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THE DAILY EXAMINER is for sale every day on the trains east and west, and at the following places:—
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The Daily Examiner,

FEBRUARY 7, 1879.

The Ontario Provincial Legislature.

The Provincial Legislature of Ontario has been in session for some weeks. As is usually the case in representative assemblies, the strife of party takes up a large portion of the time; and most of the speeches thus far are either elaborate criticisms on the conduct of the Government by Opposition members, or lengthy defenses by its supporters. Early in the session, the Hon. Mr. Morris (late Governor of Manitoba, but now member for Toronto) moved an amendment to the Address, which was negatived by the Government by a vote of forty-one to thirty-two—there being fourteen members absent. Subsequently another amendment was proposed by the Hon. Mr. Meredith, leader of the Conservative minority, which was lost by a majority of fourteen. This may be taken as the relative strength of both parties in the present House—the Conservatives, under the Hon. Mr. Meredith, numbering about thirty-six, and the Liberals, under the Hon. Mr. Mowatt, fifty-two, in a House of eighty-eight members.

The principal questions that have come up for discussion are the reduction of the "indemnity of members" and the "constitutional question" arising from the desire of the Government to prolong the existence of the House beyond the time which the Conservatives consider to be the legal termination of the present Parliament. Four years seems to be the legal term for the Local Legislature; and that period expired on the 2nd of February. The Government, however, contend that the House was not constituted until seven or eight months after the General Elections, as the District of Algoma, for which there are special laws, was not represented until September of the same year! It seems as if the letter of the law permitted the prolongation, but the spirit and intention of the law are with the Opposition, who demand an immediate dissolution.

The question of the indemnity has caused a great deal of discussion. It is likely that the amount will be reduced before the end of the session, although the Government voted against the proposition in the answer to the Governor's speech. At present the amount is \$800, and the prevailing idea is that it should be reduced to at least \$500.

Another "Elevator" Stranded.

To the long list of "Elevators" who have been unseated for bribery and corruption, must now be added the name of Mr. John Hughes. In the late election Mr. Hughes was the Grit candidate for Niagara. He was sent up from Toronto to redeem the constituency; and with the instincts of a true Grit, he scattered his money broadcast to such an extent that one of the Judges of the land has found it necessary to unseat and disqualify him. Mr. Hughes now ranks with
"Walker," P. evost,
H. H. Cook, Higginbotham,
Shibley, Cushing,
Jodoin, Tremblay,
Mackay, McDonald (Cornwall),
McGregor, McNab,
Chisholm, Wood,
Irving, Cameron (S. Huron),
Norris, Mackenzie (Montreal),
Devlin, Stuart,
Coupal, Kerr,
Biggar, Macdonald (S. Renf'w),
Murray, O'Donoghue,
Aylmer, McLennan,
Wilkes, Hymond.

Standard Elevators, all!

The Stadacona Insurance Company

At a meeting of the Stadacona Insurance Company held on the 1st inst., the amendments to the charters were unanimously carried. The election of new directors is not yet decided. It was moved by R. Flaherty, of St. John, N. B., seconded by C. A. Gagnon, M.P.P., that the President and Directors be empowered and instructed to immediately wind up the business of the company. The Toronto and Montreal shareholders are able to represent by S. R. O'Brien, together with William Kinsay, of Toronto, Halifax, Kingston and St. John shareholders are represented by R. Flaherty of St. John. The probability is that the company will be wound up, though the parties are evenly divided.

SUPREME COURT.

ALLEY vs. DUCHEMIN (CONTINUED.)

FEB. 6, 1879.

JOHN CARDIFF testified that he heard the rumbling caused by the factory.

ALEXANDER ALLEY lived with Thomas Alley upwards of twelve years. The space between Alley's old house and the block shop was ten or twelve feet. In 1853 Alley's house was not inconvenienced by noise from the blockshop. In the new factory I saw on the ground floor a planer and a circular saw; on the second story two lathes and a small jig saw, and I think a small circular saw. I don't think the power they have would work all the machinery. The noise is, in my opinion, very much greater in the new factory than in the old. JOSEPH STENTIFORD, painter, testified that while working at Alley's he saw smoke coming out of Duchemin's factory into Alley's house. Cinders lodged on the window sills.

JAMES HEARTZ testified that he was in Alley's house and felt it tremble while the factory was in operation; also heard a disagreeable noise. Thought the comfort of living in the house lessened. Thought the house, apart from the factory, a tip top house. Its chimneys do not smoke.

JAMES H. BROWN testified that he had been at Alley's on business and had heard the noise of the factory while there.

