

The Daily Examiner

OCTOBER 20, 1885.

A Breakwater Needed at Red Point

MR. BROWN, C. E., of the Public Works Department, was engaged last week in making a careful and thorough survey of the coast, in the vicinity of Red Point, Lot 46, with the view of having a breakwater constructed there. THE EXAMINER has, on several occasions, directed attention to the desirability of having this proposed breakwater built. There is no part of the country more destitute of harbor accommodation than are Red Point, West River and adjoining settlements. The road between Souris and East Point is an extremely hilly one, and the former place being the only port where farmers in that section of the country can ship their produce, a breakwater at Red Point would prove of immense advantage to them. It would also prove of incalculable value to those engaged in the fisheries. We hope that this much-needed public work will be undertaken at an early date as possible. We have, of course, no means of knowing the Engineer's opinion as to the work in question, but, until convinced to the contrary, we shall hold to the opinion that it is practicable, and ought to be undertaken and completed.

Justice Bradley, of the United States Supreme Court, has just given a decision that, if finally sustained, will strike a death blow at a system that still maintains a hold in some of the districts of the country, and has been productive of much loss and annoyance to the work people whom necessity forces to submit to it. Among the glass manufacturers about Trenton, N. J., it has been the custom to pay the employes with shiplasters, redeemable only at the stores of the bosses, where goods were sold to the victims of the system at a heavily advanced price. Some time since Congress passed an act levying an annual tax of ten per cent. on the whole amount of such notes put in circulation. Warwick & Co. were prosecuted under the act for the tax on \$67,000 of the shiplasters, and set up in defence that they had only issued \$400, which had passed and passed through their hands many times, and that they should only be called on to pay \$40, instead of the \$7,600 sued for. The jury in the first court found for the defendants, but the verdict has now been set aside, and judgment entered for the larger sum, and as it would be more profitable to pay the men in legal tenders than with the "plasters" subject to such a tax, there seems a probability that the workmen may now get their wages without submitting to what can only be classed as a swindle.

An Irish Baronet, Sir Thomas Henry Grattan Esmonde, grandson of the great Henry Grattan, has given his adhesion to the Nationalist cause in Ireland—has, indeed, become one of the leaders of the Nationalists. He was chosen by the Parnell Convention, held last week, as a candidate for the representation of Dublin, with Mr. Clancy, one of the editors of the Nation. Sir Thomas is a landlord and an aristocrat by birth, and there appears to have been some trouble in prevailing upon the Convention to accept such a man as the candidate of the Nationalist party. But the speech which he delivered when his candidature was made public made a most favorable impression on the electors.

M. Grevy has announced his intention of becoming a candidate for reelection to the Presidency of the French Republic, and, it may be judged, with fair prospects of success. In the death of great men at present actively engaged in French politics, no other name is likely to appeal to the country with force sufficient to replace that of the present chief of the Republic, whose administration has been marked by wise conservatism and a careful avoidance of any interference with the rights of the other branches of the legislature, though when occasion called for it he has not failed to exercise his influence for the good of the State.

We counted, says the Montreal Witness, the death-rate of our French population during three months at twelve thousand five hundred per million, against an average of two hundred and thirty-one per million per year in England. It should be noticed, as some have failed to do, that this is putting the last three months against a year. To make an equal comparison our small-pox death rate has been fifty thousand per million against two hundred and thirty-one per million, the average of a fairly vaccinated country, that is, two hundred and seventeen times as many.

"RIE's health is good," says a Regina despatch. When the Deputy Sheriff conveyed to him the news of his second respite till the 26th, he coolly received the information as a matter of fact. A day or two ago he addressed his spiritual adviser, Pere Andre, as follows: "Father, I ask you one favor, and I am sure you'll not refuse me." "What is that?" "It is that you will ask Archbishop Tache to allow me to say Mass." "Who ordained you a priest?" asked Father Andre. "The spirits," "Well Monsieur Rie," said the honest Pere, "I cannot acknowledge the authority of that spirit. You had better give over your romancing and attend to your proper religious duties."

