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THE DAILY EXAMINER,

FEBRUARY 12, 1879.

Small-Pox at Alberton.

NEED we urge upon the Local Government the necessity of taking immediate steps towards driving out the small-pox existing at Alberton?

The Alley-Duchemin Case.

YESTERDAY we presented the manufacturers' view of the Alley-Duchemin case. To-day we present—by the following letter—in an equally forcible light—the view taken by Mr. Alley and those who sympathise with him:—

To the Editor of the Examiner:

SIR,—I notice in your issue of to-day, your editorial in the Alley-Duchemin case; and it is very much to be regretted that you should allow yourself and your paper to be the medium of circulating a report of the case still pending in the Chancery Court, so extremely partial and so grossly inaccurate. I should have thought that your sense of duty, as a public journalist, if not of fair play as a citizen, and respect for our highest Courts of Justice, would have caused you to pause before becoming the partial advocate, and publicly misrepresenting the facts of the case now pending. Had you confined your publications to the questions submitted to the Jury, and the verdict or answers given to these questions, you would just have fulfilled your duty.

To convince you how absurdly prejudicial to the plaintiff your article is, let me transcribe its sentences. As looked at from the other side, it would read thus:—"It is considered by the owners of dwelling houses that if Alley is driven out of his property, under the circumstances set forth by Messrs. Duchemin, all or any of them are liable to be treated in the same way, by any steam factory owners, who may choose to take the same proceedings. Nor does their fear seem to be ill-grounded. For if a steam factory owner may build a steam factory close up to the line on which a dwelling house has been a long time in existence, and by noise and tremor and smoke, render the dwellinghouse uninhabitable, and compel the owner of the dwelling house to abandon the same, no householder is secure in his possession. Every one of them is at the mercy of any fastidious or capricious neighbor rich enough to stand a lawsuit, because every factory in which machinery is used, and smoke and noise issue is, of necessity, disagreeable—a nuisance—to those who live adjoining it. Mr. Alley having, for the past 30 years, or nearly so, enjoyed his dwelling house in peace and quietness, is now naturally disinclined to move away, and seek another dwelling place; and it is reported that he has full confidence in the ability and integrity of the Superior Courts of this Island to administer strict justice in the case; and if any appeal therefrom be deemed prudent, he will, no doubt be found equal to the occasion."

I was struck, Mr. Editor, with the very poor report you gave of the plaintiff's evidence, while you bestowed considerable attention to that of the defendants. I now perceive the reason. Hoping that your attention, or the attention of the Court, will not have to be called to this matter again, and that you will give this letter a place in your paper.

I am, yours obediently,
FIAT JUSTICIA.

Charlottetown, Feb. 11, 1879.
To the charge that, in our report of the evidence in this case, we discriminated unfairly and invidiously between the plaintiff and the defendants, we give a flat denial. So impartially did we try to lay the facts before a very much interested public, that we are at a loss to account our correspondent's mistake as other than the delusion of a biased and over-sensitive mind.

Regarding the propriety of commenting upon the case, we have only to say that we studiously refrained from doing so until after it had passed from the cognizance of a jury or of any one else who, in deciding it, would be likely, in the slightest degree, to be influenced by public opinion.

Our correspondent thinks we should have confined our remarks to the questions submitted to the jury. We hold a different opinion. The questions simply relate to Alley and Duchemin. Our business with the case is solely as it affects, or is likely to effect, the industries and the inhabitants of the City at large.

But we bend, for the nonce, to the judgment of our correspondent. And we remark that the jury say the working of the machinery used by the defendants in 1853 made as much noise as now proceeds from the machinery used in the present factory. We remark, also, that the jury say the noise and vibration felt or experienced in the house in which the plaintiff lived in 1853 was not as great as the noise or vibration felt in the present house. We remark further that the jury say the smoke from the factory from 1872 to 1878 was a

greater nuisance to the plaintiff than the smoke issuing from the present factory. Therefore, the plaintiff's comfortable enjoyment of his present house must have been diminished only because he chose to build it closer to the site of the factory.

