The Daily Examiner

Charlottetown, November 17, 1877

THE WORKING OF THE NEW LICENSING BOARD.

THINKING that it may be interesting to many of our readers to know how the License Law of last session is being worked, we have made some enquiries regarding the subject. The required information has promptly and courteously been given to us by the Clerk, who, we understand, has instructions from the Commissioners to give all proper information to the press. We now proceed to state the results of our enquiries.

It will be remembered that the Licensing Board was elected last September, and consists of Messrs. W. E. Dawson, J. Quirk and W. J. Fraser. The first-named gentleman is chairman. The Clerk of the Stipendiary Magistrate's Court (Mr. Alfred Tomlin) is by law *ex-officio* Secretary of the Board. The Commissioners' duty is two-fold, and both parts of it are very important. One is to decide whether an applicant for a license shall be permitted to ask the residents in the neighborhood to sign a requisition for his license. The other to regulate the fees for licenses, the hours and days of closing taverns, fines and other penalties for breach of the law, and generally to frame all police regulations regarding licensed houses.

As regards the former duty, it will be observed that the Board have an absolute power to forbid a license; but have not power absolutely to grant one. If they say "No," there is an end of the matter; but their assent merely gives the applicant power to go to the rate-payers resident in the block and in the street opposite, and he must obtain from them, not merely an assent that the license may be granted, but a positive declaration that, in their opinion, the license *should* be granted. This, of course, relieves the Board of a good deal of responsibility, and lays a corresponding obligation upon the persons who sign or refuse to sign the requisition. This is quite right, as the Board would not be justified in going beyond what public opinion generally sanctions, and this enables them, in a proper way, to test public opinion from time to time. As the whole community has an interest in the way this obligation is fulfilled, and as it is right that public duties should be performed under the sense of responsibility that publicity gives, we shall in future publish each requisition with the signatures attached.

The following is the form of requisition:—

The application of of in Charlottetown, for license to sell distilled spirituous liquors in the premises occupied by him in aforesaid, having been submitted to us, we, the undersigned rate-payers resident in Block Ward in Charlottetown aforesaid; and we the rate-payers resident on the opposite side of the said street extending thereon as aforesaid, as far as the said Block No. opposite thereto, hereby signify our decision in writing to Alfred F. Tomlins, the Secretary of the Licensing Board for said city, that the License so applied for by the said should be granted to him.

Names

Observe the last words, "*should be granted to him.*"

When an application has been granted by the Board, the Clerk takes the Assessors rate-book and guided by it, goes to the rate-payers whose names are there entered. We understand he is instructed that his duty is simply to present the document and, if required, explain its import, and that he is forbidden to use any persuasion on either one side or the other. This is a very proper direction. The Clerk should be strictly impartial in the discharge of his duty.

After the Clerk has taken the paper round and obtained the names of those willing to affix their signatures, he takes the paper and the Assessors' book to the Chairman of the Board, who, with the Clerk, compares the two, and should it be found that a majority have signed, the license issues.

The Board met for the first time on the 10th Sept. They adjourn from time to time as occasion requires. We have not the law at hand, but if we remember rightly, they must meet once a fortnight. They have had eight meetings and, we believe, there have been no applications for new licenses, but several for renewals with the following result:—

RENEWAL OF LICENSE GRANTED TO

Francis Mackenna, saloon.
Nicholas Byrne do.
Mary Hogan do.
Elizabeth McCarron do.
Ewen MacDougall, Store.
Owen Connolly do.

REFUSED TO THE FOLLOWING:—

John Carrol (Gt. George St.), Saloon.
Neill McLeod, do.
Jas. Downing, applied first for Tavern, then Saloon, both refused.
Sarah Eden do do do

The Board granted the application of George Mutch, but a majority of the resident ratepayers refused to sign.

We see then that out of eleven applications, the Board refused four, the residents one, and that six have issued. We think that the Board have shown a very fair discretion in the discharge of this part of their duty, and that the promoters of the new Act, need not be disappointed in these results. We may be pretty sure that had old Act been in force, every one of the eleven licenses would have been renewed and possibly some new ones granted.

When we come to examine how the Commissioners have fulfilled the second part of their duties, we cannot feel the same satisfaction. It appears that while there is much that here they may do, they have done only one thing, and done that one badly. Certainly nothing created generally so unfavorable an impression about the Board (an impression which the above stated facts may in part remove) as the way they acted about the license fee. We do not now complain of the rate at which they have fixed it; it is an increase upon the old rate, and had the Board made it that amount at first, though we might have thought a higher rate desirable, we should not have been inclined to find fault with the discretion exercised by the Commissioners. But, at their first meeting, they fixed the amount at $100. At their very next meeting they rescinded their action and put it down considerably lower. Possibly a satisfactory explanation might be given, of what, certainly, appears like very weak vacilation, and it looks quite too much as though the Commissioners—or a majority of them—having acted, in the first instance, upon their own independent judgment—were unable to resist some outside pressure brought to bear upon them. We repeat again that we are not complaining so much of the amount of the fee, as of the way in in which that amount was finally decided.

