

THE DAILY EXAMINER
FEBRUARY 2, 1883.

The King's County Election Case.

CHIEF JUSTICE PALMER last evening delivered his long delayed decision in this case and dismissed Dr. Muttart's petition with costs. The grounds upon which the learned Judge based his decision are:—

- 1. That the evidence did not prove corrupt treating, as it is the custom in King's County to use liquor and treat the people during elections.
2. That even assuming that this custom is contrary to law, the treating complained of was not done by an agent specially authorized by Dr. McIntyre to do so.
To understand the full effect of this decision, it is necessary to give a short history of the case that gave rise to it. During the last Dominion election the G. in King's County supplied liquor to a large number of electors gratuitously or, as one of themselves said on the witness stand, for "old friendship." Open houses were kept in Souris up to election day, and an open house was kept at Dundas on election day. The sets were charged to have been a violation of the election laws, and a petition was filed by Dr. Muttart to have Dr. McIntyre's election set aside. This petition was tried before Chief Justice Palmer at Georgetown on the twelfth of December last, and judgment was reserved. At the trial it was proved that two or three days before the election, Mr. James R. McLean, the financial agent of Dr. McIntyre, accompanied by a man named James Keefe, took a canvassing tour through a portion of King's County, and while McLean did the canvassing, Keefe treated the voter to liquor. Both McLean and Keefe occupied the same wagon, and men were called out of the fields to the road and there canvassed by McLean and treated by Keefe. Every house on the road was visited, and the voters canvassed, and the men and women and children treated. Every man met on the road was canvassed and treated except one, and that one was a lad of seventeen or eighteen—not an elector, and he was not offered a drink. On the day before the election, the same, R. McLean, the financial agent of Dr. McIntyre, and a man by the name of Andrew Whelan, went through the same performance in another part of the County. Men, women and children, whom they met were offered a drink, and if they would take it, got it. It was shown that on election day, an open house was kept at Dundas, a short distance from the polling booth. Here liquor was given to the voters after they had voted.
These are the facts of the case which are not denied. The question—to be decided was—did they amount to sufficient ground to set aside the election for corrupt treating. Chief Justice Palmer has decided that they do not and that this was not treating within the meaning of the Election Law because it was the custom of the people of King's County to supply liquor gratuitously. This is a most extraordinary proposition, and one that must be received with surprise not only here in this Province but also throughout the Dominion of Canada. We were under the impression that the Dominion Election Law was passed by the Parliament of Canada expressly to do away with this "custom of the country;" but according to this decision the object of Parliament has entirely failed and the "custom of the country" must be upheld notwithstanding that the laws of Canada say otherwise.
The other ground of the learned Chief Justice's decision, viz: that the financial agent exceeded his authority, we need not refer to. We consider that the decision on that was entirely unnecessary inasmuch as the acts committed were, according to the Judge's view, perfectly legal. We venture, however, to suggest that the learned Judge has very far exceeded his jurisdiction and authority when he took notice of the "custom of the country." His duties are to administer the laws of the country as the Parliament of Canada has enacted them, and not to uphold a custom which is not only contrary to those laws, and in direct violation of them, but also against the peace and good of society.
The Chief Justice states in his judgment that during the trial he was inclined to believe that the treating complained of was done corruptly. This belief was formed at a time when the evidence and the manner and demeanor of every witness was fresh in his mind. But, now, after an interval of six weeks, when the evidence and demeanor of the various witnesses has become stale in his mind, he has reached an opposite conclusion.

Civic Matters.

AFTER the elections the first meeting of the City Council is always particularly interesting. Last night's meeting was not an exception. The Council Chamber was packed with an eager crowd. The interest citizens have in the "first meeting" is usually due to the fact that the "policy" of the year is laid down and explained. But the intense interest surrounding last night's meeting was due to quite a different cause. The meeting was called to dismiss Mr. H. B. Smith. Mr. Smith is a popular official and he is certainly energetic and painstaking. No charge had been preferred against him. Yet the Council met to dismiss him off hand; and they did so. We regret that we cannot congratulate the Council on the justice of their pro-

ceeding or on the dignity with which they conducted it. Public opinion respecting it was clearly indicated by the overcrowded Council Chamber. But we are not of those who believe in hastily condemning men. Let the rev Council have a fair trial. They will have to do better if at the end of the year they wish to meet with the approval of their constituents. The day is passed when the "spoils system" will be tolerated in Civic affairs. We expect the Council to serve us in public matters and not to dismiss public officials without cause for the purpose of serving a personal grudge and promoting the interests of a personal friend.

