

THE DAILY EXAMINER.

JUNE 12, 1894.

THE GRAND JURY.

It is too much the custom of the country to think of the Grand Jury as an institution merely to bring in bills of indictment and pay a perfunctory annual visit to the Jail, Poor House and Hospital for the Insane. Mr. Justice Hodgson has, in the charge which he delivered to-day, forcibly called attention to the fact that a Grand Jury is responsible for the performance of other important duties. A few years ago it was proposed by the Minister of Justice to abolish the Grand Jury. An opinion respecting the proposition was asked of all the Judges, and, if we mistake not, of the Attorney-General in the land. The result was such a strong and decided expression of opinion in favor of its retention that the proposition was dropped. The Grand Jury is invested with inquisitorial powers, and is bound to call attention to wrongs against the public for which private individuals may not deem it to be their duty to prosecute or which may have escaped the notice of the officers of the Crown or been neglected by them. His Lordship has done well to point out to the Grand Jury the too numerous infringements of private persons upon the public highways and the all too unheeded and universal violation of the Canada Temperance Act. It is to be hoped that the Grand Juries of the future will be stricter in the performance of what we may term their extra-judicial duties than they have been in the past. There is a case of which the Grand Jury of Prince County might now well take cognizance. A few months ago an unnamed man named Melanis, in charge of one who was supposed to be a constable, saw an opportunity to escape and made a break for liberty. The supposed constable—it is said that he was not really a constable—thereupon drew a revolver, fired, and inflicted a wound in the thigh and groin, which, but for the skill and great care of Dr. Moore, must have proved fatal. The shooting was wholly unnecessary, as the prisoner could not then have escaped from the jurisdiction of the Province. Everyone supposed that the man guilty of this barbarous outrage would have instantly been prosecuted and punished. But no action has yet been taken by the authorities. The constable has gone unwhipped of justice, and he, or others like him, in the future repeat this offence, and, perhaps, kill a man. This is a case in which the independence of the Grand Jury may well be asserted in the interests of the people, and in which they may well exert their power to "examine into and present any charge with the infraction of the laws."

THE SUPREME COURT

Opens at Summerside To-day.

Able Charge to the Grand Jury by Mr. Justice Hodgson.

(SPECIAL BY TELEPHONE.)

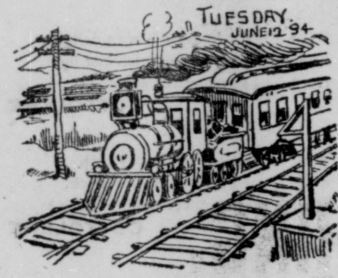
SUMMERSIDE, June 12. The Supreme Court opened here this forenoon. Mr. Justice Hodgson presiding. The Grand Jury is composed as follows: Peter Duffy (foreman), John Squarbrick, Martin Wright, John T. Murphy, Thomas Woods, Andrew Bowness, Michael McLaughlin, William Wright, Michael Ellsworth, Henry Perrill, Peter Steady, John Woodside, Joseph E. Richard, William Dreighan, Alexander Robie, John McLowrin, Malcolm Inman, William McLean, Samuel McKinnon, Sylvian Gallant, D. Carr Smith.

The charge of Judge Hodgson to the Grand Jury was one of the ablest ever delivered in this Province. It was listened to with the deepest attention, and those who heard it are of one mind that it was a powerful and timely utterance. We append a necessarily imperfect summary report:

