

The Daily Examiner

MARCH 23, 1886

The City Council's Latest Blunder

The action precipitately taken by the City Council concerning the prosecution of violators of the Scott Act reminds one forcibly of Mrs. McDonald's remark that "it's time enough to bid the devil good day when you meet him."

Whereas, It has come to the notice of this Council, through the press and otherwise, that His Honor the Stipendiary has instructed the police that it is their duty to institute proceedings under the Canada Temperance Act, 1878:

Thus, before they knew whether the Corporation was or was not liable for the costs of unsuccessful prosecutions against offenders under the Scott Act, the Council hastened to declare that the Corporation will not be responsible for any damages!

But, apart from their undue and undignified haste in taking this action, how does it accord with the resolution passed by the Council at their previous meeting? At that meeting they instructed the Stipendiary Magistrate to inform the police that they must "search out and bring to justice all persons guilty of an infraction of the Scott Act."

We feel sure that this cannot really be the wish of Councillor Kelly, whom we have long known as a law-abiding citizen, and it certainly cannot be the desire of Councillor Curtis, Deputy Sheriff for the County.

Taking the lower ground of dollars and cents, let us inquire whether or not there is any good reason why the City Council should thus play into the hands of the violators of the law. Has the prosecution of Scott Act cases proved such a losing business as to scare the Council from incurring any responsibility for damages in cases which are not proven? True, the Dominion Alliance lost some money; but they did not receive the fines imposed.

Fortunately, resolutions of the City Council are not like laws of the Medes and Persians, fixed and unalterable; and should the Stipendiary Magistrate decide that prosecutors are liable for all costs of Scott Act cases which are not successful, we hope to see the hasty, unnecessary and foolish resolution passed last evening rescinded, and the officers of the law armed with full authority and power to enforce the law.

—The Patriot asks: "Can it be true that the ambassadors from P. E. Island are on their way home without having obtained an audience with the Secretary of State for the Colonies?"

The Concert last Evening.

Mr. Earle's Oratorio Concert was, by long odds, the best concert heard in Charlottetown this season, if it was ever surpassed by local talent. In the first place, the music was selected from the works of the best composers, Handel, Haydn, Weber, Mendelssohn, Rossini and others, and was as diversified as it was well chosen.

The Y. W. C. A.

The annual meeting of the Charlottetown Young Women's Christian Association took place yesterday. The report of its operations during the last year was very interesting, and showed that a good local work has been done. It will shortly be published, and will speak for itself.

LETTERS TO THE EDITOR.

Between Two Fires.

Sir,—By virtue of a resolution passed by the City Council, the police force are, in effect, told by the Stipendiary Magistrate, "You must root out all violators of the Scott Act, or else take the consequences!"

The place to buy your Boots and Shoes just now is at J. C. Sprague & Co.'s. Discount 20 per cent.

City Council.

A special meeting of the City Council was held last evening. His Worship the Mayor, His Honor the Recorder, and all the Councillors were present, and the auditorium was crowded with spectators.

Councillor Kelly moved and Councillor Curtis seconded the following resolution:—Whereas, It has come to the notice of this Council, through the press and otherwise, that His Honor the Stipendiary has instructed the police that it is their duty to institute proceedings under the Canada Temperance Act, 1878:

Therefore Resolved, That this Council direct its clerk to inform the Stipendiary Magistrate that no funds of the city shall be expended in any prosecution instituted under the said Act, nor shall the city incur any costs in any prosecution or case, instituted or commenced by any person under the said Act, or be responsible for damages or costs incurred or paid by any person by reason of any such prosecution.

This resolution, he thought, would meet the views of the Council, but, if necessary, he would say something further later on.

Councillor Crabbe would like Councillor Kelly to explain the resolution, as he himself could not see its force, neither could he see where the funds of the city were to be paid. As he understood the matter, the police inform the Magistrate of those whom they suspect of selling liquor, the Magistrate orders the summonses to be issued, and no costs are incurred in the matter.

Councillor Kelly said that if no funds of the city were necessary there was no necessity for voting for the resolution, but if the funds were necessary the resolution should be supported. Appeals, costing large sums of money, have been made in the past, and will doubtless be in the future.

Councillor T. A. McLean could not see the force of the resolution. He thought it were time enough to bring in the resolution when the city was called upon to pay losses.

Councillor Curtis thought the present the proper time to face the resolution. He would like to know if the people of the city were to be taxed to death to pay for prosecutions under the Scott Act, a law which was never intended to be carried into effect.