It is said that the Nova Scotia Sugar Refinery will shortly shut down again for three months, the last raw material on hand being now in use.

The Fitzpatrick Murder.

THE INQUEST RESUMED IN THE CITY.

Testimony of the Doctors.

WITNESSES WHO HEARD THE FATAL SHOT.

The Inquest Adjourned.

LAST evening, at seven o'clock, the inquest was resumed in the Stipendiary Magistrate's Court Room. Hon. W. W. Sullivan, Attorney General, attended on behalf of the Crown, and L. H. Davies, Esq., Q. C., on behalf of the boys, Beales and Smith. The evidence of the first two witnesses was taken in the evening at the scene of the murder, and the evidence of those following was taken in the Court Room:—

MARIA FITZPATRICK (sworn)—I am the mother of the deceased, Joseph Fitzpatrick. I was in town on Friday last. I came home about seven o'clock in the evening, and found the boy in bed. He undressed himself and got into bed without any help, so he told me. He said he was going out for the cow, and that two fellows in a cart met him; that one of them said he was going to shoot him; that he put something on the gun and fired at him. He said he did not fall. He said he cried out, but that the fellows in the cart drove on and laughed at him. He said he did not know them. Then he told me of the man and woman coming along in a wagon, and that the woman asked him, "Are you shot, sonny?" and he said "Yes." He said they did not stop. I asked him if he knew who the man and woman were. He said he did not. The boy's father went for the doctor. The oldest boy at home was only between six and seven. He and the other small children were in the house when Joseph was shot. He told me as above as soon as I came home. He appeared quite sensible. He repeated the same statement to his father on Saturday morning. He appeared quite sensible until about noon on Saturday. He said the parties who fired at him had a big brown horse. When Mr. Beales came he told him it was not his son, he thought, who shot him. He said Beales boy and he used to be sometimes together. The boy (the deceased) said he thought the men wore grey clothes. He said he thought they were grown-up young men, apparently of the same age of his own eldest brother, but not quite so big. He did not say what kind of a cart they were in. He said they were walking the horse when they fired at him; that they then drove off. It was after twelve o'clock on Saturday Mr. Beales called to see him. There was a gentleman with Mr. Beales who I did not know. The boy took a turn about twelve o'clock on Saturday night. He then began to rave and fancy he saw things, but when one spoke to him he appeared sensible. He appeared to talk sensible to Mr. Beales. When the men went in at first I went out. Mr. Beales' companion went in first and talked with the boy alone. After the man came out then Mr. Beales went into him. I do not remember whether the other man came out or not. I do not think he did. Mr. Beales asked Joseph if it was his son who shot him, and he said he did not know. He asked him do you know my son. He said yes. Then he asked him a second time. He said he did not think so. He said it was a long gun the boy used when he fired at him. He said they were big boys in the cart.

MRS. ELIZABETH SMITH (sworn)—I live at the North River, across the creek. I was coming out of town on Friday evening about twenty minutes past four. Two young boys, about fifteen or sixteen years of age, passed me in an express wagon about Mr. Warburton's gate, coming from town, also a man and woman in a wagon behind the express wagon, also one or two more. There were two men in a cart. I do not remember which passed me first, the man and woman or two men in the cart. There were other parties passed me. I rested two or three times on the road between Mr. Warburton's gate and Mr. Fitzpatrick's. I had a basket and a can to carry. When I came to Fitzpatrick's I saw two children taking in wood. I did not know what had happened. I heard a gun fired when I was near Mr. Holman's Road. The sound came in the direction of Mr. Holman's house. That was about dusk, about 5 o'clock. The same boys that passed me at Mr. Warburton's gate passed me again going towards Ball's Hill. I think they had dark clothes on, and round felt hats. They had a dark, nearly black horse. I do not know whether I would know the boys again. I left town about 4 o'clock. I would have been about twenty minutes at Warburton's gate. When I heard the shot fired at Holman's Road I saw the boys drive down towards the bridge. That was the only shot I heard fired, and that was up on Holman's Road. It was soon after I heard the shot that I saw the boys. I do not know how far I walked when I saw them. When I saw the boys I was about the length of one telegraph pole from the end of the road. When the shot was fired I did not observe the two men in the cart closely, nor the kind of horse they had, nor how they were dressed. I cannot say whether they had beards or not. They were walking the horse. The time I heard the shot fired the boys were not in the direction of Fitzpatrick's. They were not driving fast.