He first referred to the two offences charged, for which the Grand Jury would be required to find bills of indictment. These are the very serious offences of breaking and entering the barn and stable of Mr. Wm. H. Barlow and stealing a sleigh and harness, and also breaking and entering the store of Joseph O. Arsenault, Esq., and stealing therefrom a quantity of goods. The persons charged had admitted their guilt, but notwithstanding that admission, he thought that the evidence of the witnesses in the case ought to be taken by them. He then reminded them that the words of the oath which had been administered to them required them to present all things truly as they came to their knowledge, and said that this was not a mere empty formula. They were drawn from all parts of the County, and were chosen by reason of their position and intelligence, and they were required to bring in bills of indictment which were submitted to them, but as the Grand Inquest of the County to examine into and present anyone charged with the infraction of the laws, in respect to which private individuals are not particularly interested, but in which the public rights are invaded. Of this class of cases are encroachments on the Queen's highway where, although some individuals may be inconvenienced, it is not so much an extent as to lead them to incur the trouble and expense and risk of a prosecution. Again there is the Canada Temperance Act. It is openly declared by the newspapers that it is constantly and shamefully violated. Opinions may differ as to the wisdom of that law. But the law, as it is, must be obeyed. To magistrates have been entrusted a portion of the royal prerogative enabling them to deal with offences and to impose the fines and penalties which the offenders have incurred. Constables are armed with authority to enforce these penalties and collect these fines. Protection is given to witnesses. Funds are provided for their expenses. If there is collusion there is tampering with witnesses, there is neglect and disregard of duties—the Grand Jury is, of all bodies, the best constituted to examine into and call attention to such a state of things. Even though it does not extend to the question, does it exist at all? By virtue of their oath, Grand Jurymen are bound to make presentment of such offences, whether they are known to them, or any of them. This duty he pressed upon them. They are also empowered to inspect public buildings and enquire into matters which affect the public. In this connection he referred to the disease known as tuberculosis—a disease among cattle identical with that which is known as consumption in the human kind. It is widely distributed and infectious. The disease can be conveyed by means of the milk of an infected cow to a human being, and it is taken by one animal from another. He gave a minute description of tuberculosis and pointed out that it could be known, beyond doubt, by the application of the lymph or tuberculin discovered by Dr. Koch. From 27 to 54 cents is injected into a cow under the skin just behind the shoulder blade, no matter where the disease is situated, or however early its stage, its presence is made known by a rise of the animal's temperature, which is taken by a clinical thermometer. The operation is simple and almost absolutely painless. If the animal's temperature is taken before the injection, in order to see what the normal temperature is, and then taken every two or three hours afterwards, for twenty-four hours, a rise of 4 or 5 degrees clearly shows that the animal is infected. There is no hope of curing the disease. The farmer's duty is to slaughter the animal. At the Central Experiment Station in Ottawa, experiments in respect to the disease are being carefully carried out, and bulletins, from time to time, issued, in which the results are given. Information upon any of these points is fully and freely given upon application. Provision should certainly be made against the sale of diseased cattle. This is a matter for the Legislature. But it is desirable that the serious attention of all those who desire to protect their families and the country from the spread of a dread disease. His Lordship then referred to the question of taxation, pointing out that taxation is an incident to every Government. A Government can no more exist without a revenue than a man can keep house without an income. Every citizen is morally and legally bound to pay the taxes that are properly levied. As Master of the Rolls he would have much to do in carrying into effect the Assessment Act, 1894, so far as it related to the sale of land for which the taxes have not been paid. A land tax was levied here over a hundred years ago. Each few years the existing rates were amended, until about fifteen years ago, when this tax was abolished. During its long existence the result never was satisfactory, and the legal proceedings instituted against the property that was in default resulted in little if any return to the public treasury. Not that money was not obtained, but it was wholly or nearly wholly interest paid by the officials of the law in enforcing the sale, and absorbed in the payment for costly and useless legal proceedings. The remedy is obvious. Let the revenue laws be plain and simple. Dispense with all useless and unmeaning forms and technicalities. Give to the officers who execute the power information to enable them to perform their duties, and when the law is once perfected and the officers have become familiar with the routine of their duties under it, let it stand upon the statute book, and abandon the system of annual changes in the details of the law. When these suggestions are acted upon, then