We should like to have some explanation of the supineness of the Board in not making regulations. To take one point about which there can be no question: It is evident that fines and license fees must be proportioned to each other. To raise the fee and not to increase the fines and penalties, is to legislate against the legal trader in favor of the unlicensed dealer. We are quite sure that the Board do not wish to do this, and are surprised that they do not see the result of their inaction. But this whole matter of penalties requires radical reformation. They need be afraid of offending no one by making these effective; no one favors the unlicensed seller. We trust that they will soon make this offence punishable by imprisonment without the option of a fine. Then all violations of the law on the part of licensed dealers should be sharply punished; particularly should they be given to understand that a renewal of their licenses will depend upon their strict observance of the law. But this subject, and that of the kind of licenses given, as well as of the hours of houses being open, we purpose to consider at some future time. We hope our remarks may be in the form of a favorable criticism of the action of the Board on these important matters.

REFORM EXTENSION.

IN answer to a requisition from the farmers of the Brackley Point Road, requesting the "Charlottetown Reform Club" to send a deputation to organize a Reform Club among them, several members of that Club were delegated for the purpose on Thursday night last. On arriving at the Hall, they found a good assemblage of the people from far and near, and after several short speeches were madeby the Charlottetown Deputation, over forty present signed their names to the pledge, and took the "Badge of Heaven's Blue." They then proceeded to elect their officers, and a better selection it would be impossible to make. President—Mr. Duncan Kennedy; 1st Vice President—Mr. S. Smith; 2nd do—Mr. Joseph B. Stewart; 3rd do—Mr. Donald McMillan. Treasurer — Mr. Joseph Prowse; Secretary — Mr. John Francis Martin. The proceedings were enlivened by several solos and choruses from the Charlottetown deputation and the young ladies of the District. The independent yeomen of Brackley Point Road, at all events, are determined to sink no more "Fool's pence" in the Charlottetown taverns. After a very agreeable and profitable evening, the members of the Charlottetown party were very heartiiy welcomed and hospitably entertained by Mr. and Mrs. Alexander Martin, to whom they accorded a very hearty vote of thanks before leaving. If the Charlottetown Clubs receive many more calls from the country Districts and are as well treated as they were by their Brackley Point brethern, they will grow fat before their work is half completed.

THE TELEGRAPH CABLE.

THE S. S. *Vanguard*, in charge of Mr. J. W. Golder, late of the Anglo-American Telegraph Co's S. S. *Minia*, successfully removed the submarine cable from the dangerous bank over which it was laid four years ago. The cable is now in six fathoms of water at low tide. About one and a half mile of new cable, weighing nineteen tons to the mile, were put in. Communication was interrupted for forty-eight hours, owing to a heavy north-east gale which prevented the completion of the work. Mr. Golder was assisted by Mr. Scotland, of the Anglo-American Telegraph Co's staff at St. Pierre, and Mr. James, Supt. of P. E. Island lines. It is believed that there is no further danger of interruption to the cable by ice.

REFORM CLUB OFFICERS.

At the Regular Meeting for the election of officers of the Charlottetown Temperance Reform Club, the following were elected for the ensuing six months, from 1st Nov., 1877:—

Robt. Shaw, Hon. President.
James McKechnie, do
A. G. Sims, 1st Vice President.
S Keith 2nd do
R. A. Haviland, 3rd do
A. G. McDougall, 4th do
A. A. McKenzie, 5th do
F. S. Moore, Treasurer.
John W Scott, Rec. Sec'y.
Benj. Davies, jun., Assist. do.
S. D. FitzGerald, Cores. do

Club-House Committee:—F. W. Hales, John Gillan, E. D. Stair, and John A. Moore.

Finance Committee:—R. A. Haviland, G. H. Hazzard, George E. Hughes and S. D. FitzGerald.

Stewards:—Jonas Anderson and John Snelgrove.

Entertainment Committee:—D. McRae, S. D. FitzGerald, J. Regan, J. Snelgrove, J. Scott, B Bremner, B. Davies, F. S. Longworth, and A. McKinnon.

Local and Other Items.

YESTERDAY there was a large and very active market. Pork (carcass) brought from 5 to 6 cents per lb.; butter (fresh) from 24 to 26 cents per lb.; butter (tub) from 18 to 22 cents per lb.; eggs, from 19 to 23 cents per dozen; and hay, from $18 to $20 per ton.