DR. S. R. JENKINS (sworn)—I performed a post mortem examination on the deceased. The body was much discolored about the neck, and the abdomen was greatly distended. Two gunshots were in his body—one in the region of the chest, left side, between the nipple and medium line; the other in the left side, between the last two ribs and the hip bone. After opening the chest, the upper wound was found to continue inwards from left to right, between the third and fourth ribs. The shot was found lodged in the breast bone, about its centre. It had not penetrated the chest wall, and was not therefore the cause of death. It was an ordinary goose shot. (Shot produced). The second wound was nearly about the same size as the other.

In opening the wound we found a portion of it adhering to the outer walls of the intestines. There was a large quantity of fluid matter in the cavity. The course of the shot was traced to the small intestines, causing inflammation. The shot which entered the abdominal cavity was the cause of death. The shot was not found. It did not go through more than one loop of the intestines, which we could find. The shot lodged somewhere in the abdominal cavity, near the posterior bowels. I was called to see the deceased on Friday evening, at eight o'clock. I found the boy suffering a great deal of pain. He had a very rapid pulse and had been vomiting. He was quite conscious but very weak, apparently recovering from the shock. In questioning him as to where he was and how the shooting was done, he said he was going after the cow. He saw two young men in a cart. They said they would shoot him. After going some distance, he said one of them fired, after putting something in the gun which he took out of his pocket. I asked him how far off he was, and he said as far as he could throw a stone. After he was shot, he said, a man and woman passed in a wagon. The woman asked if he was shot. He replied he was. He did not say anything about the horse then. I probed the wounds and did all I could to revive him. Next day I saw him about noon. His temperature was 102 deg., and he had a rapid pulse. He complained of a great deal of pain over his abdomen, which was somewhat swollen and effusive. I gave him opium for the pain. I saw him again in the evening with Dr. Conroy. He was then pulseless. His extremities were cold. He was able to answer some questions, I could not say rationally. He said then it was a big brown horse the men drove. At the second visit at noon on Saturday, he was suffering great pain, and he offered no information. He seemed somewhat distressed and delirious. I did not tell him he was likely to die. At that time he appeared listless and hardly able to realize his condition. On my third and last visit Mr. McQuaid took down a few notes of what he said at the time. While the statement was taken, he would pass at times into a stupor, or become unconscious. He would then rally and answer questions with difficulty. In describing, on the previous evening, the team in which the men who shot him drove, he said they drove in a cart, but on the evening he said it was a truck-wagon.

DR. CONROY (sworn)—I heard Dr. Jenkins' evidence read. It is a correct description. The cause of death was the effect of the shot received in the abdomen perforating the intestines and causing inflammation. I heard the questions put to the deceased on my visit. I heard the Beales boys were accused of the shooting, and I thought I would ask him if it were they who shot him. I asked Mr. McQuaid to take the answers down. The boy could with difficulty answer my questions. I asked him if he knew who fired the shot at him. He said he did not know. I asked him if it was a cart or a wagon they drove in. He said first it was a cart and then, correcting himself, said it was a truck-wagon. I asked him if he thought it was Beales boys. He said no. I asked if they fired one or two shots. He said one. I asked him if he had been firing stones at them. He said no. I asked him what they said to him. He said nothing, only to get out of the road or they would shoot him. I asked him if any one saw them firing at him. He said a man and woman were passing in a wagon. The woman asked him if the bullet went through him. He said it did. While I was asking these questions he would doze away for a few minutes and wake up quite bright. I gave him an orange and he sucked it down greedily. He threw a piece of it across the room, and then commenced to laugh. I asked him again if it were Beales' boys who shot him and he said no. I think I understood he knew Beales' boys.