will a tax title cease to be a by-word among land-owners and land-dealers, then will Courts no longer remark, in opening the discussion of a tax cause, "This title is of that kind almost proverbially known as a collector's title," as expressing a case of doubt and difficulty. Under the present law, the old mode of procedure is what is attacked and if possible has been made that the tax sales may take place under the supervision and by the direction of the Court of Chancery. Not only does the practice of that court enable it to bring its cases to hearing and to judgment with far greater promptitude and less delay than any other court, but the cost of procedure in it is less than that of any other superior courts in the Province. To give a wider liberty and to enable ample provision being made against mistake or oversight, the court is permitted to frame its course of procedure and to vary it from time to time, so that all rights may be protected and if possible no hardship may be done. The lands of those who fail to pay their taxes may be sold, and the tax sales are to be no longer Ministerial, they are to be Judicial. They are no longer the act of the Sheriff, they are the act of the Court. When the Sheriff has knocked down the land to the highest bidder he has no power to execute a deed. The Court proceeds to execute without the assistance of Counsel or the expense of solicitors, every step in the proceedings from the first notice of default until the sale by the sheriff. If every step is found to be regular, even then six months must elapse before the deed may be executed, in a last hope that the delinquent may come in and pay the tax and redeem his land. If it does not, then the sale is approved of. The purchaser need have no fear as to the validity of his deed. It has been executed, not merely under a statutory power, but by virtue of what is far higher value, by virtue of what is practically a decree of the Court of Chancery declaring that it has been well executed. Once executed, all the securities, mortgages and liens are gone from the land, the purchaser holds it as free and unincumbered as though he were a grantee from the Crown. Presiding over the Court of Chancery, it would be his duty to see that these principles are adhered to, and to keep down the costs to the smallest amount. In concluding, the learned judge paid a touching tribute to the memory and character of the late Mr. Justice Hensley. He referred to his long service of the Province as Leader of the Government, Leader of the Opposition, Attorney-General and Chief Justice, and mentioned the fact that he waived his right of promotion to the Judiciary in favor of a political opponent, and that it was only the insistence of his colleagues in the Cabinet which compelled him to accept the position to which he was entitled. When, by the failure of a bank, all his means, the savings of a lifetime, were swept away from him and he was left a poor man, all that was left to him being the salary of a Judge, he never uttered a word of complaint. His gentle, loving disposition seemed incapable of a harsh or unkind word. All knew him as a just, an incorruptible judge. Some months ago it became apparent to his friends that his health was failing. His colleagues on the Bench spared him all that they could. He hoped that a long rest would have enabled him to be returned, and that then, having resigned, he might spend some remaining years in peace and quiet retirement. But it was not to be so. The eager mind and the anxious brain were too much for his worn-out, weakened body. The doctors hoped that a change of scene and climate would have helped to restore him. But they hoped in vain. This day month the message came to him, and he folded the tired hands upon his breast, and ere he closed his eyes in the long sleep, looked his last upon a strange land as the silver cord was loosed and the golden bowl was broken in a foreign land, and among strangers, and alone, save only the faithful love which ministered to his misery and heart-broken desolation that it was. His lordship did not suppose that any Judge ever lived who had a greater anxiety to do right and administer exact justice than Judge Hensley, nor any man who was more gentle and loving.

WORTH A GUINEA A BOX! BEECHAM'S PILLS (Tasteless-Effectual.) BILIOUS and NERVOUS DISORDERS. Such as Sick Headache, Wind and Pain in the Stomach, Giddiness, Fullness, Swelling after Meals, Dizziness, Prostration, Chills, Flushings of Heat, Loss of Appetite, Shortness of Breath, Costiveness, Gravel, Blotches on the Skin, Indigestion, Sleepless Dreams, All Rheumatic Affections, and Irregularities Incident to Ladies. Prepared by Dr. J. C. Beecham, 11, Manxell Street, London, E.C.



To-day the Train Despatchers of America meet in convention in Chicago.

The enormous extension of our railway system which now grids every State and Territory and the Canadian provinces from the Atlantic to the Pacific, makes every general gathering of railroad men an important affair. Matters of special interest to this branch of railway service will be discussed by the delegates.

