

The Dominion and Local Laws on the Liquor Traffic.

THE "Canada Temperance Act, 1878," if not actually the law, will certainly be so in a few days. At a time when party feeling is unusually high, it has passed through both Houses of Parliament with little opposition—the leaders of both parties uniting to assist its passage. It will now become the duty of the friends of temperance to make themselves well acquainted with its provisions; and it will then, in each particular case, be a matter of serious consideration whether it will be better to attempt to work under the Dominion law or under our local law as amended at the last Session.

The Dominion Act was called for by the fact that very grave doubts had arisen whether the local Legislatures had the power to refuse to give license—that under the B. N. A. Act they alone have the power of regulating the giving of licences is unquestionable. But the other point is not so clear. The Dominion Parliament therefore took hold of the matter, and has extended the permissive principle in the whole Dominion.

The new law is a very full and elaborate one. It consists of three parts, of which the second enacts the prohibitory clauses; the first part points out how the second can be brought into operation; the third part deals with penalties and prosecutions for breaches of the second. It contained in its original form 124 sections and 14 schedules, and it has not been materially altered in passing through Parliament.

The main provisions for bringing the second part into operation are as follows:—

The Act may be put in operation in any county or in any legal division of any county,—in the case of this Province school electoral districts would be recognized.

A petition must be sent to the Governor General, signed by at least one-fourth of the electors of the district qualified to vote for a member of the House of Commons, praying that a ballot may be taken.

Before the petition is forwarded, it must be left for public inspection in the office of the Sheriff of the County. Two weeks' notice must be given of such deposit by two insertions in two newspapers; and evidence of the genuineness of the signatures and of the fulfilment of the other requirements of the law must accompany the petition.

The Governor General in Council then issues a Proclamation appointing a day for taking the ballot, between the hours of 9 a. m., and 5 p. m., and nominating the necessary officials.

The usual regulations against bribery, treating, or any corrupt practices, are made. On the day of balloting no tavern is to be open.

The question is decided by the majority of ballots.

Should a scrutiny be demanded, it is to be held by the County Court Judge—the complainant giving security for costs.

Any fraudulent tampering with the ballot-book is a misdemeanor, punishable, in case of an offence, by a fine not exceeding \$1000, or imprisonment not more than two years. In the case of other offences, the extreme limit of the penalties is half the foregoing.

Bribery is a misdemeanor, punishable by a fine of \$200.

Should a majority decide in favour of the adopting of the Act, the second part comes into force by proclamation.

The second part enacts:—

No intoxicating liquors can be sold in the district, except in the following cases:—

For medical purposes, not less than one pint on the certificate of a medical man.

For bona fide use in some art, trade or manufacturing purposes, on a certificate of two J. P.'s, and the affirmation of the applicant.

For exclusively Sacramental purposes, on the certificate of a clergyman.

The Lieutenant Governor may license one or two to vend for the above purposes.

Brewers or distillers, wine manufacturers, and exclusively wholesale dealers, may sell not less than 10 gallons, to be taken out of the district, and not into any district where the law is in force. In case of a prosecution, the vendor must prove that he had reasonable grounds for believing that the liquor would be taken away.

The penalties for illicit selling, and for first offence, not less than \$50; for second, not less than \$100; for third and subsequent offences, not less than two months' imprisonment. In this Province, the prosecutors are to be brought into a city or incorporated town before the Stipendiary Magistrate, or else before the Justices of the Peace. Besides the fines above mentioned,

all intoxicating liquors found on the premises, shall be forfeited, and may be destroyed.

It is provided that, in describing offences, it shall not be necessary to state the particular kind of liquor sold, nor the person to whom sold; and in proving the sale or barter, it shall not be necessary to prove that money passed, or that the liquor was consumed.

Suspected places may be searched, and the presence of bar-room appliances, and of spirituous liquors, shall be prima facie evidence of a breach of the law.

The above are the main provisions of the Act. But the details are very full; and we would advise our temperance friends not to attempt to work it without legal advice and direction. The Act being one in restraint of the liberty of the subjects, the Courts will construe it very strictly. After a decision one way or the other, the question cannot be again raised in three years.

