the conviction. This part of the judgment of yesterday was unanimous—concurring in by the Chief Justice, Mr. Justice Hodgson and Mr. Justice Fitzgerald. The court, however, differed on the question whether there was any evidence in the case under consideration. The Chief Justice thought that it could not be said that there was no evidence at all, although it was so slight that the Magistrate should not have convicted the defendant, but there being a scintilla of evidence the certiorari was taken away. Mr. Justice Hodgson held that there was absolutely no evidence of any sale, and Mr. Justice Fitzgerald agreed with the Chief Justice, with the result that the conviction stood. The defendant in the suit has served his two months' imprisonment, and the only effect of yesterday's decision will be to prevent him from successfully presenting a writ at law for false imprisonment. He will have the grim satisfaction of knowing that he spent these months of incarceration away from his work and friends, when in the opinion of the judges of the Supreme Court he ought to have been a free man. The decision, however, suggests several considerations. First and foremost it should be a warning to magistrates not to convict a man on doubtful evidence, but to always give a person charged with a criminal offence the benefit of any reasonable doubt. Secondly, the propriety of allowing an appeal may well be considered, and, thirdly, the question of payment by the city of reasonable damages to young Thorne may fairly be urged. The Scott Act fines form a separate fund for the purposes of the Act, and if in the enforcement of the Act an error and wrong has been committed, it may not be unreasonable to take from that fund a sufficient amount to, in some degree, make pecuniary compensation for that wrong. The City Fathers have identified themselves in the case, the Mayor having retained Mr. Davies, Q. C., to support the Magistrate's decision; and in doing so it has been clearly established that the boy ought not to have been convicted. The City Council, at their last meeting, ratified the Mayor's act, and now that it plainly appears that the boy was innocent of a breach of the Act, the question of compensation may well be taken into consideration by the City Council.

HIGH LICENSE.

The Northfield Independent contains a leading article headed "High License a Failure," in the course of which it says: "The evidence is abundant and overwhelming that there is more drunkenness in Northfield now than at any time since the writer has lived in the city. Little pretence is made to the strict observance of the law. Liquor is constantly sold to intoxicated persons, to drunkards and to minors. And it is especially the sale to minors which is so shocking. One's heart aches when he sees kids of tender age, who are the children of respectable parents, reeling about our streets in an intoxicated condition; and such boys have been met by the writer within a few days. From what we have heard and what we have seen we are compelled to believe that kids under age find no difficulty in procuring liquor, and that the use of it by them is becoming scandalously common. In Northfield our High License Law has proved 'a lamentable failure.' Elsewhere, as well as here, it is hard to restrain the Liquor Evil. License, High License, Scott Act and Prohibition seem to be alike powerless to stave it when there are men who thirst for intoxicants. After all, the higher law, under which a man, of his own free will, for the sake of himself, his family and his neighbors, abstains from that which produces the Liquor Evil, is the only law that will keep him sober. We hope that our schools are impressing the young with a right idea of the importance of this law. The voice of the Church ought to be constantly heard upon this point.

—We learn that Mr. Robertson, of Inkerman Farm, obtained his autumnal coat four hundred yards of apples from his orchard. Well done.

—In his letter to THE EXAMINER of today Mr. John Hamilton gives the best description that we have seen concerning the machinery and motive operation of the new Perth cotton mill. It is pleasing to note that the latter factory at New Perth is now in successful operation, and that the New Perth owners are making a generous return for the better care and food bestowed upon them.

—The Cabinet Ministers in Nova Scotia were particularly interested in the iron and coal mines which are being developed in Pictou County. They visited the Pictou Charcoal Iron Works, in which 150 men are employed. The Ferrons Iron and Coal Company's works, which employ 500 men and consume 150 tons of coal per day, and the Steel works at Trenton, at which about 400 men are employed, and several of the coal mines, of which the output was larger last year than ever before. All the men there employed are consumers of the farmers' produce.

Charlottetown ladies are all delighted with Priestley's dress fabrics which are now sold by the better class of dealers throughout Canada. They have a fitness of texture and a softness and leanness of surface all their own.