While our railroad friends are despatching trains, buyers are making a bee line for the Star Tailor for their best Suits. The Star Tailor don't wish to have it understood that he wants the earth; he simply wants your best Suits to make. By acting on this advice you save money, as well as have something that gives you a creditable appearance.

JOHN T. MCKENZIE, jun 12

BIG WESTERN TEA And Excursion.

The Ladies of Sacred Heart Parish, Albert, will hold their Big Tea On Wednesday, July 18. They know how to make Tea, and they will easily (weather permitting) be the best of the season. Have a peep at the beautiful West at small cost. Excursion rates later.

J. P. BRENNAN, Secretary.

Alberton, June 12, 1894—cod & wy

MILITIA.

Sealed Tenders for the supply of clothing for the Militia, viz: Tunics, Trousers, Great coats and caps; Militia store supplies and accessories, consisting of Boots, Gaiters, Socks, Drawers, Socks, Iron Belts, Caps, Braces, Saddlery, Horses, Saddles, etc. Tenders to be sent to the Hon. Secy. of Militia, Ottawa, on or before the 15th inst. Tenders to be received up to noon on THURSDAY, July 13th. Tenders to be sealed in envelopes, and to be addressed to the Hon. Secy. of Militia, Ottawa. Each contract for clothing is to cover a period of three years from the 1st July, 1894. The material to be used is to be of Canadian manufacture, and of the following quality: Tunics, etc.—The quality of the material to be of the best. The quality of the material to be of the best. The quality of the material to be of the best.

PERSONAL.

Mrs. L. H. Davies has returned from Ottawa. Lieutenant-Governor Howland left yesterday morning for Montreal.

I. O. O. F.—A special meeting of Port Hope Encampment will be held this (Tuesday) evening at 8 o'clock. All members of the Grand Encampment of the Maritime Provinces, and to confer G. R. degree.

Important Notice.—The extensive auction sale of superior furniture, carriages, &c., at the late residence of the Hon. Judge Hensley, will take place on Wednesday and Thursday, the 27th and 28th June instant, of which the particulars will be given in K. Beniaro, auctioneer.

Thousands of new patrons have taken Hood's Sarsaparilla. This powerful medicine realized its benefit in blood purified and strength restored.

LOCAL NOTICES. Advertisements in this heading charged for at the rate of ten cents per line.

We wish everyone in country and city to call and see our new stock of crockery, which we are selling so cheap at W. P. Colwell's. This week Children's suits, 100 suits each for 75 cents each; 150 do. for 85 cents each; 100 do. for \$1.00 each; 200 do. for \$1.50 each. If you want to see the cheapest pile of children's suits in town, call on Prows Bros. the wonderful cheap men.

FOR SALE.

"Newstead House," Upper Prince St., residence of the late Judge Hensley. For particulars apply to F. L. HASZARD, Office of Davies & Haszard. may 23—tu frif

OPERA HOUSE.

Wednesday Evening, June 13th, under the Auspices of the Caledonian Society. The only appearance in this city of the celebrated Scottish Singer and Tenor of the Adelphi Patti Concert Company, assisted by Mrs. Lely, Pianist, in Song and Story of Scotland. Tickets, 35 and 50 cents. Plan of Hall at Dodd's Drug Store. Plan of Balcony at Rankin's Drug Store. Sale of tickets begins Friday morning at 10 o'clock. June 7—th sat tu

DURWARD LELY.

The celebrated Scottish Singer and Tenor of the Adelphi Patti Concert Company, assisted by Mrs. Lely, Pianist, in Song and Story of Scotland. Tickets, 35 and 50 cents. Plan of Hall at Dodd's Drug Store. Plan of Balcony at Rankin's Drug Store. Sale of tickets begins Friday morning at 10 o'clock. June 7—th sat tu

FREE FROM ALL

vexatious conditions and restrictions are the Policies issued by the

CANADA ACCIDENT ASS. CO.