Now, the question will often arise: Will it be better to put this Act in operation or to depend upon our own Licensing Law, the practical effects of which (as amended last session) are much the same?

Under the local law, no liquor can be sold in less quantities than ten gallons without a license. A license can only be granted with the consent of the majority of the persons of the district qualified to vote for School Trustees. It is granted only for a year, and can only be renewed in the same way as originally granted. The penalties are very small, ranging from \$10 to \$20.

The advantages of the local law are its comparative simplicity and its throwing the initiative upon the liquor dealers.

The advantages of the Dominion Law are its far heavier penalties and the certainty that prohibition under it is legal.

Points of difference between the two, which would be advantageous or not according to local circumstances, are open or secret voting—the voters being those qualified to vote for members of Parliament or for School Trustees—the question being settled for three or for only one year.

We trust the various temperance societies will, by committees or in some other way, carefully study both laws; and, after due consideration of local circumstances, adopt the one most likely to gain the object they have in view.

Shoddy-Vendors and Scandal-Mongers.

YESTERDAY'S Patriot contains another of those scandals trumped up against Sir John. The Patriot takes particular delight in representing Sir John's actions as dishonest. He diligently conceals the truth from his readers and misrepresents and misinterprets the few facts which he gives. After treating his readers yesterday to two or three columns on the Moylan scandal, he asks them to beware of shoddy-vendors. This advice is quite necessary, but does not the Editor of the Patriot see that what the shoddy-vendors are doing in their own line of business, Mr. Lawson is doing in his? He is manipulating stale slanders and sending them abroad through the country. He even retails the slanders manufactured by the Globe, Halifax Chronicle, and Montreal Herald. He takes the people's money in return for articles more worthless than ever the shoddy vendors disposed of. Beware of shoddy-vendors and scandal-mongers.

The Finding of McCarthy's Body.

(From the St. John Telegraph.)

No event that has recently taken place in this Province, in connexion with its criminal annals, has given more genuine satisfaction to the friends of justice than the finding of the body of Timothy McCarthy, who last Autumn disappeared so mysteriously from Shediac. That case was surrounded with so much mystery, the motives and the method of the alleged murder seemed so singular, and the story told by the principal witness was such a strange one, that every person felt that until McCarthy's body was found no verdict of guilty could be given against the accused that would be satisfactory to the whole public, and that no verdict of acquittal could be rendered that would not be open to doubt. It was therefore a matter of the greatest moment that if McCarthy's body was really in the Scoudouc river, it should be dragged from its depths, to bear its awful testimony of the truth or falsehood of the story of McCarthy's "taking off" as told by Annie Parker. The authorities have now in their hands the means of determining absolutely whether McCarthy was murdered or not. No doubt it is still possible by means of an analysis of the contents of his stomach to say whether any narcotic drug was administered to him, as stated in the girl's testimony, and certainly a post mortem examination will reveal whether the deceased received such a blow on the side of the head as was sufficient to cause his death. One of our staff who has been sent to Shediac expressly for the purpose of obtaining the very fullest information relative to the matter, describes, to-day, in our telegraphic columns, the circumstances under which McCarthy's body was found, and gives some details as to how its condition agrees with the story told by Annie Parker. In one respect, at least, it must be conceded that this witness was correct, that is as to the locality of the body, for it was found within

a few hundred yards of the spot in the Scoudouc where she stated it had been deposited. We may, therefore, assume the theory that McCarthy tumbled into the Scoudouc by accident to be untenable, and may regard it as almost certain that McCarthy's body was placed there by some one after he was dead. If the witness has not told the whole truth with regard to the affair, she has evidently told a portion of it, and it is clear that she has it in her power to unravel the tangled thread of this strange and mysterious case. It is to be hoped that she will now come forward, and, if she has been holding anything back, give the public the whole truth. No doubt the authorities will give their best attention to a further investigation of the case, and to the procuring of any available evidence on the subject. In the interests of justice nothing should be left undone to prevent such evidence at the trial of the Osborne's, as will enable a jury to determine, with absolute certainty, whether the awful charge which has been brought against the Osborne's is true or false.

