

The Canada Temperance Act.

ITS CONSTITUTIONALITY.

ARGUMENTS have been heard in the Supreme Court at Ottawa. They are thus reported in the Citizen:—

MR LASH laid down the principle that either the Dominion Parliament or Local Legislatures have full power to legislate on all matters relating to the internal affairs of Canada; that the Local Legislatures have only such power as are specifically conferred, the remaining powers being vested in the Dominion Parliament, and in the case of those two conflicting the local must yield. Unless it could be shown that the Local Legislature could pass the Act, then the Dominion must have the right. He argued that the Act did not come under the subject of property and civil rights, or municipal institutions, or licenses for revenue purposes assigned to Local Legislatures by section 92 of the Confederation Act, but was partly a regulation of trade and commerce, and partly criminal law—subjects assigned to the Dominion Parliament. The subject matter dealt with determined the jurisdiction. Here the subject was the sale of liquor, and, being a branch of trade, the Dominion alone should legislate. A local license would not allow a trader to sell unlicensed articles like coal oil if the Dominion made it an offence to sell without previous inspection. The local can only license, it cannot prohibit.

Mr. MacLaren, Q. C., followed on the same side. He first took up the objection that the act was null, because Parliament had no right to delegate its authority and say that the act should come into force by a popular vote. He quoted a decision of Lord Eldon in the Privy Council, that an act conditional on such approval was valid, and from Locke, on Civil Government, to the same effect. This objection only arose with reference to American State Legislatures, and even there the most recent decisions, and the best authorities, sustain such acts. He referred to municipal grants to railways, which, in nearly all the provinces, require a popular vote. The Dunkin Act, which the present Act superseded, provided for a popular vote. To show that a prohibitory act was a regulation of trade, he cited a decision of Speaker Sicotte, in 1855, throwing out a prohibitory law which had come to its third reading, because it had not originated in committee of the whole, where trade acts most originate. He cited decisions of Judges Bourgeois, Carron, Dunkin, Papineau and Beauger, in the Province of Quebec, to the effect that the local legislatures could not repeal the Temperance Act of 1854 or Dunkin Act. He also cited Story on the constitution, as well as American decisions, to the effect that the right to regulate commerce gave the right to prohibit. He also said that Parliament had the right to declare the sale of liquor a criminal offense, and cited an act of 1869 where, for the preservation of peace near public works, a proclamation might issue making it illegal to carry arms or sell liquor, putting them both on the same footing.

Mr. Kaye, Q. C., followed against the act. He referred to confederation as a compact, and said the provinces would not have entered into it if all the subjects assigned them were to be over-ruled by the Dominion. He held that Canada cannot take away the right of the Local Legislatures to get their revenue from taverns, and other sources of revenue guaranteed to them. Parliament had only a right to regulate trade as trade, and not to affect local or private matters, such as the suppression of drunkenness. Matters of police and order were exclusively for the Provinces. The Dominion could not, for instance, prohibit the sale of meat on fast days, as was done in the time of Queen Elizabeth. The object of this act was not to regulate trade, but to make people sober, something the Dominion had no right to meddle with. Further consideration of the case is postponed for the present.

Russian Fortifications.

The North German "Gazette" has an article in which it intimates that the projected Russian fortifications, near the German frontier, are for the purpose of inspiring the Russian people with the belief that an attack on that part of Germany is apprehended. It continues to say, when once this representation had been successfully made to take root, it is only a short step from that point to a hostile excitement against a threatening neighbor. If it be true that Russian designs against Germany of which General Miloutin, Russian Minister of War, was credited with being the chief promoter, are only postponed until France is ready, then these fortifications against a peaceful neighbor may be regarded as a sure preparation for a future aggressive war with Germany. Neither France nor Russia have ever been attacked by Germany. The colossal armaments of these two States which by compulsion weigh upon the rest of Europe, can, therefore only be based upon an aggressive policy.

A FREE MEETING, under the auspices of "Triumph" Division, Sons of Temperance, was held in the Temperance Hall, North Wiltshire, yesterday (Thursday) evening. The Hall was literally overcrowded. Hon. John Balderson occupied the chair. In a few well-chosen remarks the chairman referred to the aims of the Order, and to the object of the present meeting. The programme of the evening, consisting of temperance dialogues, recitations and readings, then followed; after which P. G. W. Patriarchis Cooper and Chappell, who were present from the city (by special invitation) addressed the meeting. The thanks of the meeting was formally tendered to the committee of arrangements for the excellent programme provided, and to the Hon. Mr. Balderson for his able conduct in the chair, after which the meeting closed—the members present singing the closing ode of the Order.