JOHN MALLETT (sworn)—I live thirty or forty chains across from Fitzpatrick's place in a direct line. I was in the back field on the evening of Friday last. I was twenty-three or twenty-four chains from Fitzpatrick's when I heard the shot. It was then something about half-past four o'clock. I looked up and did not see any one on the road. People might have been on the road and I could not see them, as there are bushes along the road. I did not hear the rattle of a cart. When I heard the shot I heard no cry, and I wondered who was shooting at that place. The shot apparently was, as near as I could judge, within a chain or a half north of Fitzpatrick's house, not within twenty or thirty chains of the cross road. I looked but I saw no smoke. There was quite a flock of crows going from my direction, and when the shot was fired they turned towards me. My three boys were with me. One of them remarked that it is a certain man's rifle. I think he said it was young Beales. I think it was Cyrus said so, but I am not positive. A few minutes after that we went home. I went into the house in about thirty minutes after that. About an hour afterwards I was called to see the boy. I went down, and when I saw him I asked what was the matter. He did not tell me who shot him. He showed me the wounds. I asked him if he knew who shot him. He said no. I asked him if there were one or two. He said two. He said they were in a cart. I asked him if he knew who they were. He said "No, I don't." He said they were young men grown up. I asked him if they had any whiskers. He said no. I asked him if he would know them again if he saw them. He said he thought he would. I asked him where he was going. He said along the road for the cow. I asked him if he gave any cause for their shooting. He said he did not. He said they were going from town and had passed before they fired. When they passed they said I will shoot you. I asked him another question, and he said: "O, it hurts me to speak." Just then, Dr. Jenkins came in, dressed the wounds and asked how far he was off when the shot was fired. He said about as far off as he could throw a stone. I asked him if he knew me, and he said he did. Before I went down to Fitzpatrick's I saw several carriages passing. Just as I got home after hearing the shot, Mrs. Rodd got to my house with her son. They had a wagon. They were coming from town. Young Rodd asked who was shooting down there. Rodd, husband of Mrs. Rodd, saw William this evening. He said that news reached their place of the shooting, and that his wife and Arch'd McNevin came after them

in a cart, and she said if any one knew anything about the shooting he did. Young Beales was not at my place that evening, though I heard my boys say he passed towards North River Bridge. I only heard one shot. John Connolly said he heard two shots. Robert Cass also said he heard two. I know Mrs. Smith. She did not pass my place that evening. She passed the place where the shot was fired. I heard Donald McKinnon, of West Royalty, say he saw two boys going towards town in a wagon with a gun. They were near Fitzpatrick's.

CYRUS MALLETT (sworn)—I was with my father and brothers when I heard the report of the gun across the creek, close to Fitzpatrick's, north of the house. I saw no smoke and heard no cries. I saw the crows turn back on hearing the shot. I don't think I made a remark at the time, nor did my brothers, that I remember of. I said I thought it was like the sound of Frank Beales' gun, but I was not certain. It was louder than an ordinary report. I did not say it sounded like a breech loader. I have seen Frank Beales fire out of his gun. It has a sharp sound and loud. I returned to my father's house about half-past four o'clock, ten or fifteen minutes after I heard the sound of the gun. I saw Frank Beales and another little fellow pass the house. I did not know the other young man. They were going in the direction of North River. I did not see a gun in the wagon. They had a low express wagon and a black horse. I did not take notice how they were dressed, nor did I notice the kind of hats or caps they had on. I was not speaking to them. They were not in at my father's. When they passed it was half an hour after I heard the report of the shot. I did not hear them talking. I did not see two men in a cart pass. My aunt and George, her son, came along in a wagon before Frank Beales. I heard one shot fired. I did not see the boys again that evening; I saw Frank Beales out there often. He takes a black horse with him. Several carriages passed that evening towards North River, but I did not recognize the people who were in them. Mrs. Rodd came to our house five or ten minutes before Beales passed. George Rodd asked me who was shooting down at the creek. I told him I did not know. He did not say where he was when the shot was fired. I was looking through the window when Beales passed the road towards North River.