A MISSING VESSEL.—The St. John's, Newfoundland, *Chronicle* says:—

"We regret to have learned that the schooner Rose, of Carbonear, is missing. There are on board about fifty persons—men, women and children. Some forty days have passed since she left the Labrador coast, and, so far, no tidings of her have reached home. A late arrival at St. John's reports having seen a new schooner with white sails lying over on her beam ends; but the weather was too boisterous to permit of an approach sufficiently near to identify the vessel."

ELOPEMENT OR ABDUCTION.—There arrived in the city, yesterday, from Annapolis, a man named (say Jones) who was in search of his wife and child, and some personal effects. His story is to the following effect He had at his house in Annapolis, as boarder, a man named (say Smith) from Shelburne. During his (Jones') temporary absence from home, Smith induced Jones' wife to leave the house with him, and start for Shelburne, via Halifax. Whether he forced the woman to leave, or whether she went willingly, is not at present known. The affair looked at first like a voluntary leaving, for the woman took with her her child, a little girl aged 11, and her husband's clothes; but it appears that Smith threatened to shoot the woman with a revolver, and in flourishing it around managed to wound her in the arm. When Jones arrived in Halifax he found the fugitives had left the day previous for Shelburne in a schooner.—*Halifax Herald.*

TERRIBLE ACCIDENT.—News of a very sad occurrence was reported in Montreal on Sunday last. Captain Pye, of the schooner "Kate," from Gaspe, at that port on Saturday night reports:—

"On Wednesday, the 7rh inst., while at anchor on Point Desmonts, was boarded by the lighthouse keeper, Mr. Fafard, who reports that on the 1st inst. Captain Connell, of the Manicouagan lightship, who had been on shore fowling, returned to his vessel and went into his cabin. Almost immediately afterwards his assistants on board heard the report of firearms proceeding from the cabin. On rushing in they found Captain Connell extended on the floor quite dead, with the front of his skull blown off. From the absence of witness it can only be surmised that the unfortunate man met his death while trying to hang up his fowling piece, which was found suspended against the wall, muzzle downward. Next day they placed the body in a boat and tried to reach the south shore, but it was found to be impossible, owing to a heavy gale which carried away their sails, and it was with the greatest difficulty they succeeded in getting safely back. The body was still on board the lightship on the 7th. Deceased leaves a wife and large family."

Captain Connell was formerly commander of the steamer "Georgia," and also of the "Gaspe," of the Quebec and Gulf Ports S. S. Co's Line.

New Advertisements.

ON HAND.

A FEW BBLS. of very Superior Family FLOUR, for sale LOW, to close the consignment.

F. S. HANFORD & CO.,
Water Street.

Nov. 17—1i

SELLING OFF!

ALL MY STOCK, in

Boots and Shoes,

Will be sold at GREATLY REDUCED PRICES, till 15th DECEMBER, as I intend closing my present business at that time.

Also all Accounts remaining unsettled at that time will be handed over for collection. Hoping parties interested will take notice and govern themselves accordingly.

JOHN MACKENZIE.

Ch'town, Nov. 17, 1877—1w

1,000 LAKESIDE AND SEASIDE LIBRARY,

JUST OPENED AT

BREMNER BROS.

Nov. 16—4i

THE MAPS

For the Public Schools

HAVE ARRIVED,

and are for sale at the

SCHOOL BOOK DEPOT.

HARVIE'S BOOKSTORE,
Queen Street.

Ch'town, Nov. 15—4i eod

CURRIE'S GRAMMARS, COLLIN'S GEOGRAPHY,

JUST RECEIVED AT THE

SCHOOL BOOK DEPOT.

HARVIE'S BOOKSTORE,
Queen Street.

Ch'town, Nov. 15—4i eod

CARD.

MR. D. McRAE, a teacher of upwards of 25 years experience in the Province of Ontario, ex-Superintendent of Schools for the Township of Kingston, intends (if sufficient encouragement offers) intends to open, during the winter months, Evening Classes, in Writing, Arithmetic, Algebra and Elocution.

Mr. McRae would give his earnest attention to Posting Books, Making out Accounts, Collecting, &c. Apply at 124 Kent Street.

Two permanent boarders can be accommodated.

Ch'town, Nov. 15, 1877—

CHARLOTTETOWN TEMPERANCE REFORM CLUB.

MUSICAL & LITERARY

ENTERTAINMENT,

—IN THE—

MARKET HALL,

—ON—

Wednesday Evening,

21st Nov., 1877.

The Committee have the pleasure of informing the public that a First-class Programme has been prepared, which will be issued shortly; and they feel confident that this Entertainment will be fully up to those heretofore given by other societies.

The Musical Department will be under the direction of Professor Earle.

The CHARLOTTETOWN AMATEUR ORCHESTRAL CLUB have kindly consented to perform on the occasion.