E. R. BROW BROWN'S BLOCK, CH'TOWN. AGENT FOR P. E. ISLAND.

TELEGRAPHIC.

SPECIAL DESPATCHES TO THE EXAMINER

FLOODS IN BRITISH COLUMBIA

Are Not So Bad as Reported

There Has Been No Loss of Human Life.

OTTAWA, June 12. Yesterday His Excellency received a message from Governor Dewdney stating that the effects of the British Columbia floods had been over-estimated, that the greatest loss was in this season's crops, that no lives had been lost, that at the time of telegraphing there was little or no loss of stock having been destroyed, and that the local government would wire to His Excellency any further information they might obtain.

The Dominion Government has decided to admit free of duty all goods required by the British Columbia settlers for re-cropping.

A Weak Brother.

FREDERICTON, June 12. Rev. Clarence McCully, who assists Bishop Kingston in the Cathedral in this city, is in trouble. The precise extent of his affliction, if he has offended at all, cannot be ascertained. But his relations with a handsome young woman in this city have occasioned a good deal of gossip. Mr. McCully cannot remain here, and it is understood that he will go to Baltimore and give his attention to law. He was a law student before his ordination as a clergyman. He is considered one of the most brilliant and effective preachers in the Province. He is a son of the late Judge McCully of the Supreme Court of Nova Scotia.

Newfoundland Revenue Laws.

St. John's, Nfld., June 12. The Revenue Bill expired yesterday. But the Government will continue to collect revenue next month "the same as at present. Not much trouble is anticipated. The Customs officials all over the island were instructed to enforce regulations as formerly. There is no disposition on the part of the public to cause any trouble. Nine-tenths of the importers pay the duties without question.

Louisburg as a Canadian Port.

OTTAWA, June 12. In the House of Commons yesterday, replying to a question by Mr. Gillie, agent the terminus of the Fast Atlantic Line, Hon. Mr. Foster said that the Government had not forgotten that the committee reported in favor of Louisburg as a safe harbor and the nearest Canadian port to Europe.

A Sultan Gone.

LONDON, June 12. Advice received here say that the Sultan of Morocco died June 7th, and that the army has proclaimed his son Mulai Abdul his successor. Private advice says the late Sultan was murdered.

Movements of H. M. S. Blake.

HALIFAX, N. S., June 12. H. M. S. Blake leaves here on the 7th August for St. John's Nfld., in connection with the fishery protection service. She will return to Halifax before going to Quebec.

NEW MAGAZINES FOR JUNE.

Munsey's, Harper's, Cosmopolitan, Review of Reviews, Frank Leslie's and many others.

Also, lots of Illustrated Papers. The daily, weekly and Sunday editions of the leading American and Canadian Papers.

Call and get Bargains to-night at Carter's Bookstore.

HARD COAL!

Landing per Schooner "Alaska," 235 TONS HARD COAL, which will be sold low whilst landing. This is a good time to buy, as Coal is advancing.

C. LYONS, Queen's Wharf.

Horses Wanted.

Twenty to thirty Horses wanted, weight from 1100 lbs. upwards, for which I will pay the highest market price, and will be at P. S. Brown's, Central Hotel, Tuesday and Friday next. OLIVER MASON.

YOU CAN BUY

a Barrel of GOOD SOUND FLOUR for \$3.25 at BEER & GOFFS.

"Month of Roses and Weddings." Bridal Trousseau entire may be selected in our Store. No need of one's sending elsewhere for anything. We provide everything (except shoes), from the bare fabrics to the making and fitting of the finished costumes in the most skillful manner by the best designers, and executed upon short notice. Also all the little accessories of a wedding toilette. BRIDAL SILKS—The largest assortment of such Silks in the city—New Goods. Bridal Veils, Bridal Gloves, Bridal Trimmings, Bridal Laces, Bridal Lingerie, and above and beyond all, the Carpet for the Bridal Chamber and the Linen for the Banquet. Every fancy can be satisfied here, and a lady's fancy should be indulged at her wedding time, if ever. Ask to see our \$1.50 Silk. It's an A I tip in Silk, as you can feel the weight and finish with the tip of your fingers.