It is, we think, to be regretted that Mr. Alley did not, before building his house, in the spirit of Abraham of old, go to Mr. Duchemin and say: "Let there be no quarrel between us; we have plenty of land; if you build your new factory on the old site I will not build so close to the line as I now intend to do—but perhaps you will go a little to the right if I go a little to the left." Had this been done it is not likely that there would have been any disagreement between the parties to the suit or any excitement among the manufacturers.

Small-Pox at Alberton.

FURTHER PARTICULARS.

WE received further particulars to-day of the spread of small-pox in Alberton. A gentleman who arrived from that place yesterday informs us that on Friday last a child of Mr. Allan McDonald died from a cause which was at the time of the death unknown to the child's parents and also to the physician. On Friday night, between thirty and forty persons assembled at Mr. McDonald's house to attend the child's wake. Late in the night they were horror-stricken to discover that the deceased came to its death by small-pox. On the same night Mr. McDonald contracted the disease, and died on Monday morning. The deaths of Mr. McAlduff and Mr. Neil McLennan, who had also attended the wake, were reported yesterday. Young McLennan fell sick at his father's house and was removed to Mr. McDonald's, where ten patients are now lying sick of the contagious disease. Our informant states that McDonald's house is very small, and that the patients are huddled together in an apartment of fifteen by twenty feet capacity. Mr. Michael Foley, accompanied by Mr. James White, is in the city seeking assistance for the patients from the Local Government. The Herald says: "If this be the condition of things in Alberton, it is high time that our Local Government was taking steps to provide for the safety of the people. With daily trains running to Alberton, and bearing passengers and freight hence, it is easy to carry the infection throughout the Island. This is a most serious consideration, and one which the authorities ought not to disregard."

Our Export Trade.

MR. COOMBS, in to-day's EXAMINER, offers some suggestions upon this subject which will, doubtless, receive attention from practical traders. It seems to us that something might now be done in the way of exporting a cargo of fat cattle to the Mother Country. The cattle of the United States are not now admitted into England on account of the disease which is ravaging the herds of that country; and the export of cattle from Canada may therefore be greatly increased, to the profit of farmers, dealers and all concerned. It is true that by reason of the length and severity of our winter, we may never be able to go largely into this trade; but we see no good reason why we should not participate in it to a certain extent. It strikes us there can be no more favorable time to begin than the present. The Prince Edward might, perhaps, be fitted to take a cargo of cattle from the Island at least once a year. If the trade were once opened, it would speedily result in a marked improvement of the herds of cattle on the Island.

SUPREME COURT.

February 12.

The case of Clerkin vs. McInnis occupied the greater part of to-day. Verdict not yet reported.

John Hughes (as administrator of the estate of the late Terrence Hughes) vs. George Howatt. Action to recover payment for work alleged to have been done by the deceased for the plaintiff. For the plaintiff, Sullivan and Morson; for the defendant, Davies & Sutherland and F. Peters.

The "Northern Light."

WE learn that the "Northern Light"—unable to get to Pugwash—has returned to Georgetown. It is said that she encountered ice thirty feet in thickness.

THE Duchess of Edinburgh, while she has been very frigid in manner on all ceremonious occasions in England, was very agreeable when among her own friends, serving them with her own hands as unostentatiously as though she were an English Princess. Her great staidness has hitherto made her unpopular, but now, it appears, she has altered her ways, is entering into the local interests about her English home, and is said to like it and to be liked very much better than before.

GET your Pictures Framed at LEWIS'. Large Pictures—22x28—framed for \$1.25. All sizes in proportion. Motto Frames, 40 and 50 cents each.

Correspondence.