JOHN CONNOLLY (sworn)—I was within talking distance of Mr. Mallett when I heard the report of the gun. The shot was fired to the north of Fitzpatrick's house; I did not hear a second report. I heard but one. I heard the cries of the child after the shot was fired; I saw nobody. The bush was between me and where the shot was fired. I did not hear the boy was shot until that night. It was a loud report—the heaviest I ever heard from a gun.

JOHN N. CAMPBELL, butcher (sworn)—I was on the Lower Malpeque Road on Friday afternoon. I was coming towards town between four and five o'clock. I met several. Some I knew and some I didn't. I did not hear the gun report, nor did I pass Fitzpatrick's. I only went as far as the slaughter house at Hon. Daniel Davies. I met Mrs. William Rodd and her son, also Miss McEachern, from West River. She was driving in a carriage. I met two boys in a wagon; I did not know them. If they had a gun they had it covered. I remember seeing something between them lying slanting in the wagon. It was covered with a greyish covering. The horse they drove was black. They had a light express wagon. They were young men. I took no notice of their dress. I think I met several carts and wagons. I could not say particularly who were in them. I cannot say I met any with two men in them. Coming into town a young boy jumped on our wagon with a gun. I asked him if the gun was loaded. He said it was, but there was no cap on it. That boy came with us towards town. I think I would know one of the boys in the wagon if I saw him again. I asked the young man who was with me if he were Joseph Mahar's men. He said no. One of them was young Beales—James Beales' son. I did not find out the name of the young man who got into my wagon.

SIMON DAVIES (sworn)—I was at North River on Friday evening. I called at Mr. Mallett's coming in. While there the girl reported a little boy of Fitzpatrick's was shot. I went over with Mr. Mallett. I don't remember the conversation the boy had with Mr. Mallett. I asked the boy if he knew the parties who shot him. He said he saw them but did not know them. I asked him if he was suffering great pain. He said he was. I heard several shots fired during the evening. They were in an easterly direction and faint. I was then at Poplar Island waiting for wild geese. Two young men drove from the east towards North River. When they got half way across the bridge one got out and fired a rifle shot up river to rise the geese. The inquest adjourned at 11 o'clock until this evening at 7, when a large number of witnesses will be examined.

APPLES, &c.  
BY Auction, WEDNESDAY, October 21st, at 11 o'clock, in front of my Rooms:—  
25 barrels Choice Gravensteins,  
50 do Pippins, Tompkins, Greenings, &c.  
Also:—FRUIT expected Ex Boston steamer.  
A. McNEILL, Auctioneer.  
October 20, 1885—11

EXECUTORS' NOTICE.  
THE undersigned, Executors of the last will and testament of James Stanley, late of Charlottetown, deceased, hereby notify all persons indebted to his estate to make immediate payment to them, at the office of their Solicitor, Mr. Edward J. Hodgson, in Charlottetown, and all persons having claims or demands against the said estate are hereby required to exhibit the same, duly attested, to them, within twelve months from this date.  
I dated this 17th day of September, A. D., 1885.  
GEORGE STANLEY, } Executors  
W. W. STANLEY, }

For Charter.  
BRIGANTINE "ZELICA" due here about the 20th inst. is open for Charter for New York, Island. Apply to  
PEAKE BROS. & CO.  
Ch'town, Oct. 15, 1885—11

**GREAT PREPARATIONS**  
— FOR —  
**FALL TRADE AT THE FLOUR AND TEA STORE.**  
ON HAND AND TO ARRIVE:  
**TEA** Our large and direct importations from London enable us to give Extra Good Value in half chests, caddies, five-pound air-tight tins (screw tops) &c., &c. Warranted Extra Strong.  
**COFFEE** Java, Maracibo and Rio. &c., &c, fresh roasted and ground on our premises.  
**FLOUR** 1,500 barrels Matchless, Kent Mills, and other choice brands—Very cheap.  
We Guarantee Satisfaction or money refunded.  
300 Boxes and Half-Boxes Choice Raisins.  
40 Kegs Grapes.  
3,000 pounds Currants.  
300 Boxes Figs.  
Molasses, Kerosene Oil, Soap, Brooms, &c., &c.  
Wholesale Buyers can Make Money by buying from us.  
Retail Buyers can Save Money by buying from us.  
Our Motto: "BEST QUALITY AT LOWEST PRICE."