The resignation of the City Clerk will be read with great regret. Mr. Morrison is a very efficient officer in whom the citizens have perfect confidence.

City Council.

A meeting of the City Council was held last evening. There were present: His Worship the Mayor presiding, Councillors Morris, Koughan, Douse, Davy, Crabbe, Ladner, Lea, Horne, and Tanton.

The following letter was submitted and ordered to be laid on the table:—

To His Worship the Mayor and Council, GENTLEMEN,—I beg to tender my resignation of the Office of City Clerk, requesting that such resignation be accepted on or before the 15th day of March next.

I am, gentlemen, Your obedient servant, W. B. MORRIS.

It was ordered that tenders be called for pumps and wells, for a term of three years. A letter from the School Trustees demanding payment (as per their estimate of School expenses) for the first six months of 1883, was submitted; and a Committee was appointed to confer with the School Board respecting the matter.

COUNCILLOR HORNE moved, seconded by Councillor Ladner:—

Resolved, That we dispense with the services of Mr. H. B. Smith as City Surveyor, and that he immediately be notified of this decision by the City Clerk.

Council divided, Ayes, Davy, Douse, Horne, Ladner, Tanton, 5; Nays, Crabbe, Koughan, Lea, Morris, 4.

COUNCILLOR DAVY moved, seconded by Councillor Tanton, that Mr. George Douglas, be appointed City Surveyor at a salary of \$300 per annum.

COUNCILLOR CRABBE moved, seconded by Councillor Koughan that H. B. Smith be appointed at a salary of \$300.

Council divided on the amendment:—Ayes 4; Nays 5.

COUNCILLOR CRABBE moved, seconded by Councillor Koughan, that Mr. Walter Lowe be appointed Surveyor at a salary of \$300 a year.

Council divided, Ayes 2; Nays 7.

COUNCILLOR MORRIS moved, seconded by Councillor Koughan, that Mr. James McNally be appointed at a salary of \$300 a year.

Council divided, Ayes 2; Nays 7.

The original motion was then put and carried, 5 voting for and 4 against.

COUNCILLOR CRABBE gave notice that at the next meeting he would move to reconsider the appointment of Mr. Douglas. Council adjourned.

Meteorological Notes.

THE mean temperature of January just past, was 9.19, or more than six degrees below the average of eleven years.

The highest temperature was 39.7 on the 21st, and the lowest 15.7 below zero on the 6th.

The thermometer on nineteen days of the month was at some time below zero.

Heavy snow storms were infrequent, the wind was not high, and there was much more than the usual amount of sunshine, so that notwithstanding the low temperature, the month was a fine and pleasant one.

The month of January, 1875, was only a little more than a degree colder than the above, viz: the mean temperature being 8. But, coupled with this, the wind was unusually high, and the snow was very deep, that for the remainder of the month, after the 8th, when there was a heavy snow storm, the roads became impassable, and communication with distant points was kept up only at intervals, and with the greatest difficulty. It is believed to have been the most severe time experienced in this Island for many years.

Approximating to the above temperature was that of February, 1858, the mean being only 9.96. In contrast was January, 1874, with a mean of 21.77 or 12.58 warmer than January, 1873.

H. J. CUNDALL.

C. S. MAYO, Esq., manager of the Merrimac Paper Co., Lawrence, Mass., was troubled with rheumatism in the ankle which St. Jacobs Oil cured in a few hours.

THE Tignish train ran off the track at Wellington yesterday. It was replaced during the night, and arrived in this city about three o'clock this morning.

THE Carnival at the Diamond Grocery was a complete success. Many thanks friends and customers. "Anti-Humbug" must have bought Kerosene at the Diamond. He don't want to return to the Dark Ages.—D. MACEACHERN & Co., 85, North Side Queen Square. [Feb 2]

We are pleased to learn that the Carnival will be repeated to-morrow night for the benefit of the poor.