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

To the Editor of the Examiner:

DEAR SIR,—I have been living close to a factory for the last six years. During that time they have been running circular saws, planers and jig saws. Strange to relate, until the Alley and Duchemin trial commenced I never heard a sound of the machinery in my house, although during that time I had a great deal of sickness in my family. Since the trial commenced I am tormented with a continual noise during the day. I do not think the noise is really any louder than it used to be; but it has become a nuisance to me, and unless some means are taken to prevent me and my family from hearing it, I will take proceedings against the manufacturer. I took my neighbor into my house to witness the noise, and he pronounced my house unfit to live in. I have seen him since, and he tells me that or going home and listening the noise was equally loud in his own house, although he never noticed it before.

Yours, etc.,
CITIZEN.

Charlottetown, Feb. 11, 1879.

The Presbyterian Church and the Press.

At the last General Assembly of the Presbyterian Church of the United States, the following resolution was passed: "That the General Assembly recognize with great satisfaction the enterprise of the secular press in obtaining and publishing religious and ecclesiastical news, and also the ability with which it discusses and advocates measures in promotion of education, sound morals and good order. At the same time the Assembly beg leave to call the attention of those who control the secular press to the propriety and duty of giving less prominence to the details of crime, especially of all forms of licentiousness, as their publication tends to wound delicacy of feeling, to corrupt the public mind, and to make that familiar and less repulsive which should always be viewed with abhorrence."

The Catholic Church and Society.

At a meeting of the Catholic Academia, held at Cardinal Manning's house, his Eminence read a paper upon the relations of the Church to modern society. He took occasion to remark upon the abstention in past years of Catholics, as such, from all interference in civil and political life, not merely in England, but also in Continental countries, and especially in Italy. He pointed out that this conduct left the field entirely in the hands of the opponents of the Church, and urged that the use of the franchise by Catholics would not be so much an acceptance of the triumph of revolutionary principles, as a fighting of what he called the revolution with its own weapons.

A Mystery of the Great Lakes.

There is a mystery about the American lakes. Lake Erie is only 60 to 70 feet deep. But Lake Ontario is 592 feet deep, 230 feet below the level of the ocean, or as low as most parts of the Gulf of St. Lawrence and the bottom of Lakes Huron, Michigan and Superior, although the surface is much higher, are all from their vast depths on a level with the bottom of Ontario. Now, as the discharge through the river Detroit, after allowing for the probable portion carried off by evaporation, does not appear by any means equal to the quantity of water which the three upper lakes receive, it has been conjectured that a subterranean river may run from Lake Superior by Huron to Lake Ontario. This conjecture is not impossible, and accounts for the singular fact that salmon and herring are caught in all the lakes communicating with the St. Lawrence, but no others. As the Fall of Niagara must have always existed, it would puzzle the naturalist to say how these fish got into the upper lakes without some subterranean river; moreover, any periodical obstruction of the river would furnish a not improbable solution of the mysterious flux and reflux of the lakes.—The American Ship.

The English Language Good Enough.

The English language may seem to inhabitants of the British Isles to be good enough for anybody, but on this side the ocean we have some thousands of persons with pretensions to education and culture who make incessant complaint of the vernacular. According to these authorities, the language lacks elegance and expressiveness, so at the slightest excuse they drop into some other tongue, that of France being, for some inexplicable reason, preferred. But now comes a learned German, who, having for fifteen years studied the language with that systematic persistency which is a peculiarity of the Teutonic mind and the terror of all others, pronounces the English to be the most expressive, logical and generally satisfactory tongue of modern Europe. Unfortunately for the fancies of the literary dilettanti, Dr. Weisse, the authority alluded to, has written a book upon the language in which he details his reasons so distinctly, and with such an array of linguistic facts as corroborative evidence that no denial is possible, and there is nothing left to do but to make faces at this ruthless disturber of soft speech. It is to be hoped that the able linguist's opinion may be spread so widely that young men of education and leisure will begin to study the literature of their own language instead of continuing their affectation of giving themselves to speech which is foreign to their tongue, their associations and their nature.—N. Y. Herald.