A LARGE Tenant Rights' meeting, held near Port Adown, County Armagh, on the 25th inst., was attended by three thousand Orangemen, who stormed the platform and dispersed the meeting. The Tenant Righters were outnumbered; 20 were seriously injured.

Correspondence.

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

Letter from John McDougall, Esq., Argyle Shore.

To the Editor of the Examiner.

SIR,—I have been amazed at the denials of your statement in reference to the appointment of a secretary for the DeSable meeting, which have appeared in the Patriot, over the signatures of "William McDonald," "D. K. Currie," and "D. Matheson." I most emphatically affirm that your report of that meeting is strictly correct, and that the parties above named, in denying the defeat of Mr. Hamilton's nomination as Secretary, have, by some means which I cannot understand, been led into stating what is utterly untrue. D. Matheson, Esq., proposed Mr. Hamilton for Secretary, when Mr. Joseph Boats moved in amendment that Mr. Currie be Secretary. A vote of the meeting was taken and Mr. Currie, having a majority, was declared elected by the Chairman, William McDonald, Esq., who, strange to say, is now made to deny having done so. The motion to appoint Mr. Hamilton was not withdrawn at any time. I am yours, etc., JOHN McDUGALL.

To the Editor of the Examiner.

SIR,—I have read Mr. Hodgson's letter in yesterday's EXAMINER. I cannot, of course, tell whether his interpretation of the Canon Law is correct. Probably it is. But there is one fact which seems inconsistent with his statements. It is this. The child, the offspring of the marriage, has been declared legitimate. Now, if Mr. Hodgson be correct, and there never was a marriage, how can the child be anything but illegitimate? Is not the decree stating that the child is legitimate, wholly inconsistent with his contention that there was no marriage. Yours, etc., OBSERVER.

Ch'town., Feb. 28, '80.

Mr. Full Answered.

Mr. Geo. E. Full:

SIR,—In reply to your letter published in the EXAMINER last evening, addressed to me, I beg to inform you that I am not seeking notoriety, nor do I desire to come forward as the champion of the National Policy in P. E. Island. Hence, I must decline your novel and absurd proposition to debate the question and have it decided by arbitration.

I distinctly stated in my letter that it was not my intention to enter upon a general discussion as to the merits and effects of the policy of the Government on any particular section of the Dominion. There may, doubtless, be some points upon which we entertain similar views. However, that is not the issue. My object was to prove the incorrectness of your calculations and theories on the sugar question, which I think has been effectually accomplished, not only "satisfactorily to myself and the editor of the EXAMINER," as you state, but also in the opinion of every unbiased reader. Yours, etc., FENTON T. NEWBERRY.

Feb. 27, 1880.

An Unfair "Journal."

To the Editor of the Examiner.

SIR,—In the Summerside Journal of the 12th inst. there appeared a paragraph reflecting upon the management of the Express business, charging the Agent in this city (myself) with unnecessarily detaining goods at this office. Immediately upon reading the article, I addressed a letter to the editor of the Journal (as published in the Patriot of the 14th inst.) showing the groundlessness of the charges made. The next number of the Journal appeared, but without the reproduction of the communication or any reference thereto. I then wrote the Managers of the Journal, requesting insertion of correspondence, in order that its readers might not be misled by the paragraph in question. Yesterday's issue has been received, but not the least mention is made regarding the matter. I am prepared to prove, without egotism, that never has the business of the Express Company been managed with greater promptitude and satisfaction than at present. Yours truly, THOS. L. CHAPPELLE, Agent of the Intercolonial Express, Charlottetown, Feb. 27, 1880.

Exercise for Junior Latin Scholars

A REMINISCENCE OF HARROW.

Please to translate literally, and write each English word underneath the Latin equivalent:—

Nostra voluntas ego sum ecurrat ejus caput. Our will I am ran his head plenum sed contra hominem dic pax full but (t) against the man tel (l) peace (ought to be "piece," but is not.)

HOTEL ARRIVALS.

ROCKLIN HOUSE.

Feb. 26.—W F Starr, Victoria; D Egan, Mt Stewart; George Forbes, Vernon River; Thomas Taylor, Mt Stewart; James Anderson, New London; E W Wright, Amherst, N S; Hon W Campbell, New London; Hon John Lafargey, Summerside; Mrs Howatt, Crapaud; B D Howatt, do; Colin McNeill, Rustico; Miss McNeill, do; John Callizer, Montreal.

