

The Jury System.

(From the Monetary Times.)

Lord Brougham declared, fifty years ago, that the man was chargeable with no exaggeration who once said that "all we see about us, King, Lords, and Commons, the whole machinery of the State, all its varied workings, end in simply bringing twelve good men into a box. The English jury system is one of the national institutions, preserved in one shape or other since the earliest dawn of civilization. Our historians point with pride to the trial of an accused by his peers, as existing in the reign of King Alfred the Great. The credit for its first establishment is accorded to that much praised king by some, while others believe he only made more perfect that which had a still earlier origin. Be that as it may, trial by jury, as it existed in England before the Roman conquest, differed in many respects from that of to-day. For instance, in the old Saxon times, those best acquainted with the parties to a dispute and most fully cognizant of the circumstances out of which it arose, were deemed the fittest to sit in judgment upon it; while now, it is a good objection to a proffered juror that he has a personal knowledge of the suitors or of the matters to be adjudicated upon. In many other respects the institution has changed with the genius of succeeding ages. Still, it is essentially the same right that is now accorded litigants as they enjoyed a thousand years ago. The cardinal principle is the same, viz: that no one shall, without his own consent, be condemned until after judgment upon his case has been passed by impartial persons, chosen from his own rank in life. Modern legislation on the subject though it has limited and restricted this principle in many ways, has not destroyed it.

To understand, even superficially, modern trial by jury, it is essential to bear in mind the line which the law draws so definitely between criminal and civil actions. In the former class of cases, the consequences to the accused are serious. His reputation—his liberty—his life may depend upon the result. Added to this the prisoner usually is comparatively without means or influence, while he finds arrayed against him the strength of the whole community represented by the crown. On these accounts our law has been wisely jealous of securing to all alleged criminals a fair trial, how weak or unfortunate soever they are. Hence the rule that no one shall, without his own consent, be convicted of any offence except by the verdict of a jury, still holds good in reference to all criminal charges except those of the most trifling nature. The provisions made for trial without a jury of important criminal cases all require, as a pre-requisite, the consent of the accused. They are intended not to take away the right to a jury trial, but to facilitate the speedy trial of cases in which that right is willingly waived. In some respects, modern legislation has safeguarded rather than diminished the safeguards placed by this judicial institution about persons accused of crimes. An instance of this is the dual jury system which exists in our criminal courts. A subject about to be put upon his trial has the right to have his case brought first of all before a secret and irresponsible body known as the Grand Jury, whose duty it is to consider the evidence against him, and decide whether or not there is a prima facie case against him. When the grand jury has decided that such evidence is sufficient to put him on his trial, he may then insist upon all the evidence for and against him being submitted to the petit jury, whose verdict of guilt or innocence is conclusive, so far at least as the Crown is concerned.

To the grand jury part of the system strong objections have from time to time been heard in different quarters. This feeling of opposition is, in this Province, yearly gathering strength, though its growth cannot be said to be rapid. The main objection made is to the great public expense involved; and it is strongly urged that all the purposes served by such a body might be as effectually and less expensively performed by skilled public officers. The object of the grand jury is to prevent persons, against whom there is really no substantial evidence, being put to the disgrace and annoyance of public trial upon ill-founded charges of criminal conduct. Whether this object may be as well secured at less expense to the public in some other way, is the question between the assailants and defenders of this particular feature of the administration of justice. Against the petit jury in criminal cases no voice is raised. The public, the judges, suitors, prisoners, and the jurors themselves, all concur in regarding it as an absolutely necessary part of the judicial system, and it is as firmly established as anything in this isoclastic age can be.

BISHOP BENSLEY has appointed Rev. H. P. Higginson to take the place of Rev. Mr. Dobie, Port Hill. Mr. Higginson has now been in the parish for six weeks, and has already won golden opinions from the parishioners. His manner is courteous, affable and pleasing, and his ministerial duties are conducted in that impressive and earnest manner which are conducive to the benefit of his congregation, as well as to the member of other denominations who have regularly attended the services conducted by him during his sojourn here. By request of the Church Wardens of the Porthill district we publish the following calendar of services for November:—November 11th at Northam, 12th morning, Lot 1; afternoon, Bideford, evening, Porthill, 16th Porthill, 18th Bideford, 20th Northam, morning; Lot 1, afternoon; Porthill, evening, 23rd, Porthill; 25th, Northam, 27th, Porthill morning and evening, Bideford, afternoon; 30th Porthill.—Journal.