LEMUEL PHILLIPS lived with Mr. Alley and testified that no inconvenience was felt from the old shop.

GEORGE ALLEY testified that no inconvenience was experienced from the old block shop. The household was never disturbed by it. The noise of the present factory is far in excess of the noise of the old shop. The noise for the two or three days before the injunction was laid, was perfectly deafening. If the machinery were permitted to go on, he would not live in the house at all.

HENRY SMITH worked with Mr. Alley. Have seen thick, black smoke come from the old shop in the southeast corner. Have also heard the noise it made, but cannot describe the degree of loudness.

SARAH ALLEY testified that the noise of the new factory is very much greater than that of the old. The soot and smoke is also more troublesome and disagreeable. One day last summer the table was laid, the window was left open for a short time, and we were called out. When we came back the plates were covered with flakes of soot which came out of the new factory. We have not been so troubled since the injunction was laid. I have seen the covers on the pots rattled with the vibration while the factory was working. The noise was worst next the factory, and worst of all two days before the injunction was laid.

Mr. Hodgson here asked that the Jury be permitted to view the premises. Judge Peters refused to grant the request. ANNIE ALLEY testified that the old blockshop did not annoy them in the plaintiff's house. The new one was a great annoyance in every room of the house. Smoke came in so that the windows had to be kept down. Soot comes down in large flakes from the new factory. Have not felt the inconvenience from soot since the factory stopped. In August I had to leave the house on account of the noise. It would be impossible for me to live in the house if the noise continued.

February 7.

THOMAS ALLEY testified that he commenced business on Prince Street in 1853; that there was at that time a gangway nine feet wide between his property and that of Duchemin; that the machinery Duchemin then had consisted of a lathe, a jig saw and a circular saw—driven by a horse-power, horizontal wheel. They could only work one machine at a time. We never heard the noise in our house. Since the Duchemins started the steam engine—when the wind was from the north or northeast—disagreeable smoke would come in pretty large quantities into our house and yard. There is no stone wall under the new factory. It is built upon posts which are, according to my idea, not sufficient. The frame is, I think, too weak to drive machinery in. It will shake. The noise of it is sometimes so great that it is difficult to converse in my house; and there is a shaking, tremulous motion proceeding from it which is heard and felt in all parts of the house. If it continues, we cannot live there. In consequence of advice received from Dr. Jenkins, I sent my wife and youngest daughter away on account of the noise. Soot from the new factory has come into the house when the windows were down, and the clothes drying in the yard have been covered with it. The nuisance from the soot is greater than that which proceeded from the factory in the south-east corner.

Mr. MORSON, in opening the defence, said: We admit the maxim that a person must so use his property as not to injure his neighbor. But we deny that the plaintiff has received substantial injury from the defendants, or that the latter have used their property in other than a lawful manner. What may be a nuisance to one person may not be an injury to another; and if we can show, as we shall show, that the noise of the old block-shop was greater than that of the present one; and if we can show (what indeed the plaintiff admits) that the smoke was worse when the shop was in the south-east corner than it is now, and the plaintiff made no complaint, then it will be apparent that the plaintiff's present complaint is purely captious. Now the machinery of the new factory is the same as that of the old. The noise it makes is, therefore, not greater. It is true that a steam engine has taken the place of the horse power, but the plaintiff admits that the running of a steam engine makes less noise than that of a horse power. Therefore the noise cannot be greater in the new than it was in the old factory. As to the smoke, it will be remembered that Mr. Dodd deposed that Alley's yard and house was full of smoke on the 11th of June. Now, we will prove that there was no fire either in the new or the old factory on that date. The chimney of the

new factory runs 17 1/2 feet above the house of Mr. Alley, and is far above any of the surrounding houses; and it is admitted that, as far as the smoke is concerned, it is an improvement on the old factory. Our theory of the smoke going into Mr. Alley's house is, that in certain conditions of the wind, the smoke strikes against the large wall of the Methodist Church, and is then carried back by the baffling airs into Mr. Alley's yard and house. We will prove Alley's yard and house. We will prove that Mr. Alley has stated his intention of ruining the defendants. He gave no notice, whatever, of his intention to lay an injunction upon the factory; and, therefore, we come into Court under adverse circumstances. While Mr. Alley has been taking persons into his house for the express purpose of hearing noises and seeing smoke, we were left without any intimation of his intention to take these proceedings. But he took some persons into his house who did not hear anything disagreeable. When one person was in a sewing machine was being worked in an adjoining room; and Mr. Alley exclaimed, "there's that infernal factory again." In fact, if he heard the buzzing of a bee in the house, it may be doubted if he would not attribute it to the factory—such is the sensitive state of his mind on that point.