It is reported that John E. Skinner, a compositor on a newspaper in New Haven, Conn., has been left a fortune of over three quarters of a million dollars by Antoine Mercer, of the Island of St. Thomas. Mercer was formerly a dissipated young man, and Skinner had befriended him.



Salmon Angling.

DEPARTMENT OF MARINE & FISHERIES,
FISHERIES BRANCH,
OTTAWA, 24th January, 1879.

WRITTEN OFFERS will be received to 30th April next, for the SALMON ANGLING PRIVILEGES of the following rivers:—

River Kegashka (North Shore.)
" Washcootai do
" Romaine do
" St. John do
" Corneille do
" Agwanus do
" Calumet do
" St. Margaret do
" Trout do
" Escoumains do
" Portneuf do
" Dartmouth (Gaspé)
" Little Cascapedia (Baie des Chaleurs.)
" Malbaie (near Percé.)
" Grand River do
" Kedgewick (Restigouche.)
" Magdalen (South Shore.)
" Jupiter (Anticosti Island.)
" Salmon do

Rent per annum to stated: payable in advance.

Leases to run for from one to five years.

Lessees to employ guardians at private cost.

By order,
W. F. WHITCHER,
Commissioner of Fisheries.

Feb. 12, 1879.

JAUNTING SLEIGH.

ONE GOOD JAUNTING SLEIGH, neatly trimmed and painted; 1 Set Silver-plated HARNESS; 1 new BUFFALO ROBE, lined and trimmed (large)—all for only \$40.
H. COOMBS.

Feb. 12—ar pat 3i

LABRADOR HERRING.

BY AUCTION, in front of Market House, on FRIDAY next, Feb. 14th, at 12 o'clock—100 BBLs. NO. LAB. HERRING.
Terms CASH. NO RESERVE.
A. McNEILL, Auctioneer.

Feb. 12—2i

NOTICE.

NOTICE is hereby given that prosecution will be immediately commenced against all persons who are known to be in the possession of DOGS and who have not registered them and paid their Dog Tax for the current year, in conformity to the provisions of a by-law of this city, passed 4th December, A. D. 1878.

A. F. TOMLINS,
Clerk of the City Court.

Feb. 11.

CATARRH.

Constitutional Catarrh Remedy
CURES CATARRH.

Hear what a Reverend Gentleman says of the Constitutional Remedy.

T. J. B. HARDING, Esq., Brockville, Ont.:

DEAR SIR—It is now two years since your "Constitutional Catarrh Remedy" was introduced to me. I have waited this long to see if the cure would remain permanent before doing this, my duty, to you, as at first the happy effects seemed to me to be "too good to be true."

I was afflicted in my head for years before I suspected it to be Catarrh. In reading in your Circular I saw my case described in many particulars. The inward "drop" from the head had become very disagreeable, and a choking sensation often preventing me from lying long. I would feel like smothering and was compelled to sit up in the bed. My health and spirits were seriously affected. When your agent came to Walkertown in August, 1876, I secured three bottles. Before I had used a quarter of the contents of one bottle I found decided relief, and when I had used two bottles and a third, I quit taking it, feeling quite cured of that ailment, and have not used any since until of late I have taken some for a cold in my head.

A sense of duty to sufferers from that loathsome disease, Catarrh, prompts me to send you this Certificate, unsolicited, with leave to make what use of it you may see proper.

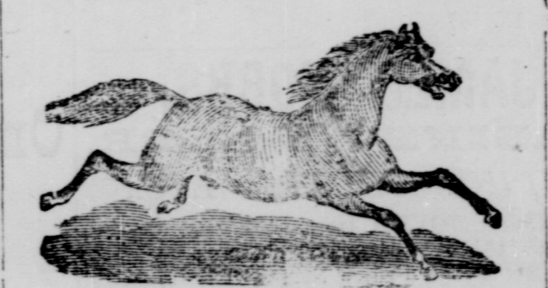
Yours truly,
W. TINDALL, Methodist Minister.
Port Elgin, Ont., Aug. 24, 1878.