Correspondence.

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

To the Editor of the Examiner.

SIR,—As farmers are now about putting in their crops, I would strongly recommend them to sow WHITE OATS, which are heavier than black, yield more, and always command 5 or 6 cents per bushel more. Probably few are aware of this fact, and that there is a certainty of a steady demand at paying prices for export to the West Indies, where the value does not fluctuate so much as in England and the Continent. Our white oats, being heavier than either American or Canadian, are liked much better and sell nearly as well as Irish and Danish, with which many of the Islands are largely supplied.

Looking at the geographical position of this Island, which is thousands of miles nearer to the West Indies than Ireland and Denmark, it seems only natural that we should avail ourselves of our position and facilities to supply the West Indian markets almost entirely.

In case any farmers might be deterred from trying the experiment, through any doubts as to the certainty of a market, I am willing to engage with them in advance to buy all the white Oats they can grow this season, at an advance of five cents over the market value of black, provided the oats are delivered in Charlottetown in reasonable shipping time next Fall, and would also undertake to import seed free of commission, so as to encourage the enterprise.

FENTON T. NEWBRY.

Ch'town, May 14, 1878.

To the Editor of the Examiner:

SIR,—I have waited to see what the Government were going to do with the foundation of the new Asylum. I find their intention is to go on with the work, right or wrong—with the exception of pointing the condemned work with mortar, to make the affair look good to the public. They have appointed another inspector—Mr. Elijah Purdy, Marble-cutter (very good, indeed), to work in harmony with Mr. Sterling. Two inspectors to pay, money is plenty, but where is Mr. Purdy's experience in brick-laying? He has never had any practice in his lifetime. I am surprised that they had not got a tailor or shoe-maker for inspector. Now, being well acquainted with Mr. Purdy since he came to the Island, I will give you a sketch of his experience in brick-laying. He was a sea-faring man when he came to this Island and, finding that it did not pay, he turned his attention to stone-cutting. He was a year or two with Mr. Cairns learning the business. The first work he did on his own account was done under my inspection, at the house of Mr. McIsaac. That was in 1862. Therefrom he and I worked at many buildings together. I did the brick and stone-work and he did the stone-cutting, which was chiefly done at his own place and hauled to the building when finished. Things went on in this way until the railway job turned up and he applied for work at it as an inspector or overseer. How he came to get it I cannot say, and now I am informed that he is inspector of the brick work of the new Asylum. Can you see through it? I can. The Government tried to get the work passed off as good, by calling surveys, composed of men from different parts of the Island, but they all condemned the job. The material was bad and the labor was bad, but Mr. Purdy was taken out to see the job and pronounced the stone good. So Mr. Stewart says—"the very man they wanted." Now then they turn and give him the job of inspecting the brick-work, for his manliness in coming out in opposition to all our best builders, architects, and engineers. I would ask the reader a question: Which, had Mr. Purdy or the Government, the most presumption? The Government gives to an inexperienced man the public's work to inspect, and pays him for what he knows nothing about. Ought Mr. Purdy to accept a situation that he was not qualified to fulfill? So much for Mr. Purdy's knowledge of brick work. We will next turn to the Government, and view their conduct ever since they came into power. I would just remark that they have become the most unpopular body that we ever had, between the Assessment Act, and the New Asylum transaction. Their life will be a short one. They were not twelve months in existence when they set the country in a flame. I will give you one case as an example of the good feeling for them in the country: A plowing match took place at North River last fall, and when the day's work was over, and all hands seated around the fireside, the subject of the Assessment Act was brought forward. One man rose up—standing six feet three inches high—and opened his mouth large and wide, and said: "I wish DeBois, Davies, Stewart, and all their posterity with them were in a certain place." I feel shy in telling the name of that place. It was the place where David said the wicked would be turned into. Turn from North River to Winsloe Road, and from that to Little York and other parts of the Island, and if you don't find the same language you will find the same feeling. They know all this; and one would think they would have remedied it, but they did not. Stubborn as mules, they left it as it was. I don't know how my friend triple X, as I call him, will get along at the next election. I am afraid of him. I hear complaints about him on account of that hearing vote. They say they will take two X's from him and turn him into small Beer. But what will the country say when they will have additional tax levied upon them

for the building of the new Asylum, on a condemned foundation? Time will tell the tale; and now I will give my advice to the public: Never choose a man for public business that has failed in private business thrice. If you do you will surely suffer. A man that cannot do for himself cannot do for the public.