Prang's Christmas cards opened today. Now is the time to remember your friends in foreign countries.—Laxard & Moore.

Perrins Kid gloves received today at Stanley Bros. 7 hook lacing in brown shades and black, also brown shades with a large pearl button.

THE NEW PERTH FACTORY.

Fall and Winter Butter Making.

An Excellent Description of the Machinery and Method.

Butter making at Perth factory has been in progress since the beginning of the month. The plant was sent down from Ontario by the Dairy Commissioner and placed in position by Mr. Adams, a local engineer, assisted by Mr. Manager Moore and the employes at the factory. It is now in first-rate running order. This plant consists principally of a centrifugal separator, box churn and circular butter worker, with main shaft and pulleys, belting, hose, cans, pails, lippers, and other small utensils in almost endless variety.

THE SEPARATOR stands at a height of about 2 feet 6 inches from the floor. The bowl is 18 inches in diameter, and has a capacity of about 5 gallons. It spins around with lightning speed, has an even, silent motion, and performs 6,000 revolutions per minute.

THE CHURN is an oblong square box, 6 feet by three. It is strongly constructed, and works on the same principle as the domestic Daisy churn, except that the spindles are at the ends, and the circle of its revolutions is described at the distance from the end corners to the angles. Its rate of speed is one revolution per second.

THE BUTTER WORKER is a circular platform, 6 feet or so in diameter, having a raised rim all round the circumference with dip of 4 inches to the centre, where there is a small opening to allow moisture to escape. There are two fluted rollers 8 inches in diameter at the rim of the table, tapering to a point at the centre. One is slightly elevated above the other, and both are geared into cog wheels on the shaft that drives the table underneath. When at work the platform whirls round to the right, while the rollers move in the opposite direction.

THE TEMPERING.—The whole milk, after being strained through double folds of cloth stretched across the receiving vat, is heated by steam pipes from the boiler to a temperature varying from 90 to 98 degrees Fahrenheit. It is then dipped out in pails and run through the separator at the rate of 1800 lbs. per hour. The cream rises to the top and escapes through tubes in the cylinder and is discharged from cans into the cream vat, where it is allowed to remain under a falling temperature till ripe for the churn. The churning temperature is from 58 to 60 degrees, and the operation takes about 30 minutes to bring the butter. When the butter is about the size of large shot, the motion ceases, and the buttermilk is drained off. Then a quantity of clear spring water is added to the butter, and in doing so it has been clearly established that the boy ought not to have been convicted. The City Council, at their last meeting, ratified the Mayor's act, and now that it plainly appears that the boy was innocent of a breach of the Act, the question of compensation may well be taken into consideration by the City Council.

PACKING.—The butter is now ready for packing and is put up in tubs or crocks at the option of local or wholesale purchasers or moulded into square blocks of one pound each wrapped in flexible oil paper, manufactured expressly in sheets of suitable size for the purpose, with the dairy commission's official departmental insignia. In the hurry of leaving home for the city this morning I was unable to obtain full data of milk delivery and the quantity of butter manufactured each day since the commencement of the new departure at the factory as I intended to do. I can only give returns from last Monday and yesterday's receipts which were respectively 2200 and 5475 lbs of milk. Out of Monday's mass 496 lbs of butter were manufactured. This morning's milk has not yet been disposed of.

Mr. Commissioner Robertson, Mr. Hodgson, of Montreal (who will likely purchase the Island cheese this fall again, if he has not already done so), and Mr. Superintendent Dillon drove down on Monday evening, and one and all expressed themselves well pleased with the past season's management at the factory. They inspected and "tried" the cheese on the shelves, and pronounced it of fine quality. Both the Professor and Mr. Hodgson are sanguine as to the future success of the Island cheese factories and creameries.

J. HAMILTON. New Perth, Nov. 14, 1894.

A Child Enjoys.—The pleasant flavor, gentle action and soothing effects of Syrup of Figs, when in the form of a laxative, and if the father or mother be covetous of bilious, the most gratifying results follow its use; so that it is the best family remedy known, and every family should have a bottle on hand.

Value and quality are, as usual, first-class. English Whitney wool blankets, same price as asked for cheap Canadian blankets. Why not buy the best when money is made them at the same money from James Paton & Co. See advt.