The French Ministry.

The new President of the French Republic has selected his first ministry. The only changes from that of the last are the retirement of Dufaure and Teisserenc de Bort. The Ministry now consists of the following:—

- Minister of Foreign Affairs and President of the Council—William Henry Waddington.
- Minister of the Interior—Edouard de Marcere.
- Minister of Finance—Jean Baptiste Leon Say.
- Minister of Commerce and Agriculture—Deputy Lepere.
- Minister of Justice—Senator LeRayer.
- Minister of Public Works—Charles de Freycinet.
- Minister of Fine Arts and Public Instruction—Jules Ferry.
- Minister of War—General Greslay.
- Minister of Marine—Vice-Admiral Louis Pierre Alexis Pothau.
- Minister of Public Worship—M. Bardoux.

Correspondence.

The Mails.

To the Editor of the Examiner.

Sir,—Cannot an arrangement be made when the roads are bad to have a special at County Line Station to meet the mails? What have the contractors done that they should be compelled to haul a mail at a snail's pace, often involving a night journey of eight to twelve hours, or the public that they must wait eight to ten hours longer than necessary for their mail? The mail arrived at the Cape last Saturday at three. It got to town some time Sunday morning. With a train at County Line it could have been in town at eight o'clock the same evening. It was no use to talk about improvements to the late government, but from the present the best facilities for the receipt and dispatch of mails are expected.

GROWLER.

Imprisonment for Debt.

To the Editor of the Examiner.

Sir,—I noticed in your issue of Wednesday, in the correspondence column, "On Imprisonment for Debt," an idea that recommends itself to my mind. We have tried the jail without any material result to the creditor, and oftentimes to the great injury to the debtor.

If the law of Canada, or the New England States, referred to, will answer the desired end, as your correspondent claims, let us try it here, and use our united influence in getting such a law placed upon the Statutes of P. E. I. One thing I noticed in the letter under consideration which, to my mind, did not make itself plain. To use the writer's words, in parenthesis "Without the hope to gain." If it had read, *with the hope of gain*, it would have been more in keeping with the idea advanced. For it is a fact that, in all business transactions, the object is to gain, and in or with the hope to gain or to keep from going backwards, we are continually turning.

We the writer, or some one who can explain the law referred to, please show how this law can "insure the creditor," and, at the same time, assist the debtor to pay?

Hoping this may bring out the answer called for, and that we may have such a law put upon our Statute Books,

I am, &c.,

TRADER.

Honor to Whom Honor, etc.

To the Editor of the Examiner.

Sir,—I think it nothing but justice to give honor to whom honor is due. Knowing that you are aware of the severity of the weather for the past ten days, and also the difficulty a person would have in travelling fifteen or twenty miles daily with a heavy sleigh, and about three hundred weight independent of himself, I need not enter into detail. Still, I wish to inform the public that Mr. Patrick Lantry, has performed his duties as mail carrier from Charlottetown to the Half-way House, Georgetown Road, regularly, with the exception of Monday, the 27th ult.—a day, Mr. Editor, which you know yourself was not fit for any human being to leave his own house, for fear of being lost in the snow storm. Persons residing in the city have little idea what one would suffer travelling in the country at this desperate season of the year. The residents of the southern section of the Island owe Mr. Lantry a great obligation and respect for bringing the news regularly at this excitable period of the year, while the Law Courts are in session, and trials taking place daily which are of the utmost importance to the public at large. The people in this part of the country have taken an interest in them, as they have in Charlottetown. As I am a subscriber of your paper, and seeing others occupy in so much of the valuable space of your free and independent journal, I think it is nothing but justice to myself and Mr. Lantry that you should insert this short correspondence.

A. J. C.

The Maories of New Zealand.

A New Zealand letter says:—"A singular illustration of returning good for evil is to be found in the fact that at about the same time when the English papers, misled by an inaccurate telegram, were charging the Maories with murder and cannibalism, they were really performing acts of kindness of a nature for which all civilized nations recognize that gratitude is due. In October last the City of Auckland, with a large number of emigrants on board, was wrecked on the west of North Island, New Zealand. The passengers and crew were all saved, and they were landed on a part of the coast mainly frequented by Maories. Nothing could exceed the kindness which the Maories showed to the emigrants. Under similar circumstances attempts to make gain out of wreckage are not unknown among civilized races. The Maories, however, have not attained to this level of civilization. The kindness they showed was of a purely unselfish, disinterested character. They added another to the many proofs they have already given of their natural inclination to noble and generous deeds."