"The farmers all say, that for man and beast, they find nothing equal to St. Jacobs Oil," writes Hon. S. H. Yoder, Globe Mills, Pennsylvania.

THE regular meeting of the Educational Institute, will be held this evening at 7.45 o'clock, in the West Kent Street School Building. Rev. G. W. Hodgson will read a paper on "How best to promote a taste for good reading."

LOVERS of Orchestral Music will enjoy a rich treat at the Y. M. C. A. Hall, this evening. See programme in another column.

We mails left Cape Tormentine for Cape Traverse at 1.30 this p. m. No boats crossing from Cape Traverse to-day, owing to strong tide and heavy winds.

THE Lowell, Mass., Courier says:—"The healing properties of St. Jacobs' Oil are becoming better and better known every day, and its sale is increasing correspondingly."

TELEGRAPHIC NEWS.

[SPECIAL DESPATCHES TO THE EXAMINER.]

The Inman Line Docks Destroyed.

NEW YORK, Feb. 2.

The Inman Line Docks, which are the largest at this port, were destroyed by fire yesterday. The steamer "Egypt," the ship "Henry," and a number of small vessels were somewhat damaged. The loss is estimated at from \$500,000 to \$1,000,000. The fire was lit by a spark from one of the laborers' pipes.

Mr. Chamberlain on Irish Affairs.

LONDON, Feb. 2.

The Right Hon. John Chamberlain, President of the Board of Trade, while speaking at Swansea, yesterday, referred to the present state of Ireland, spoke four hours on the subject. He said the recent legislation enacted by the British Parliament would settle affairs in Ireland. Great Britain could not afford a Poland, and if it were necessary a firm hand would be used.

Austria and Russia.

LONDON, Feb. 2.

Austria is negotiating with Russia for the occupation of Bosnia and Herzegovina.

The Dublin Conspirators.

LONDON, Feb. 2.

A fund has been started in London to aid in the defence of the parties recently arrested in Dublin for conspiracy.

Ontario Legislature.

OTTAWA, Feb. 2.

The Ontario Legislature has been prorogued.

Weather Bulletin.

Probabilities for the next 24 hours for the Maritime Provinces.

TORONTO, Feb. 2—10 a. m.

Fresh north-westerly to westerly winds; fair to clear colder weather.

CORRESPONDENCE.

We do not hold ourselves responsible for the opinions or statements of our correspondents.

Weather Probabilities.

To the Editor of the Examiner.

SIR,—My attention having been drawn, by a gentleman of the city, to the fact that the "weather probabilities" for January, issued by the Meteorological Office, Toronto, for the Maritime Provinces, were verified almost to the letter, I have compared them with the records of my tri-daily observations at Charlottetown, and find that in no case was there a total failure. One inch and a half of snow fell on the 25th which was not predicted.

Yours truly, H. J. CUNDALL.

A Literary Critic.

To the Editor of the Examiner.

SIR,—In the days of Dr. Johnson and other learned English critics, English prose literature was purified by their keen criticism; but lo! a greater than Johnson has suddenly appeared like a flaming comet from the literary vault, and made a furious attack upon the "Mill View secretary," (small s.)

But surely a "Literary Revolution" is pending when such a "Student" appears to criticise literary productions. Now, is it against the Secretary of the Mill View District, or of the M. V. L. Institute, he directs the shafts of criticism? He says the "Mill View secretary" (small s.) Truly this speaks volumes for "Student."

He has attempted to analyze my report, and did not discover one mistake either in grammar or composition; but in endeavoring to criticise what was far beneath his depth, he has made errors, which any school boy could easily point out. A proper name always begins with a capital letter, but poor "Student" was, probably, not aware of that fact.

He informs us that "one of the grand objects of a Debating Society is to improve the hours during which the meeting is assembled." Now, of all absurdities, is not this the chief? He is not content with trying to bring about "A Literary Revolution," but he wishes to revolutionize time. We know it is possible to improve our intellects in a Debating Society; but how to improve the hours is beyond the limits of our comprehension. What does this literary Hercules propose to do? Does he intend to lengthen the hours to seventy minutes, or what?