**BEER & GOFF.**  
Ch'town, Oct. 13, 1885.  
**THE LANCASHIRE INSURANCE CO.**  
OF ENGLAND.  
Capital - - - \$15,000,000  
Government Deposit \$200,000  
Insurance effected in the above well-known Fire Insurance Company at lowest current rates.  
Apply for quotations to  
**A. S. URQUHART,**  
Authorized AGENT for Prince Edward Island,  
Office: Brown's Brick Block, Queen Square.  
Charlottetown P. E. I., Oct. 2—3mo eod

**NEW FALL GOODS!**  
**NEW GOODS IN GREAT VARIETY**  
— AT —  
**L. E. PROWSE'S.**  
CHEAP CASHMERE'S, Cheap Merinoes, Cheap Dress Goods, Cheap Fringes, Cheap Fur, Cheap Velvet, &c.  
— ALSO —  
Ready-made Clothing at a great bargain; Pants 90c, up; Vests, 75c, up; All-wool Suits \$5, worth \$11. 425 Overcoats and Ulsters, \$3, \$4, and \$5 less than regular prices. A great part of this Clothing was bought at less than half-price and will be sold at Awful Low Prices.  
**L. E. PROWSE,**  
Sign of the Great Big Hat, 74 Queen Street.  
Ch'town, Sept. 29th, 1885

**CHARLOTTETOWN BUSINESS COLLEGE.**  
Hours—9.30 to 12 a. m.  
2 1/2 to 4 p. m.  
7.30 to 9.30 Evenings.  
SPECIAL SUBJECTS.  
Book-keeping, in all its branches.  
Business Correspondence.  
Type Writing.  
Shorthand.  
Telegraphy, &c.  
Call or write for full information.  
L. B. MILLER  
Principal.  
Oct. 19 d & w

The North Atlantic Steamship Co.  
  
**FOR LONDON.**  
THE STEAMSHIP  
**'CLIFTON'**  
WILL LEAVE  
Charlottetown for London  
on or about the 7th NOVEMBER.  
**FOR LIVERPOOL.**  
THE STEAMSHIP  
**"Nellie Wise"**  
WILL LEAVE  
Charlottetown for Liverpool  
on or about the 15th NOVEMBER.  
For Freight and Passage apply to  
**FENTON T. NEWERY.**  
Agent.  
Ch'town, Oct. 16, 1885.  
**COAL! COAL!**  
ALL kinds of Goods or Merchandize taken on Storage at lowest rates, and warehouse receipts granted when required.  
Moderate rate of Fire Insurance and Telephonic communication with the building.  
HORACE HASZARD,  
Manager.  
Ch'town, Sept. 26th, '85—1mo eod

**Valuable Premises.**  
BY Auction, MONDAY, October 26th, at 12 o'clock noon, on the premises, that beautifully-situated property, known as "The Free Church Property," Upper Prince Street. The Church building is moveable and will be sold separately.  
Good Title, clear of incumbrances will be given.  
Terms:—25 per cent cash; balance in three years, with interest at 6 per cent. per annum.  
A. McNEILL, Auctioneer.  
Oct. 19, 1885—11 sale  
**City Warehouseing Company.**  
ALL kinds of Goods or Merchandize taken on Storage at lowest rates, and warehouse receipts granted when required.  
Moderate rate of Fire Insurance and Telephonic communication with the building.  
HORACE HASZARD,  
Manager.  
Ch'town, Sept. 26th, '85—1mo eod