Stoddard's Photographs! THE SERIES NOW COMPLETE! Sample Portfolios, containing Sixteen Photographs, 10 cents each. THE EXAMINER PUBLISHING COMPANY.

Might as well wear white silk in a coal mine as use poor tobacco in a meerschaum. One's as sensible as the other. MASTIFF PLUG CUTS the thing. It will give the pipe a rich handsome color and YOU'LL get an enjoyable smoke. J. M. McLEOD & Co. Are offering Tan Colored Footwear at prices that will surprise you— Better see them before they are all gone.

WIDE AWAKE AND BUYING WOODHILL'S GERMAN BAKING POWDER, which costs so much less, and quality guaranteed pure and wholesome. Or Still Asleep. And paying for Baking Powder in Tins, which are useless when emptied. YOU CAN BUY a Barrel of GOOD SOUND FLOUR for \$3.25 at BEER & GOFFS.

REAL ESTATE, BRIGHTON, House & Land, Furniture, &c. For Sale by Auction. I am instructed by Edward Bayfield, Esq., to sell by Auction, at the premises, Brighton, on WEDNESDAY, the 13th day of June, instant, at 11 o'clock, a. m.: That desirable property situate at Brighton, being part of the estate of late Admiral Bayfield, at present occupied by William A. Weeks, Esq., J. C., comprising three acres of land, with large Dwelling House, Stable and Outbuildings, all in good repair. The House is heated with hot water. TERMS—One half down; balance may remain for a term of years at interest at five per cent., secured by mortgage. R. BEARSTO, Auctioneer.

REMEDY FOR CUTWORMS. A WRITER in the Scientific American states that the patent salts, such as kainit, have proved of the greatest value against many subterranean insects, and undoubtedly will be of value against these cutworms. They have the additional advantage of being good fertilizers, so that their expense as insecticides is more than offset by their value to the crop and to the land. It is well, where fields are badly infested with cutworms, to plant thickly, so that two or three young corn plants may be spared from each hill without seriously affecting the crop. It is also wise, on general principles, to keep fields that are to be planted to corn thoroughly clear and clean of weeds and other vegetation during the fall; and in this light fall ploughing becomes extremely important, as most of the cutworms are hatched the previous year and hibernate as partly grown larvae. One of the most successful methods of getting rid of cut worms is by the distribution of freshly cut clover or other succulent vegetation poisoned with Paris green and made into balls, or gathered into masses, so as to prevent their too rapid drying. One mode of accomplishing this last object is by covering the poisoned plants with boards. These poisoned balls, if placed at intervals along the corn rows, will attract a large proportion of the cutworms, which, by feeding upon them, will perish. For smaller areas, or for garden patches, the same method may be followed, or the larvae may be unearthed from about the base of the plant, where they retire for concealment during the day. Another method is to take a smooth walking can and make smooth holes several inches deep at intervals, going over the same ground every day and punching in these holes to destroy the worms which seek them during the day as a place of concealment and tumble in.

Positively the last chance—All fishing rods at Dodd's Medical Store will be cleared out at cost.

112 St.

Wool Challies for Blouses and Dresses.

Cream, Red, Black and Navy Grounds, in Bordered, Striped and Figured. These goods are regularly worth 42 cents. Our Price, ONLY 35 CENTS A YARD.

STANLEY BROTHERS, BROWN'S BLOCK.

English Trimmed Millinery, Cheap.

\$3.00 is a low price for a pretty, stylish English Bonnet. We have them for that; other prices \$4 up, and all are worth nearly double the money. Hats \$2.50 up, and all are marked at prices sure to clear.

STANLEY BROTHERS, BROWN'S BLOCK.