Ask for Littlefield's Constitutional Catarrh Remedy and take no other.
T. J. B. HARDING, Dominion Agent, Brockville, Ont.

For sale by all Druggists at only one Dollar per bottle.

BUY IT. TRY IT.

McKAY'S LIVERY STABLES.



NORTH SIDE QUEEN SQUARE.

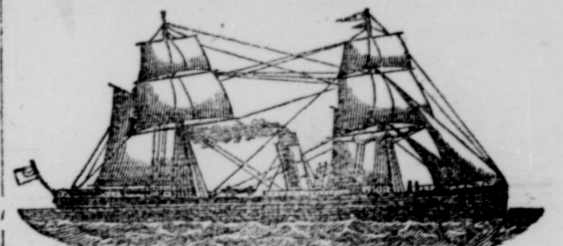
FIRST CLASS Single and Double Teams to hire at shortest notice.
TERMS MODERATE.
Orders left at J. F. McKay's promptly attended to.

A. J. MCKAY.

Ch'town, Dec. 30, 1878—

SUBSCRIBE for the DAILY EXAMINER the Cheapest and most newsworthy Paper published in the Province.

NOTICE.



Ocean Steamship Company of Prince Edward Island.

THE ANNUAL MEETING of the Ocean Steamship Company of Prince Edward Island will be held in the office of Peake Bros. & Co., on WEDNESDAY, the 12th day of March, 1879, at 7 o'clock p.m.
GEO. PEAKE, Sec'y.
Ch'town, Feb. 8, 1879.—4w 2i a w

To Inventors and Mechanics.

PATENTS and how to obtain them. Pamphlet of 60 pages free upon receipt of stamps for postage. Address
GILMORE, SMITH & CO.,
Solicitors of Patents, Washington, D.C.

NOTICE.

OWING to ill health I shall be unable to return to the Island before March, and I would respectfully request my customers to reserve their orders until that time. Meanwhile any party desiring to communicate with me can do so by addressing letters to me, Post Office box 188, Montreal.

JOHN H. CATHRAE,

Agent for Reinach's, Nephew & Co., Teas, London, England; Wilson, Matheson & Co., Dry Goods, Glasgow.
Feb. 3, 1879—6i pat 2i

Great Cash Sale

—OF—

DRY GOODS, CLOTHING, ETC

The Whole Stock in Trade OF THE LATE ROBERT ORR,

—TO BE—

SOLD OFF AT COST,

—CONSISTING IN PART OF—

Dress Goods, Shawls, Mantles,
Millinery, Silks, Velvets,
Hosiery, Gloves, Linens,
Winceys, Shirtings,
Sheetings,

Prints, Grey and White Cottons,
Hats and Bonnets, Furs,
Blankets, Flannels,
Pilots, Beavers,
Coatings,
Tweeds, etc., etc. etc.

Readymade Clothing Hats, Caps, Lindens and Drawers, Scarfs, &c.

Cotton Warp, Small Wares, &c.

The above Stock must be cleared out from this date, and our Customers, and the public generally, can depend upon getting Bargains.

John McPhee, Administrator.

Charlottetown, Feb. 4, 1879.

A GREAT RUN

—TO THE—

FLOUR & TEA STORE!

And it cannot be stopped while they are selling

SUCH EXCELLENT TEA

For 35c., 40c., and 44c. per lb.

GOOD SUGAR

For 7½c., 8c., 8½c., and 9c. per lb.

CHOICE FLOUR

From \$5.50 to \$6.00 per bbl., and

OTHER GROCERIES

RIGHT CHEAP.

Save your money by buying at

BEER & GOFF'S.

Ch'town, Jan. 17—