COSTLY WEDDINGS.—Getting married in New York—that is, getting married in anything like style—costs money. A writer who has given the matter considerable study announces that in the city named a wedding of 1,000 guests, with ushers and bridesmaids, exclusive of bridal dress and trousseau, ranges anywhere between \$1,800 and \$3,500. A thoughtful father is said recently to have put his intended son-in-law up to sleeping with his daughter on the express ground of economy. It is better to slide out into the rural districts where two dollars will amply requite a justice of the peace for tying the knot just as securely as it can be tied by a priest in clerical robes. It isn't near so much trouble, either, to do this as it is to handle a large party of white-kidded citizens of both sexes.

JUST RECEIVED at L. E. Prowse's a large assortment of Scotch Tweeds, for overcoats and suits. Call and see them. Prices very moderate.

Terrific Gales.

GREAT LOSS OF LIFE AND PROPERTY ON NEWFOUNDLAND COAST.

There is now too much reason, says the New York Herald of the 4th, for the apprehension that the wreck and ruin wrought to marine property and human life during the late gales on the upper belt of the North Atlantic are on a scale of wholesale magnitude. Every day, almost every hour, contributes its distinct shaft to the general harvest of shipwrecks. The Royal Mail steamer Curlew arrived on the 2nd from Bonne Bay, Bay of Islands, St. George's Bay, and the chief southwestern and southern ports of Newfoundland. Her official report embraces four sad shipping disasters, all involving loss of life, two of which are as follows:—

LOSS OF THE ONTARIO AND HER CREW. The Ontario, a Cape Breton coal carrying vessel of 200 tons capacity, commanded by Captain McAulay, left St. John's on Tuesday last, bound for Cow Bay. During the terrific gales of Thursday last, a heavy snow storm driving on the land at the time and intensifying the darkness, the unfortunate vessel was dinged on the reefs a few miles to the eastward of Chapeau Rouge and almost instantaneously dashed to pieces. The captain, officers and one of the crew perished. The steward, a young German named Thor Michaelson, escaped. A wave dinged the young sailor high up a precipitous cliff and landed him on shore. It was about ten o'clock at night when the vessel was driven headlong among the rocks and breakers, and when morning and consciousness dawned upon Michaelson he found himself landed nearly two hundred feet above the boiling waters. When Michaelson looked down on the scene below nothing but raging sea foam was visible. Not a plank or spar, not a solitary remnant of the ill-starred Ontario, met his gaze. The snow storm was over. Within a few miles from where he stood was the little hamlet of St. Lawrence. Thither he bent his steps and reached the nearest house contiguous to the road after some three hours' travelling. Worn and sick, the poor fellow was tenderly cared for, fed and clothed and sent down to St. John's by the mail steamer, thence to pass into the care of the German Consul, who will provide him with a passage to his home.

A SCHOONER SUNK WITH ALL ON BOARD. Intelligence also comes of another calamity occurring at the entrance to Notre Dame Bay. In this case the schooner Helen and her cargo are a total loss and every soul on board perished. By the arrival of the schooner Brothers, I learn that on the night of Tuesday last there was a strong south-east wind blowing, accompanied with hail and sleet. Being in company with the Helen and four other schooners, Captain Squires, the master of the Brothers, narrates that at about ten o'clock on Tuesday night the sky was so weird looking and the wind was increasing so rapidly in violence that all six vessels hauled off their regular course to make for shelter in the safe harbor of Seldom Come-by, situated in Toga Island. They had all shortened down sail and were running before the gale under close-reefed foresails. Before time was given to lower and clew up the sails, one of the fleet had her topmasts carried away, her jibboom broken off and her mainboom broken in two pieces. At this time Cann Island Light was visible on the starboard bow, and the Brothers hauled her head off to sea. Shortly after the Helen came up and spoke the Brothers, enquiring if the light had been made out. An affirmative answer was given. Both schooners were now hove to, it being too dark to run upon the land, which was sometimes totally obscured by a perfect drift of hail. The water in this neighborhood was very shallow, and as a consequence the sea was piling up furiously in mountain masses. The gale, too, was on the increase. The captains of the two vessels consulted as to the prudence of staking all on a run for the harbor. It was only fitfully and uncertainly between the storm gusts that the two masters, who were also brothers, could exchange words or make themselves heard. All this time there was no appearance of any of the other four vessels. At last the Brothers was headed for the land under short canvas.