From Manchester—opening today, exclusive in black velvet and red and black flannellets.—Stanley Bros. Nov 15 31

Rheumatism is primarily caused by acidity of the blood. Hood's Sarsaparilla purifies the blood, and thus cures the disease.

Anyone wishing for first-class PHOTOGRAPHS or Christmas presents should not fail to visit right away the studio of CLAY HILL, Queen Street, and so give ample time to finish them off. First quality, correct likeness and fair prices. dt 130.

FURNITURE, &c. By Auction, Tomorrow, Friday, Nov. 16th, at 10.30 a. m., at Rooms, Queen Street.—

A lot of Furniture in good order, such as Tables, Chairs, Bedsteads, Bureaus, Mirrors, Washstands, Stoves, and a variety of other articles which must be sold. Also, 25 barrels Apples. A. McNEILL, Auctioneer. Nov 15—11

CHINA ANXIOUS FOR PEACE.

Will Accept Honorable Terms, but will Fight On, if These Are Not Granted.

According to latest advices from Shanghai, the Chinese army of the north are in a terrible plight, suffering from starvation and exposure to the extremely cold weather. They have retreated to the mountains, far removed from their base of supplies, while the Japanese army are said to be encamped at Feng-Huang-Cheng. Fifteen thousand Chinese, mostly raw recruits, are being pursued by the Japanese. Hundreds of Chinese are arriving at Che-Foo from Manchuria, whence they are fleeing frightened at the approach of the Japanese. The Chinese troops and such vessels of the Chinese fleet as are not cooped up at Port Arthur have been ordered to attack the Japanese wherever they meet them. It is reported that Port Arthur is still invested by the Japanese, and that two of the forts there have been captured by them. The Chinese soldiers are deserting from the ranks, and are being captured by the Japanese. It is not expected that a determined effort will be made against the Japanese at Port Arthur. Admiral Fremantle, commanding the British fleet, is authorized by the statement that the last engagement of any importance between the Japanese and Chinese will be fought at Port Arthur.

The British cruiser Caroline put to sea from Shanghai on the 12th, with sealed orders, but it is known she is bound for Chusen, where the Purpoise has already spent a week preparing for occupation of the island by several thousand Indian troops. A strong squadron is awaiting Admiral Fremantle's arrival at Woosung, immediately to the north of this place, where there is a garrison of 4,000 men. The population there, as here, exhibits the greatest apathy in regard to the movements of the British. Chusen is an invaluable possession judged from a strategic point of view. The Japanese have issued proclamations to the various Manchurian cities through which they have passed. They declare they are waging war against the Manchurian government only and promise safe protection to all people remaining quiet. Rupture between France and China may be expected to take place at any time.

The correspondent of the Central News at Tokio gives the following additional details of the capture of Talien by General Oyama: "The six forts placed in strong positions on Talien Wan by mounting eighty guns of various sizes and patterns, together with all their stores of ammunition, etc., were captured. The narrowest part of the land at Talien Wan is seven miles wide. This strip of land was fitted with network of telephones and other advanced systems of communication, and the place was protected by powerfully arranged batteries and other defences against a sea attack. General Oyama, therefore, considered it advisable to surround the place and attack from the rear and in this way the completely successful. He demoralized the enemy, who were routed in confusion and panic. The Japanese parliament has been summoned to meet at Tokio Dec. 22."

A despatch from Shanghai to the Central News under date of the 12th says: It is reported that Port Arthur was taken by the Japanese yesterday without resistance. The Japanese after bombarding the place for several days, and capturing the forts on November 13, and the Chinese surrendered. The general in command and other chief officers of the Chinese forces at Port Arthur had abandoned the place on November 13, and fled to the sea. A portion of the Chinese fleet is at Taku. Several European ministers are preparing to leave Peking. After fruitless attempts on the part of China to induce England, France, United States, Russia and Germany to intervene in the war with Japan, Prince Kung, the recently appointed president of the foreign office of the Chinese government, has given up the hope of foreign aid. The Chinese are now in a state of anarchy when the populace learns the true condition of affairs, are leaving Peking and will take up their residence in Shanghai. It is believed several orders have been given to the Chinese commanders, both naval and military, to cease opposing the advance of the Japanese, whose proclamations appear to be conciliating the people as far west as Shan He Kwa. The British fleet will occupy the island of Chusan as the basis of operations against all comers. The British troops will probably occupy Shanghai. The Chinese people are demanding the overthrow of the court Mandarins and the dynasty and are in favor of any power bold enough to seize the opportunity.