Councillor Crabbe remarked that Councillor Kelly did not fully explain what he meant. He thought the resolution shirked the question. No fines have been imposed under the Scott Act since the passing of the resolution at the last Council meeting and consequently there have been no appeals.

Councillor A. A. McLean contended that if Scott Act cases are appealed from the Stipendiary Magistrate's court the city should not be responsible for any costs incurred thereby. The costs of the prosecution should not fall upon the city.

Councillor Morris thought the resolution was all right and could see no objection to voting for it. Councillor T. A. McLean took exception to the resolution and could not vote for it. It is the duty of the officers of the law to enforce the law. The Scott Act is the law of the city and should be enforced the same as other laws, and he could not see why the funds of the city should not go towards enforcing it as well as other laws.

Councillor A. A. McLean said we could not see just now where the costs are to be incurred, but might see to-morrow or next day. He thought the present the proper time to move in the matter before any costs are incurred. The funds of the city are in a low state at present, and no risks should be run. The policeman makes a charge as a private citizen and not as a police officer, and he could not see why the city should defray the expenses should the suit be lost. The party making the complaint should be responsible.

Councillor Kelly said Councillor Crabbe knew well enough that the city had to pay over \$400 on a case carried to Ottawa. If the city had carried on prosecutions it would have been responsible for all the losses incurred in the years that are past. As the matter stands now, the city is responsible for all losses which may arise out of Scott Act prosecutions, until such time as a resolution like the one now before the Council is passed. If any damages arise out of the cases now before the court the city would be responsible.

Councillor Curtis said that one case was dismissed by the Stipendiary Magistrate today, and the city had to pay witness' fees. If a policeman proceeds wrong, and an action for damages is brought against him, should the city be held responsible? Councillor Crabbe referred to the \$400 bill incurred by the Dominion Alliance. Some one instituted proceedings under the Scott Act in the Magistrate's Court, and demanded half the fines for so doing. It was contended that the prosecutor had no claim to the fines; the matter was appealed to Ottawa, and it was there decided that the city was the rightful owner of these fines. We have nothing to do with the Canada License Act. If any funds come from cases they go to the city, and no demand whatever had been made by the Dominion Government for money collected under the Scott Act.

Some years ago upwards of \$2,000 in Scott Act fines were received by the City Council from the Stipendiary Magistrate, clearly showing that the city and not the Dominion is entitled to the money. Councillor Morris thought that the less said about the Dominion Government's demand the better. He had been told today by a leading lawyer that it were better to let well enough alone.

The resolution was then put and carried on the following division:—Ayes—Morris, Douse, Horne, McRae, A. A. McLean, Curtis, Kelly—7. Nays—Crabbe, Hazard, T. A. McLean—3. The by-law for taxing commercial travellers was then introduced, and after some discussion the bill was abandoned. Council adjourned.

SEIZURE SALE,

—ON—

7th Day of April Next, AT 11 O'CLOCK, A. M.

AT Customs Appraisers' Office, WATER STREET, the undermentioned goods will be sold for an infraction of the Revenue Laws:—

- SEIZED. 1 barrel Sugar, 1 do Molasses, 1 do Tamarinds, 2 kegs do. Goods UNCLAIMED. CONSIGNEE. 1 Organ, 2 brls. and 3 boxes Glassware, J. C. Bullard, 1 Organ, A. McAlpine, 1 box Rowlocks, A. McLeod, 9 casks Lacquer, 1 case books (mk'd R. A. L.), Hubbard Bros., 1 box books (mk'd S. A. A.) do do, 1 case Writing Paper, etc., G. H. Hazard, 2 brls. Oil, S. W. Crabbe, 2 brls. and 2 kegs Glue, do, 2 brls. Paint, do, 1 brl. Lamp Black, do, 1 case Sand-paper, do.

JAS. CURRIE, Collector. Custom House, Charlottetown, March 23rd, 1886. Si eod tl apr7

TEA AND SOCIAL.

THE Ladies of ZION CHURCH intend holding a Tea and Social in the basement of the Church,

On Tuesday, 23rd inst.

They will also have a Refreshment Table at which Ice Cream and other delicacies will be furnished. Doors open at 5 p. m. Admission, 10 cents; Tea and Admission, 25 cents. March 20, 1886.

SPECIAL SALE,

—FOR—

One Week Only,

—AT—

JAS. PATON & CO.'S, MARKET SQUARE.

WE intend to clear out our stock of Print Cottons at prices that cannot be competed with.

15 cent Cotton reduced to 8 cents per yard. 12 " " " 7 " " " 10 " " " 6 " " " About 10,000 yards in all.

This is a Genuine Mark-down Sale, and you should see these goods.