TICKETS: Reserved Seats, 50 cents; unreserved do., 25 cents, to be had at the usual places.

Doors open at 7½; to commence at 8.

BENJ. BREMNER,
Sec'y, *pro tem.*

VASES!

6 Dozen Pairs Handsome Fancy Vases,

From 50 Cents per Pair, upwards.

—ALSO—

A FINE Selection of

Flower Centres and Lustres.

JUST RECEIVED.

WM. W. WELLNER

Ch'town, Nov. 13—4i wkly.

Auction Sales Etc

PRESSED HAY!

20 BALES PRESSED HAY for sale, VERY CHEAP, if called for THIS DAY,

SATURDAY,

—AT—

A. McNEILL'S AUCTION ROOM.

Nov. 17, 1877.—2i

FURNITURE.

REMEMBER THE

CLOSING OUT SALE!

At the Railway Hotel,

(Redhouse),

THIS DAY,

Saturday, the 17th Nov.,

at 12 o'clock, noon,

Terms Cash. Great Bargains. See Handbills.

A. McNEILL, Auctioneer.

Nov. 17—

Auction at Souris East.

THE SUBSCRIBER will Sell, by Auction, on

SATURDAY, the 17th inst.,

AT 1 O'CLOCK, P. M.,

200 Bbls. LABRADOR HERRING.

TERMS at Sale.

C. C. CARLTON, Auctioneer.

Souris, Nov. 16—

Administrator's Sale

—OF—

FOUR PLOTS OF LAND

IN KING'S COUNTY.

1st. A FREEHOLD FARM of one hundred acres, in Lot 47.

2nd. FREEHOLD LAND (Woodland), 11 acres, in Lot 47.

3rd. A BUILDING LOT, with House and Premises, in Souris East.

4th. A LEASEHOLD FARM (woodland—no improvements), of about two hundred and four acres, in Lot 46.

NOTICE is hereby given that the Subscriber—Administrator *cum testamento annexo de bonis non* of the Estate of the late Emanuel McEachern, of Lot Number Forty-seven, deceased—will Sell, by PUBLIC AUCTION, on THURSDAY, the TWENTIETH Day of DECEMBER next, 1877, at the hour of TWELVE o'clock, noon, at Souris, by virtue of a license therefor, granted by the Honorable Charles Young, L.L.D., Surrogate and Judge of Probate of this Island, dated the twenty-fourth day of October, in the year of Our Lord one thousand eight hundred and seventy seven:

ALL that Tract, Piece and Parcel of Land, described as follows, that is to say: Commencing on the north side of a line of road surveyed by Joseph Ball in the western boundary of land marked Farm No. 9, in the possession of Donald McDonald, and running from thence by the magnetic meridian of 1764, for the distance of ninety-nine (99) chains; thence north 76 degrees, west till it gives the distance of ten (10) chains on an east and west line; thence south to line of road aforesaid; thence east to place of commencement, containing one hundred acres of land, more or less, and being part of said Lot Forty-seven. ALSO, all that Tract of Land situate on said Lot Number Forty-seven, bounded as follows: On the south by the rear boundary line of the homestead of deceased, on the west by the farms known as the Portage Farms; on the north by lands owned by the McDonalds of Prospect Hill; and on the east by the east line of the said homestead, containing eleven acres, more or less. AND, ALSO, all that Building Lot in Souris East, in said Island, with the House and Buildings thereon, described as follows: Commencing at the eastern boundary of Building Lot No. One, and running thence south 54 degrees, along said boundary for the distance of one hundred and six (106) feet; thence north eastwardly parallel to the Souris Road, for the distance of sixty-eight (68) feet, or to the southern angle of Building Lot No. 3, thence north 45 degrees; west along the south west boundary of said Lot to Souris Road; thence along said road for the distance of eighty feet, to the place of commencement, with all and singular the premises and appurtenances thereunto belonging, and of which the said deceased doth appear to have been seized and possessed. AND I hereby also give notice that I will put up and Sell, by PUBLIC AUCTION, at the time and place aforesaid, ONE CERTAIN LEASEHOLD FARM of the said late Emanuel McEachen, deceased, being all that Tract, Piece and Parcel of Land, situate, lying and being on Township Number Forty-six, in King's County, bounded as follows, that is to say: On the east and south by land formerly the property of the late Honorable Samuel Cunard; on the west by land leased unto Roderick McDonald; and on the north by land leased to Angus McPhe, Neil McPhee and John McKenzie, containing an area of about two hundred and four acres of land, a little more or less.

Terms and conditions of sale made known on day of sale, or on application to the undersigned, or at the office of Messrs. Brecken & Fitzgerald.

CHARLES McEACHERN,
Administrator.

Charlottetown, Oct. 30, 1877—kca 4i nov