LOCAL NOTICES

Advertisements are being charged for at the rate of ten cents per line.

Clothing.—Our clothing department is the best and cheapest in the city. The stock, for quality and variety, cannot be surpassed in it. You can find overcoats, suits and ulsters made from the best English, Scotch and Canadian wools sent to suit in any color you wish.—Prowse Bros., the Wonderful Cheap Men, Nov 15 2m.

Solid Comfort Wanted.—Plenty of blankets. Better see to it, ladies. There is a biting suggestion of the wolf's tooth in the air. Find out what you want in this line at once. Then call at James Paton & Co's and see the splendid assortment of precaution we are offering. See advertisement.—James Paton & Co. Nov 14

Choice northern spy apples for sale by the barrel at Beer B's. n15 2m

Mrs. Anne Ramsell is still at Mrs. Mc Gregor's, Prince St., with hair goods and toilet requisites, and will remain until about 22nd Nov.

Do you want a fur coat, ladies' astrakhan or Bohemian jacket? If you do, you will pay you to look at ours. We are closing out the balance of our stock at lowest prices.—E. Macdonald & Co. n14 61

Choice robes—75 dark color, good lining; if you want one, this kind will suit you best. You can buy them low at J. B. Macdonald's. n15 61

Usters are the correct thing this season, and more usters are worn in the large cities than any other style of overcoats. We have a large assortment of Irish and Canadian friezes, in all the different makes to fit any size man or boy.—Prowse Bros., the wonderful cheap men. n13 2m

Horses Wanted.

I will be in Charlottetown on TUESDAY, 20th inst., to buy Horses from 1200 to 1500 lbs, also a few drivers. ALEXANDER ARCHIBALD. Nov 15—41

THE CZAR'S BODY AT THE CAPITAL.

Streets Crowded With People and Troops.—Mourning Decorations Displayed.

The body of Czar Alexander III was taken from the Kremlin at Moscow at 10.20 a. m., on Monday, and conveyed to the railway station, en route for St. Petersburg. The procession from the cathedral of Archangel, Michael station, was much the same as that upon the occasion of the arrival of the body and its conveyance to the cathedral. The streets were lined with people and troops. The same mourning decorations were displayed. A special service was held at the station prior to the departure of the funeral train. The wreath President Casimir Perier sent to St. Petersburg to be placed upon the bier of the late Czar is of silver six feet high and four and a half feet wide.

A Moscow despatch says:—Members of the court, noblemen, conspicuous citizens, delegates and crowds of all other classes assembled at the Kremlin at eight on Monday morning to attend the ceremony called Soties. The chief subject of interest was the address of the Czar Nicholas to his subjects. Reporters were excluded. After speaking the Czar conducted his mother to the cathedral of Archangel Michael, where the emperor and royal princes had assembled for service. After traversing the signal of three guns announced the time of departure for the railway station. The procession left the cathedral at 10.15 a. m. The silence was broken with cheers when the Czar passed.

M. DeGiers, minister of foreign affairs has sent a circular to the Russian minister in London, and in it says: "Our ill-fated sovereign will devote all his strength to the development of the internal welfare of Russia. He will devote in no way from completely pacific, loyal and patriotic contributions so greatly to the tranquility of this world. Russia will remain faithful to her traditions and will endeavor to maintain friendly relations to all the powers, recognizing the rights of respect for rights, law and order, as the best guarantee is the safety of nations."

The Duke of York started from London on Monday for St. Petersburg, accompanied by Lord Carrington, British ambassador, who has charge of a high wreath sent by Her Majesty. The Duke of Connaught has postponed his departure.