GOING DOWN AMONG THE BREAKERS. The Helen followed. Both schooners kept their lights burning in prominent positions. Two hours had scarcely passed when the schooner Brothers was among the breakers on the south side of Cann Island. The Helen was scudding between her and the land with her port light distinctly visible. The breakers rose and buried the Brothers for a time beneath their foam. She, however, rose out of them victoriously, and, to use the words of Captain Squires, "as soon as our vessel was dried we looked around in search for the Helen, but neither her hull or her light was seen by us afterward." She sank down amid reef and rock and the waters closed over her forever. The Helen had on board fifteen persons all told—eight men, two women and five children. She was laden with a cargo of dried codfish and cod oil, and was bound from Grandford Cove, on the north side of White Bay, to Bay Roberts in Conception Bay. On Sunday last two of the dead bodies, one man and one woman, were driven ashore at Cann Island, and were picked up and interred by the inhabitants. Several articles of clothing, identified as belonging to children, were also taken up in the land wash. Of the other four vessels which battled with the storm on that fatal Tuesday night in company with the Brothers and the Helen, no word has yet been heard. However, the proverbial hope that springs from the ocean still animates the friends of those on board, and forbids the apprehension, however well grounded, that they too have succumbed to the tempest's rage.

The New York Nation points out that Mr. Blaine made the grand mistake of ignoring the Clayton-Bulwer treaty of 1850 in his despatch on the Panama canal question. It says:—"If in reply to his despatch England or any other foreign Government enquire how his statement of the position of the United States can be reconciled with the provisions of that instrument (the Clayton-Bulwer treaty), he will have no answer to make, and this will not improve the position of this country—it will make it awkward and embarrassing."

BILLHEADS supplied to order at THE EXAMINER OFFICE.

The "Corwin's" Voyage.

RECOMMENDATIONS OF HER COMMANDER AS TO THE "JEANNETTE."

In the official report of the steamer "Corwin's" recent Arctic cruise it is said:—"From the position of the 'Jeannette,' when last seen, there is almost absolute certainty that she did not make an extended stay at Wrangel Land or Herald Island, if she reached those places at all, and a reasonable supposition is that she met with no accident during the first winter at least that necessitated the desertion of the vessel. It seems strongly probable that she entered a pack north-east of Herald Island and was carried by it in a north-easterly direction. This being the case, in view of the fact that not one of all the ships that have carried north in a pack have come back the same way. She will not probably be drifted to the southward again, and knowing as we do, from the testimony of every Arctic navigator, how futile would be any attempt to resist the force of a pack when once fairly in motion, we may, I think, conclude that the 'Jeannette' will not return by way of Behring Straits, but continue to move toward the north and east, and although Captain De Long will undoubtedly take advantage of every road in the endeavor to carry out his original plan of making the east coast of Greenland or Melville Sound, his movements will be controlled almost entirely by the drift of the ice. Should he therefore make land to the east, it is by no means certain it would be at either place named. In the event of the ship's becoming hopelessly embayed after drifting to the north-east during the first winter, and it became necessary to abandon her, they would doubtless make for the nearest land, which might be the continent between Cape Bathurst and Point Barrow at Banksland, Melville Island, or Prince Patrick's Land, if on the continent they could communicate with the signal service party at Point Barrow. If the distance were too great for them to travel, they could send word by natives, who are constantly passing back and forth along the coast. If they landed at either of the other places named while they would be able to kill sufficient game to subsist, they would be unable to get away until a vessel is sent to their release. The distance to the Hudson Bay trading posts or any place occupied by white men, would be too great for men to travel, equipped as they would necessarily be, if compelled to abandon their vessel and travel a great distance over the ice. If, therefore, no tidings of them are received through any of the search parties of the present year, I suggest that a vessel be sent to Melville Island as early next year as the ice will permit, carrying three sled parties, one for Banksland, one for the west coast of Melville Island, and the third for Prince Patrick's Land. Whatever is done for their relief must be done promptly. If still alive they are now entering on the third winter of hardship in the Arctic regions, and if they have been compelled to abandon the vessel, and are waiting for a vessel to be sent to their relief, their case may, and in all probability will, prove fatal."

Origin of the Gipsies.