August Flower.

The immense sale and great popularity of Green's August Flower in all towns and villages in the civilized world has caused many imitators to adopt similar names, expecting to reap a harvest for themselves at the expense of the afflicted. This medicine was introduced in 1868, and for the cure of Dyspepsia and Liver Complaint, with their effects, such as Sour Stomach, Sickheadache, Indigestion, Palpitation of the Heart, vertigo, etc., etc., it never has failed to our knowledge. Three does will relieve any case of Dyspepsia. Two million bottles sold last year. Price 75 cents. Samples 10 cents.

Rumor now distinctly implicates the Grand Duke Nicholas in the late explosion and plot against the Czar's life. Many additional arrests have been made, including a number of students. It is said the Czar will close the University of St. Petersburg.

The DAILY GAZETTE, containing full TELEGRAPHIC REPORTS of the proceedings of the DOMINION PARLIAMENT from our own Special Reporters, together with daily Letters by Telegraph from our Correspondent, will be sent to any address during the present Session for ONE DOLLAR.

The WEEKLY GAZETTE is only One Dollar a year. Special Terms to Clubs. Address

RICHARD WHITE, Managing Director, GAZETTE PRINTING CO., Montreal.

GRAND Vocal & Instrumental CONCERT

BY THE Charlottetown PHILHARMONIC SOCIETY,

Tuesday Ev'g, MARCH 9th,

Y. M. C. A. HALL.

To Commence at 8 o'clock. Admission 25 cents.

For further particulars see Programmes.

S. N. EARLE, Musical Director.

Feb. 27, 1880—2aw

The Insolvent Act of 1875 and Amending Acts.

In the matter of John Sellar, an Insolvent.

THE Subscriber will sell at AUCTION, on WEDNESDAY, the 3rd day of March next, at the hour of eleven o'clock in the forenoon, at his new Warehouses, 52 Queen Street, the whole Stock in Trade of the above Insolvent, consisting of

- Asst lot Crockeryware, Glassware, Earthenware, Confectionery, Biscuit and Crackers, bbis. Pilot Bread, boxes Fancy Soaps, boxes Blacking, Canned Lobsters, Lamps, Lamp Chimneys, Lanterns, Brooms, Pails, lot Logwood Dyes, Cream Tartar, Paper Bags, quintals Codfish, 1 Buggy, etc. etc., Shop Furniture, 1 Show Case, 1 Glass Case, 1 Iron Safe, 4 sets' Counter Scales, 2 Platform Scales, 50 Egg Boxes, 2 Stoves, 1 Cheese Case, 1 Molasses Tin, lot of Tin Measures, 3 Shop Lamps, etc. etc.

- Also, to close sundry consignments,— 5 bbis. Dried Apples, Puns. Molasses, Chests Tea, 1 Iron Safe, etc. etc.

B. WILSON HIGGS, Auctioneer.

Charlottetown, Feb. 25, 1880—pat till sale

Union Bank of P. E. Island.

THE Annual General Meeting of the Shareholders of this Bank will be held at their Head Office, Charlottetown, on WEDNESDAY, 3rd March, at 12 o'clock, noon, for the purpose of electing Directors for the ensuing year, and the transaction of such business as may be laid before them.

Proxies for voting must be left with the Cashier at least one day previous to the meeting.

GEORGE MACLEOD, Cashier.

Charlottetown, Feb. 24, 1880.

1880. IN STORE,

Wholesale Prices,

- 50 BBLS. GRANULATED SUGAR, 40 bbis. English Refined Sugar, 30 kegs Bi Carbonate Soda, 30 casks Washing Soda, 40 bags Rice, 224 lbs. each, 3 bbis. Pure Ground Pepper, 163 boxes Soap, comprising Family, Laundry, British Queen, Queen City, Lorne Laundry, Mayflower. 150 doz. Corn Brooms, 50 gross Miller's Shoe Blacking, 40 gross Nixey's Black Lead, 40 gross Bartlett's Pearl Blue, 30 cases Coleman's Starch, 20 cases Corn Starch, 15 bags Filberts, 3 bags-Brazil Nuts, 30 doz. Morton's Pickles, 1/2 pints, 40 doz. Moir & Sons Pickles, 1 pints, 25 doz. Crosse & Blackwell's Pickles, 1 pts., 10 cases 6-card Matches.