A St. Petersburg despatch of Tuesday says: Owing to the large quantity of floating ice in the Neva, the Troitski pooton bridge has been removed. This has necessitated a change of route of the funeral procession. During the procession, minnie-guns will be fired and bells will be tolled. Although most of the decorations are far from unique and impressive, a few are of unusual interest. The dead Czar's Russian orders will be placed on cushions at the head of the catafalque and his foreign orders at the foot of the grave or tomb, which opens through the side of the cathedral. The coffin is next to his mother's, just beyond which is his father's tomb. The sides of the open grave have been lined with metal.

The Czar's funeral procession today divided into two parts. The first, headed by a master of ceremonies wearing a black and white scarf. The sections represented various degrees of mourning. On each side of the hearse were thirty pages with lighted torches. Immediately after the hearse came Czar Nicholas II, wearing the general's uniform, Prince of Wales, King of Greece, Russian grand dukes and their allies, Czernia, Princess Alex. Grand Duchesses Xenia and Olga and large regiments of the nobility of Russia, and every other European country, and the long platform was covered with black cloth, the hearse with white and gold. The coffin, a golden canopy, surmounted by a crown, and topped and edged with groups of three white feathers, stood ready to receive the remains of the dead emperor. Amidst a solemn music of the band, and the chanting of priests and singers, the funeral train rolled into the depot and the body of Alexander III was removed to the hearse with imposing pomp and state. It would be advisable to take a Rigby Waterproof with you if you are going far away from home.

FINAL SAILING.

Black Diamond Line Steamers

To Ch'town This Season.

The S.S. COBAN, due here from Montreal on Monday morning, November 19th, will sail for Harbor Grace and St. John's on Tuesday, November 20th, at 10 o'clock, and produce under deck at lowest possible rates.

For further particulars as to freight and passage apply to PEAKE BROS. & CO., Agents. n15 15

THANKSGIVING BAZAAR

A BAZAAR AND FANCY SALE of Useful Articles will be held

ON THANKSGIVING DAY

—IN—

St. Paul's Schooroom,

Under the auspices of the Young People's Society of Christian Endeavor.

The young ladies will conduct a Refreshment Table in the way of Cake and Coffee.

It will be opened at 3 p. m. on Nov 21. Come one, come all, and if WE get your money YOU get your money's worth. Admission 5 cents.

C. H. WHITE, Secy. n15 15

P. E. ISLAND RAILWAY.

Thanksgiving Day.

Return Tickets will be issued at one first-class fare to and from all Stations on this Railway on WEDNESDAY and THURSDAY, 21st and 22nd November, inst., good for return up to and on November 26, 1894.

D. POTTINGER, General Manager, Moncton, N.B.

A. McDONALD, Superintendent, Railway Office, Ch'town, Nov. 15, 1894. Held pres.

Safe and Sure

If Insured with E. R. BROW Insurance Agent. BROWN'S BLOCK, CH'TOWN.

TELEGRAPHIC.

A Good Statement.

MONTREAL, Nov. 15. The showing of the Bank of Montreal, by its half-yearly statement, is a good one, considering the depressed state of trade the world over. After deducting expenses of management and allowing for bad debts, a profit of \$204,822.10 is shown for the half year, against \$235,000.86 for the same period of last year, which was one of the best banking periods in the history of Canada.

Sir John Thompson.

OTTAWA, Nov. 15. Assurances were given to the Manitoba delegates who were here recently that Sir John Thompson would make a tour through the Northwest and British Columbia, immediately after the close of the next session of Parliament. The delegates promised the Premier a great reception.

A Big Wreck.

ST. JOHN'S, Nfld., Nov. 15. The steamer Thames, from Montreal, reports having sighted a wreck off Ferris, Nfld., 30 miles south of here. The wreck was apparently that of a large vessel.

\$10,000 Stolen from the Workmen.

BALTIMORE, Nov. 15. Mayor Hirsch, of the Order of Workmen, has been arrested, charged with embezzling \$10,000 of the funds of the Order.

General Herbert's Opinion.

OTTAWA, Nov. 15. General Herbert says that Canada's forces are not eligible for the Queen's decoration for long service as volunteers.

Athletics at Cornell.