JAS. PATON & CO., SUCCESSORS TO

W. A. WEEKS & CO. Ch'town, March 19 - 1 wk

1827 - - - 1886.

T. & E. KENNY,

Dry Goods and Shipping,

HALIFAX, CANADA. March 19, 1886.

METHODIST TEA

—AND—

FANCY SALE,

WILL BE HELD IN THE

ROLLER RINK,

—ON—

Thursday Next, 25th inst.

A FANCY Table, also an Apron Table, with a large and varied assortment of Ladies', Misses' and Children's Aprons; also a variety of fancy and useful articles. Refreshment Tables well supplied with substantial and delicacies. Doors open at 12 noon; Tea on the tables at 5 o'clock. Oysters served at 9 p. m. Admission 15 cents; Tea, 25 cents. MRS. R. D. COPPIN, Secretary.

March 18-7i wky li

BARCLAY & CO.,

GENERAL

Commission & Shipping Merchants,

191 Atlantic Avenue, Boston

EIGHT years' experience in this market. Over fifty thousand bushels P. E. I. potatoes received by us last fall. Our patrons all satisfied. Vessels chartered for potato freights at short notice. Write for market reports. Specialties—Potatoes, Mackerel, Canned Lobsters, Eggs. March 17, '86 - 3mo eod

Flour, Sugar, Oil, &c

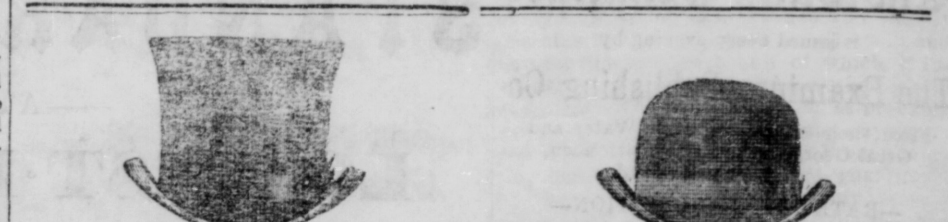
BY Auction, WEDNESDAY, March 24th, at 11 o'clock, at my Auction Rooms:— One carload Flour (superior extra), 1 carload Flour (patent), 25 barrels Vac. Pan Sugar, 30 casks Kerosene Oil, 20 boxes Val. Raisins, 10 boxes Cheese (Factory), 50 boxes Boneless Fish—all of which must be closed out. Terms at Sale. A. McNEILL, Auctioneer. March 17-4

Farmer Hard Luck:—"What will I do? My family give me no peace on account of the Boots I bring them. They say they are leaky and don't wear."

Farmer Good Fortune:—"My friend you are right; bad Boots do bring trouble. The Boots I buy give wife and children great satisfaction. If you want to astonish and please your family buy your next Boots at

DORSEY, GOFF & CO."

Ch'town, March 23, 1886.



CHRISTY'S LONDON HATS!

Spring Stock Just Opened

—AT THE—

LONDON HOUSE!

Newest Styles! Lowest Prices!!

TAILORING DEPARTMENT—A fine stock of Scotch and English Tweeds and Worsted to select from.

HARRIS & STEWART

SUCCESSORS TO

Geo. DAVIES & CO.

Ch'town, March 22, 1886—dy & wky

BEER BROS.

1000 TAPE HATS and BONNETS at 10c. each.

This is a job lot of Ladies' and Children's Hats, Baby Bonnets, &c., bought at a great sacrifice and must be sold at once. Many of the Bonnets, with Tinsel Trg, are worth five times the price.

Hamburg Edgings,

200 Patterns to select from. Excellent Value.

LACE CURTAINS, ROOM PAPER, CARPETS.

BEER BROS.,

73 & 75 Queen Street. Ch'town, March 20, 1886.

6,500 HATS

—AT—

L. E. PROWSE'S,

WILL BE SOLD CHEAP.

MOST of this stock has been bought at about 30 per cent. less than regular prices, therefore Big Bargains will be given in every line. For Style, Quality and Low Price we leave all other competitors behind.

PLEASE COME AND SEE

L. E. PROWSE,

Sign of the BIG HAT, 74 Queen Street. Ch'town, March 20, '86—eod wky

BRITISH WAREHOUSE,

83 QUEEN STREET.

EXTRA value for MARCH and APRIL in Table Damasks, Napkins, Sheeting, Pillow Cottons, White and Gray Cottons, Towelings, Tickings, White and Colored Knitting Cottons,

CARPETS AND OILCLOTHS,

1 CASE EMBROIDERY,

direct from Switzerland, just opened.

A. L. BROWN.

Ch'town, March 15—wky.