In conclusion we would strongly advise "Student" to seek the retirement of his own chamber, and there learn the tasks prescribed by his teachers, who would, doubtless, instruct him on the use of capitals, and the improvement of the hours.

I am Sir, Yours respectfully, J. W. YOUNG, Secretary of the Mill View Literary Institute.

Mill View, Jan. 29, 1883

We would remind our readers that the Orchestra has supplied its music for some time past, for the public good, gratuitously. Therefore give them a bumper service to-night, and let them see that their past services are not forgotten.

T. C. JAMES, Esq., left yesterday, on a short visit to Nova Scotia.

TICKETS for the Orchestra Concert for sale at Fletcher's Music Store, and Fraser & Redden's.

A. C. McDONALD, Esq., left for Ottawa to-day.

ORCHESTRA Concert to-night.

A MEETING of Prince Edward Council, Royal Arcanum, will take place at Dr. Johnson's, this (Friday) evening, Feb. 2, at 7.30 p. m., for the installation of officers.

W. & A. BROWN & CO.

WILL close out (during the month of January and February) the balance of their large Stock of

WOOLLEN GOODS,

Including Shawls, Squares, Clouds, Scarfs, Children's Hoods, Ulsters and Underwear, Ladies' Vests, Mitts, Cuffs, Hosiery, Gents' Cardigan Jackets, Gloves, etc.

Fur Goods, Dolmans, Mantles, Ulsters, and Millinery Goods.

Also, the remainder of their Choice Stock of Scotch, Brussels, and Tapestry Carpets and Hearth Rugs,

AT A LARGE DISCOUNT.

GREAT BARGAINS MAY BE EXPECTED.

Ch'town, Jan. 18, 1883.

JANUARY.

ANNUAL CLEARANCE SALE, BEFORE STOCK TAKING.

J. B. MACDONALD will, during this month, clear out lots of Goods in every Department:

- A Lot of Ladies' Dress Goods,
A Lot of Clouds and Scarfs,
A Lot of Men's Scarfs,
A Lot of Tweeds and Heavy Cloths,
A Lot of Mantle and Uster Cloths,
A Lot of Fur Caps Mitts and Gloves,
A Lot of Men's and Boys' Ulsters,
A Lot of Winceys and Flannels.

J. B. MACDONALD.

Also, 100 Chests of Fine Congou Tea, very cheap, by the Chest or Package.

J. B. MACDONALD,

Ch town., Jan. 10, 1883—wly pat, pres ne

QUEEN STREET.

WEST INDIA WAREHOUSE!

WINTER 1883 STOCK

- 50 Bbls. GRANULATED SUGAR,
50 do. CONFECTIONER'S A SUGAR,
25 do. VACUUM PAN do.,
150 do. YELLOW SUGARS (Assorted),
10 Hhds. WEST INDIA SUGAR,
2 do. VACUUM PAN do.,
50 Puns. CHOICE MOLASSES,
10 Pieces GOLDEN SYRUP,
100 Bbls. PASTRY FLOUR (Hexal),
300 do. PATENT PROSSER FLOUR,
1000 do. SUP. EXTRA MARITIME ROSE,
100 Half Chests CONGOU TEAS,
30 do. INDIA TEA,
50 Caddies TOBACCO,

AT LOWEST WHOLESALE PRICES.

HORACE HASZARD.

- 100 Quintals LARGE CODFISH,
50 do. No. 2 do.,
100 do. No. 1 HAKE,
20 do. No. 1 HADDOCK,
50 Bbls. No. 1 HERRING,
50 do. No. 2 do.,
25 Half-Barrels No. 2 HERRING,
10 Cases PRESERVED SALMON,

FOR SALE BY

HORACE HASZARD.

- TIN PLATES INGOT TIN, etc.,
750 Cases TIN PLATES, 14 x 20,
250 do. do. 10 x 14,
80 Ingots REFINED TIN,
50 Pigs SOFT LEAD,
5 Bars SQUARE COPPER, 1 1/2 and 1 1/4 in.,
1000 Cases TALL (1 lb.) CANS,

FOR SALE BY

HORACE HASZARD.