To the Travelling Public

TRAINS are in readiness, on arrival of morning and evening trains, to drive passengers through from here to Cape Traverse every day (Sunday excepted.) Fare, \$2.

The Hons. Messrs. Haviland, Brecken, Austin C. McDonald and Dr. Muttart took this route going to Ottawa on the 5th inst.

Apply to J. W. Hughes, merchant, or John Hughes, proprietor of the "Dominion House," which is being largely patronized lately by commercial and other travellers.

J. W. HUGHES,
JOHN HUGHES.

County Line Station, Feb. 7, 1879—tf

LECTURE

—IN—
ST. JAMES' HALL,
(Old St. James Church) by
**MR. JOHN HARPER, Principal of
the Provincial Normal School,**

—ON—
FRIDAY NEXT, the 7th instant,

SUBJECT:

"Fifty Years Ago, the Auld Kirk
and its Folk."

Doors open at half past 7. Lecture to commence at 8 o'clock. Admission 15 cents. Proceeds in aid of Sunday School.

D. SMALL, Supt. S. School.

February 4, 1879—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.

SUBSCRIBE for the DAILY EXAMINER the Cheapest, and most necessary paper published in the Province.

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 Reinech's, Nephew & Co., Teas, London, England; Wilson, Matheson & Co., Dry Goods, Glasgow.

Feb. 3, 1879—61 pat 2i

What Will it Do?

ANY "ONE CENT" to the Diamond Bookstore will get a Superb

VALENTINE

for the above amount.

THEO. L. CHAPPELLE,

Diamond Bookstore,

85 North Side Queen Square.

Ch'town, Feb. 5, 1879.—3in

A GREAT RUN

—TO THE—

FLOUR & TEA STORE!

And it cannot be stopped while they are selling

SUCH EXCELLENT TEA

For 36c., 40c., and 44c. per lb.

GOOD SUGAR

For 7 1/2c., 8c., 8 1/2c., and 9c. per lb.

CHOICE FLOUR

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

OTHER GROCERIES

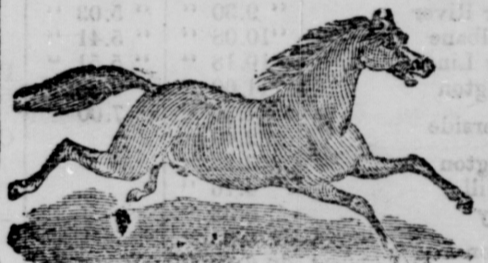
RIGHT CHEAP.

Save your money by buying at

BEER & GOFF'S.

Ch'town, Jan. 17—

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—

GRAND

Fancy Dress Carnival

THE Directors of the Citizens' Skating Rink have pleasure in announcing their

Annual Skating Carnival

TO TAKE PLACE AT THE RINK, ON

Thursday Evening, Feb. 13th,

AT EIGHT O'CLOCK.

REGULATIONS:

All persons intending to take part must enter their names with the Secretary, not later than Saturday, the 8th inst., after which no application will be entertained.

Each person, in costume, must be provided with a legible card bearing name and "character," such card to be handed to the person in waiting, upon entering the Dress Room.

The Committee reserve the right to reject any objectionable character.

Admission—Ticket holders, in Costume, FREE: Season ticket holders, to promenade, 25c; Non-Ticket holders, in Costume, 50 cts.; Non-ticket holders to Promenade, 50 cents.

Tickets to be had at Apothecaries Hall.

By order,
W. C. HOBKIRK, Sec'y.

Feb. 1, 1879—s w s t w th pat 3in

Wants, Lost, Found, &c.

Advertisements under this heading, in space not exceeding half an inch, will be inserted for Ten Cents per day.

LOST.—This morning, a GOLD EAR-RING. The finder will oblige by leaving it at the "Examiner Office."
Feb. 7, 1879—1in

LOST.—Last night, a No. 9 SKATE. The finder will please leave it at the EXAMINER OFFICE.
February 9, 1879—2in

LOST.—In this city, on Tuesday last, a Pocket Book containing a small sum of money and some papers. The finder will be rewarded by leaving it at this office.
Ch'town, Feb. 6, 1879.

LOST.—Between McKenzie's Confectionery Store and Welsh & Owen's building, a LADY'S PURSE, containing a small sum of money. The finder will be rewarded by leaving it at this Office.
Feb. 4, 1879—2i