W. E. DAWSON & CO. Feb. 24, 1880—3. 2aw

Buy the DAILY EXAMINER for the latest news—local and telegraphic.

JANUARY! 1880.

First Arrival this Year.

We have just received, ex Str. "Northern Light," several cases of

NEW GOODS

- New Black Silk Velvets, New Colored Silk Velvets, New Colored Satins, New Black Satins, New Black Velveteens

Frillings, Edgings and Laces.

NEW LACE CURTAINS.

Berlin Wool and Yarns, Wool Damasks, Fringes and Curtain Holders.

SPECIAL

The remainder of our

Fur Goods,

Ladies' Cloth Jackets,

Ladies' Ulsters,

Knitted Wool Goods,

and Blankets,

—WILL BE SOLD AT A—

BIG DISCOUNT,

In order to clear them out before the season is over.

Cash customers in want of any of the above Goods will save money by giving us a call.

Perkins & Sterns. January 5, 1880.

RE-OPENED!

McKAY'S

Watch & Jewelry Store, NO. 57, GREAT GEORGE STREET, OPPOSITE WALKER'S CORNER.

Repairing Neatly Done. ALL WORK WARRANTED. Feb. 20, 1880—3w 2aw

New Spring Tweeds

JUST RECEIVED, A CHOICE SELECTION, AT

J. B. MACDONALD'S. Queen Street, February 23, 1880—2w 3aw

TEA

170 CHESTS, } Strong and Exce. 55 half-chests, } lent flavor. CARVELL BROS

Molasses.

65 PUNS. } Bright Molasses. 20 Bbls. } CARVELL BROS.

SUGAR.

78 PACKAGES (Hhds. and Bbls.) White Granulated, Bright Porto Rico, Barbadoes, Cuba. CARVELL BROS.

Feb 18, 1880—2w ws

Bank of P. E. Island.

THE Annual Meeting of the Stockholders of this Bank will be held at their Banking House, in Charlottetown, on TUESDAY, the second day of March next, at 12 o'clock, noon, for the purpose of electing Directors for the ensuing year, and the transaction of such other business as may be laid before them. Proxies for voting must be left with the Cashier at least one day previous to the meeting.

J. R. BRECKEN, Cashier. Charlottetown, Feb. 20, 1880—pat h pre ar ne

Meeting of Parliament.

ST. JAMES' KIRK

BAZAAR!

THE Ladies in connection with St. James' Kirk will hold a Bazaar for the

Sale of Fancy and Useful Articles,

—ALSO—

A Tea and Refreshment Table, On the 31st March Next,

—IN THE—

MARKET HALL.

The proceeds to be applied to the liquidation of the debt on the Church edifice.

Doors open at 2 o'clock, p. m.

Admission—Adults, 20 cents; children, half-price. Tickets to be had at the Drug Stores of W. R. Watson, Dr. Dodd, C. D. Rankin, and at the door.

PRESIDENT—Mrs. McLennan.

COMMITTEE—Mrs. McPherson, Mrs. Longworth, Mrs. A. Kennedy, Mrs. Stirling, Mrs. Lord, Mrs. Dunn, Mrs. McLaren, Mrs. A. Murray, Mrs. Cavanagh, Mrs. Rankin, Mrs. P. W. Hyndman, Miss Mackieson, Miss Owen, Mrs. Malcolm McLeod.

T. A. STEWART, Secretary.

Feb. 19, 1880.

CAUTION.

THE public are hereby cautioned not to pay to any person except the undersigned, debts due to the firm of McKinnon, Fraser & Co.

WILLIAM JOHN FRASER.

Feb. 19, 1880.

PEA SOUP.

PREPARED with Pea Flour and seasoned and flavored with the finest herbs and seasonings, to which is added Liebig's Extract of Meat, making one of the most nutritious dishes that can be obtained. A 2 1/2 cent Tin will make 3 quarts of thick Soup.

For sale at

BEER & GOFF'S.

Feb. 18, 1880.

Labrador Herring.

CHOICE CATCH OF 1879.

Smoked Salmon, Salt Trout, " Herring, " Shad, " Halibut, " Mackerel. At HALL'S FISH MARKET.

Feb. 18, 1880—tf

Valuable Property for Sale.

TO BE SOLD, all that part of Town Lot No. 74, in the first hundred of Town Lots in Charlottetown; having a front of 67 feet, Dorchester Street, and running back 80 feet, together with the buildings thereon erected. For further particulars apply to Messrs. HODGSON & McLEOD Charlottetown. Sept. 18, 1879.