- 2 Tons WHEAT SHORTS,
2 do. do. BRAN,
1 do. CHOPPED FEED,

FOR SALE BY

HORACE HASZARD.

WHITE COTTONS, GREY COTTONS, PRINT COTTONS, PLAIN WINCEYS, GREY BLANKETS, WOOL UNDERCLOTHING,

AT LOWEST WHOLESALE PRICES.

HORACE HASZARD

Lower Water Street.

Charlottetown, Jan. 4, 1883—1m

TO LET,

The Business Premises Known as

"83 Queen Street,"

Lately in the Occupation of R. W. Tremaine.

The Stock on hand is now selling at COST and CHARGES, will be cleared off at AUCTION about the middle of January, of which due notice will be given.

JAS. DESBRISAY.

Charlottetown, Dec. 29, 1882—1d

PROGRAMME

Orchestral Club Concert

—IN THE— Y. M. C. A. HALL

FRIDAY, FEBRUARY

PART I.

- 1. Overture—"Tancredi," ORCHESTRA.
2. Solo—Vocal—"Carissima," LIEUT. HASLEWOOD.
3. Piano Solo—"Rondeau Brillant," MISS HENSLEY.
4. Trez-Jolie Waltzes, ORCHESTRA.
5. Solo—Vocal—"A Summer Shower," MISS K. HENSLEY.
6. Cornet Solo—"Air from Falstaff," MR. FLETCHER.
7. La Rendez Vous Waltzes, ORCHESTRA.

PART II.

- 8. Gavotte, ORCHESTRA.
9. Solo—Vocal—"Eily Marouquet," MISS KNIGHT.
10. String Quartette—"Songs without Words, No. 45," MESSERS. VINSICOMBE, FLETCHER, AND F. RIZE.
11. Solo—Vocal—"Hearts and Home," MRS. LONGWORTH.
12. Violin Solo—"Blue Bells of Scotland" (with var.) MR. VINSICOMBE.
13. Solo—Vocal—"John Grumble," MR. CANT.
14. Violin Duet—"Silvery Waves," MESSERS. FREEZE AND VINSICOMBE.
15. The Wave Waltzes, ORCHESTRA.

GOD SAVE THE QUEEN.

Concert at S. Tickets, 35 cents; from Fletcher's Music Store, Fraser & Redden at the door. Jan. 30, 1883.

CLERK WANTED.

An Experienced Salesman and knowledge of the wholesale trade. Apply immediately.

FENTON T. NEWELL, Jan. 31, '83—pat 3: sun jor 21.

NOTICE

THE DIAMOND GROCERY

—IS NOW—

OPENED

In the stand lately occupied by Mr. D. Chappell, as the Diamond Grocery, by strict attention to business, and the line of

CROCERIES

—THAT—

Cannot be Surpassed in the

we ask the moving community to on us.

D. MACEACHERN & Co.

DIAMOND GROCERY

Jan. 26, '83.

Charlottetown Cemetery

THE ANNUAL MEETING of the

holders of the above Company will be held at four o'clock, on TUESDAY, the sixth day of February next, at the office of the steam Navigation Company, of Great George and Lower Water Streets, by order of the President.

F. W. BALES, Secretary Cemetery

Jan. 24, '83.

Coke. Coke

COKE is considered to be one of the best and cheapest kinds of fuel for BURNER STOVES and particularly for the DENMARK SOFT COAL. It is now so much in use. A first-class quality of Coke can now be had at the Gas Works ten cents per bushel. Ch'town, Jan 8, 1883.—1m eod

WANTS, LOST, FOUND.

LOST—Between Euston Street and M. C. A. Hall, on Monday a Blue-leigh Cushion. The finder will be rewarded by leaving the same at this office.

LOST—Between the Brick Quay and Great George Street, a bunch of KEYS. The finder will oblige by returning them at THE EXAMINER OFFICE.

WANTED—By a young man, a house and fire, with board. Address Editor of the EXAMINER, giving particulars.

TO LET—A Dwelling House situated on Prince Street. Apply Peake Bros. & Co.

TO LET—Immediate possession of a desirable residence, situated on the thoroughfare, Rent low to tenant. Apply at the Mountaineer, 21 St. John's St., Monro.