ITHACA, Nov. 15. The Cornell Athletic Club has voted to send a Cornell crew to England next June.

Failure in New York.

NEW YORK, Nov. 15. The suspension of R. T. Nathan, of the New York Stock Exchange, is announced.

Billiard Match.

NEW YORK, Nov. 15. In the billiard match here the score stands, Ives, 1800, Schaefer, 1082.

WEATHER BULLETIN.

Probabilities Next 24 Hours. Thursday, Nov. 15.—Weather uncertain. "Open and shut, sign of wet." Falling temperature in the West. Raining from Port Huron eastward. It would be advisable to take a Rigby Waterproof with you if you are going far away from home.

Letter From Santa Claus

To GEO. CARTER & CO. I have again decided to make your store my headquarters for Christmas Presents, and have instructed my agents to begin buying from you at once, so as to have a full supply ready for me when I arrive in your city. You will need to provide a great deal of goods for me, as I have thousands of homes to visit in both town and country, and I intend to be very liberal to my young friends this Christmas.

(Signed) SANTA X CLAUS, mark

In reference to the above, we wish to say that we are much gratified at again being honored with the distinguished patronage of Mr. Santa Claus, and we shall spare no effort to deserve his continued confidence. We are importing immense stocks of the newest in Toys and Fancy Goods. So far we have received and opened up 25 large cases of German, English, French, Italian and American Goods. We have 10 cases now due and more to follow. All these are imported direct from the country of production, and are of the latest designs.

GEO. CARTER & CO., Dealers in Books, Stationery, n15 10. Fancy Goods and Toys.

WHEN?

Now.

WHERE?

SANDERSON & CO'S.

HOW?

With a little money.

WHAT?

Why, buy Best Groceries, Wholesale and Retail.

Newson Bleck, Victoria Row.

Ch'town, Nov. 7, 1894—m w f

English Blankets!

Pure Whitneys Arrived Yesterday from England.

Ladies waiting for those goods will do well to visit us at once, so as to have first choice.

Who Wants Cheap Blankets?

NOBODY! What everybody wants is pure "All-wool" ENGLISH BLANKETS at a fair, square price, and PATON & CO'S. is the place to get them. Remember, there's a "Wolf's Tooth" not far off, so be prepared. We are offering ENGLISH BLANKETS same price as Canadian-made Blankets. Why not get the best when they are to be had.

JAMES PATON & CO.

To the Wholesale Trade!

TO ARRIVE THIS WEEK,

500 CASES CANADIAN RUBBER GOODS,

The Largest Importation ever brought to P. E. Island.

THE LOWEST DISCOUNTS GUARANTEED.

J. M. McLEOD & CO.

Charlottetown, November 5, 1894—ly

STOCK OF THE LATE

C. E. ROBERTSON.

Having purchased at a great reduction the stock of Cloths, Gents' Furnishings, Clothing, Underwear and General Merchandise of the Estate of the late C. E. Robertson, today

WE HAVE OPENED THE STORE,

and placed all on the Market, which will be sold at prices that cannot be competed with by any house in the trade. The stock is first-class and in A1 order. Please note that

CASH IS WANTED!

This stock must be cleared, and will be sold 25 per cent. lower than is possible for other dealers to purchase their goods.

C. A. DIXON & CO.

Nov 3—dly

New Beaver Flour.

We have just received several hundred barrels of "Beaver" Flour direct from the Mills, bought at the lowest figure touched yet, which we are offering very low for cash. Now is the time to buy your winter's supply, as Flour has advanced from 10 to 20 cents per barrel at the mills this past week, and won't be as low again this season.

BEER & GOFF.

Charlottetown, November 20, 1894—in the sat

CLOSE BUYERS will find that the inducements offered in the way of CLOSE PRICES in our Mantle Department will make it worth their while to have a look through. THE PRICES are the lowest ever offered for good goods, and the assortment includes the gems of the world's best makers.

STANLEY BROTHERS. BROWN'S BLOCK.

AS FOR FURS,

we have a big stock of the best goods made, and the values offered cannot be surpassed. Fur Capes, Coats, Collars, Muffs, etc.

INSPECTION AND COMPARISON SOLICITED.