I will conclude by saying that as gross a piece of unfairness has been practised on the community as ever was heard of—that is a violation from the specifications in every respect, both in materials and in workmanship.

Wishing the time to come when we will send those men to their own place,
I remain yours,
CHARLES HEARTZ.

Ch'town, May 14, 1878.

P. S.—Since writing the above, I find that the Government have the third Inspector employed. Mr. Bailey, the Engineer, has to go out once a week to inspect the work. What a piece of rascality, paying three Inspectors when one proper one would be sufficient? Will the public put up with such conduct?

C. HEARTZ.

New Advertisements.

TENDERS.

MAYOR'S OFFICE,
Charlottetown, 13th May, 1878.

SEALED TENDERS will be received at this Office until noon of Tuesday, the 21st day of May next, from persons willing to supply the City with one Watering Cart of the capacity of 400 gallons. Tender must be accompanied with a plan and description thereof. The Council do not bind themselves to accept the lowest or any Tender.

By order,

WM. B. MORRISON,
City Clerk.

May 14—pat 2aw t 21st

A GOOD HORSE,

about 6 years old, weighing
say 1,200 pounds.

WANTED at once by
WRIGHT & MACGOWAN,
Queen's Wharf.

Ch'town, May 13—2i

Provincial Rifle Association
OF P. E. ISLAND.

THE Annual Meeting of the above Association will be held at the Stipendiary Magistrate's Court Room on MONDAY next, the 20th inst., at 7 o'clock, p. m.

JAMES D. IRVING,
Secretary.

May 13, 1878—2i m & th pat wed & sat

A GRAND
Temperance Demonstration!

and Public Tea will be held at Victoria Park on Dominion Day, under the banner of the Grand Division S. of T.—Sons of Temperance, Templars, Reform Clubs and Catholic T. A. Societies from all parts of the Island are invited. Railway cheap fares. Tea on the tables at 2.30. Tickets 25 cents; children under twelve 15 cents. Entertainment at 8. Tickets 15 cents; reserved 25.

W. W. BEER, Ch. of Com.
J. W. HODGSON, Sec'y.

May 11—law dy

FOR SALE

A VERY SUPERIOR
NEW SQUARE PIANO.

Maker: Wm. Currier, N. Y. Cheap for cash or good paper.

MARK BUTCHER.

May 2—1m

A SECOND-HAND PIANO!

IN GOOD ORDER. Maker—Chickering. Both very cheap for cash or short credit.

MARK BUTCHER.

May 2—1m

BREMNER BROS'

HAVE to inform those who are indebted to them, whose amounts were due the 31st December, 1877, that if payment, is not made on or before the 20th May, inst., they will be sued without further notice.

May 6, 1878—pat 2w 3taw

To Liquor Dealers and Others.

THE Proprietor of the undersigned Establishment, having a large assortment of Liquors on hand, will sell the same, until further notice, in quantities of not less than two gallons, at wholesale prices. Ten bottles constitute two gallons. Ale at Brewers' prices.

GENERALITIES WAREHOUSE,
Corner of King Square,
Opposite Mr. Butcher's Furniture Store.
Ch'town, April 30, 1878—Si 2aw

Wants, Lost, Found, &c.

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

WANTED.—A Boy about 14 or 15 years of age to learn the Printing Business. Apply at EXAMINER Office.
Ch'town, May 14, 1878.

HOUSE TO LET.—On Great George Street, opposite Lewis' Photograph Gallery. Possession given immediately. Enquire at DORSEY & JUST'S.
May 14—pat 3aw

Children's Carriages.—Just arrived, a good assortment—and cheap.
JOHN NEWSON.
April 29, 1878—2w

TO LET.—The Brick House, known as the late Union Bank, is to let in four offices—one with a fire-proof vault. Alterations made to suit, if applied for at once.
JOHN H. GATES.
Ch'town, April 26—pat

New Advertisements.

HARPER'S HISTORY

Of the Maritime Provinces

For sale at
BREMNER BROS.

May 10—pat 3i

The Latest Novelty.

SPIRAL SHAVING, for making Wall Pockets, Brackets and other Fancy Work, and a new Stock of

WOOD SPLINTS,
COLORED STRAWS,
PERFORATED MOTTOS,
PERFORATED BOARD,
(entirely new kinds),
SILVER PAPER,
TINFOIL, &c., &c.

Just Opened at
BREMNER BROS.

May 19—pat 3i

NOTICE.

THE Co-partnership heretofore existing between the Subscribers under the firm name and style of HASZARD BROS., is this day dissolved by lapse of time. The business will be carried on, under the same name, by Mr. J. E. HASZARD, who assumes the liabilities, and to whom all debts are payable.

J. E. HASZARD,
HORACE HASZARD.

Charlottetown, P. E. I.,
May 1st, 1878.

pat 3i wkly

Steamer "Heather Belle."

SUMMER ARRANGEMENT 1878.

WILL leave Charlottetown for Orwell every MONDAY and WEDNESDAY evenings.

Leave Orwell for Charlottetown every TUESDAY and THURSDAY mornings, at 7 o'clock, Leaving Charlottetown for Orwell same evening, at 3 o'clock.

Returning from Orwell to Charlottetown same evening, arriving at Charlottetown about 8.30 o'clock.

Leave Charlottetown for Mount Stewart every WEDNESDAY and FRIDAY mornings, at 4 o'clock.

Leave Mount Stewart for Charlottetown 7 o'clock.

Leaving Charlottetown for Mount Stewart same evenings, at from 2 to 3 o'clock, according to tide.

Return to Charlottetown same evenings.

Leave Charlottetown for Crapaud every SATURDAY, weather and tide permitting, and every alternate Saturday will make a return trip.

All goods should be prepaid at Charlottetown, otherwise they will be stored at their destination, at the risk and expense of the owners.

JOHN HUGHES, Agent.

Ch'town, P. E. Island, April 25, 1878.

ADMINISTRATOR'S SALE

Two Plots of Land in King's County.

1st. A BUILDING LOT, with House and Premises, in Souris East.

2nd. A LEASEHOLD FARM (wood land, no improvements) of about Two Hundred and Four acres, on 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 WEDNESDAY, the TWELFTH DAY OF JUNE NEXT (A. D. 1878), at the hour of Twelve o'clock, noon, on the premises, in Souris, aforesaid, by virtue of a license therefor granted by the Honorable Charles Young, LL.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 Building Lot in Souris East, in said Island, bounded and described as follows: Commencing at the eastern boundary of Building Lot Number one, in Souris, aforesaid, and running thence south fifty-four (54) degrees along said boundary for the distance one hundred and six (106) feet; thence north-easterly parallel to the Souris Road for the distance of sixty-eight (68) feet, or to the southern angle of Building Lot Number Three (3); thence north forty-five (45) degrees west along the south-west boundary of said Lot to Souris road; thence along said road for the distance of eighty (80) feet to the place of commencement, with all and singular the Houses, Buildings, 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 McEachern, deceased, or unexpired term of nine hundred and ninety-nine years, in and to ALL that tract, piece and parcel of Land situate, lying and being on Township Number Forty-six, in King's County, aforesaid, bounded as follows, that is to say: On the east and south by land formerly the property of the late Honorable Samuel Cunard, now the property of the Government of the said Province, on the west by land leased unto Roderick McDonald, and on the north by land leased to Angus McPhee, Neil McPhee and John McKenzie, containing an area of about two hundred and four (204) 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 and FitzGerald.

CHAS. McEACHERN,
Administrator.

Ch'town, May 1st, 1878.—till sale