The latter researches of Potts, Mieloch, and others, leave no doubt as to the Indian origin of the gipsies, although the exact tribe from which they sprung has not been as yet definitely ascertained. Many of the individual words, such as pani, water, are identical in Gipsy and Hindustani, but the grammar of the first-mentioned language, as shown in the mutilated form which remains in English Romany and the more perfect system of the Turkish Tchingianes, is quite different from most of the modern vernaculars of India, and has but few points of contact with the older dialects. There are in India several tribes whose characteristic habits are very similar to those of the gipsies of England. The Jats, Natha, and Brinjaris, for example, singularly resemble them; and a very good case has been made out in favor of the first mentioned as the original gipsy stem. It is an historical fact that somewhere about the year 420 A. D. a number of strolling minstrels did find their way into Persia; they were called Luri, and are described by Fir-dousi, in terms which might equally apply to a band of English Romanies. The word "Luri" is still used in Persia for strolling minstrels and vagabonds; while, under the form Nuri, is the generic appellation of gipsies in Syria and Egypt. Arab historians speak of these people under the alternative name of Zutt, which, with reason, believed to be a corruption of Jat. The gipsies call themselves everywhere "Rom" or "Romany," which points to the "Dom" or "Rom" tribe as their original stock, the initial letter of the word being equivalent to the D or R. These people, who are principally found in Behar, are essentially a roving tribe. Among other things which distinguish them from other Hindu castes are their indifference to ceremonial impurity such as that which arises from touching a dead body, and their liking for swine flesh. Now, gipsies in Europe are very peculiar in their eating, and are, perhaps, the only race who eat animals that have died a natural death. "Mullo baulo," or "dead pig," is their favorite delicacy; and one of the most typical and most amusing of the Romany ballads which Barrow has collected celebrates the trick formerly so common among them of poisoning a pig in order the next day to beg its carcass for food.

SHIP NEWS.

PORT OF CHARLOTTETOWN. ENTERED. Nov 11—Reality, Perry, Tignish, mdse. CLEARED. Nov 10—Str Worcester, Hedge, Boston, mdse. OUTPORTS. Montague, Nov 10—old Lily Bank, Landry, Pictou, bal; Leone, Mason, Boston, produce. Cardigan, Nov. 10—cut Winfred, Williams, Georgetown, potatoes.

MARRIED.

On the 9th November, inst., at the residence of the bride's mother, Cardigan, by the Rev. D. H. Hind, Dugald Códie Morson, to Edith Gertrude, second daughter of the late Thomas Owen, Esq.

WINTER APPLES.

I WILL SELL AT PUBLIC AUCTION, To-Morrow (Saturday), the 12th inst., AT 11 O'CLOCK, AT THE Queen Street Auction Rooms, 115 barrels Nova Scotia Apples, in different varieties. W. D. STEWART, Auctioneer. Nov. 10, 1881.

BIRTHE.

On the 11th inst., the wife of the Hon. Neil McLeod of a daughter.

DIED.

At Mount Stewart, on the 4th inst., of lung disease, after an illness of six months, which she bore with resignation to the Divine Will, Ellen J. Coffin, the beloved wife of Jonathan Jay, aged 25 years and five months. At the residence of Solomon Bell, on the 2nd ult., of diphtheria, Isabella Flora, second daughter of Donald and Mary Cameron, of Augustine Cove, aged 17 years. At his residence, Lot 14, on the 29th ult., after three days illness, of strangulated hernia, Mr. George Monkler, Sr., in the 75th year of his age. At St. Eleonors, October 10, of consumption, Jennima Ellen, only daughter of William and Matilda Rogers, aged three years and eight months. At Birch Grove, Freetown, on the evening of 30th ult., I. Ambrose, eldest son of Peter and Charlotte Taylor, in the 18th year of his age.

NEWS NOTES.

Nearly 500 applications for Garfield relics have been received by the Cleveland Committee, and every mail brings hundreds more. A large number of ladies have volunteered to help in the preparation of these relics, which consist chiefly of a bit of bunting or crape with a flower. The letters received are from all classes of people.

By the new sanitary code of New York, the interests of inmates of lodging houses are very scrupulously guarded. In every case in which there are four or more beds in any department, a written permit must be obtained. The beds must be separated by a passage of two feet. Each lodger must be provided with 600 feet of air space.

The good city of London is losing one by one its ancient and once revered landmarks. Dozens of interesting old churches have been pulled down; Temple Bar is a thing of the past; Newgate is doomed, and now it seems likely that Billingsgate—that scene of bustle, clamour and endless diversity of character—will vanish too.

Over 20,000 people witnessed the arrival of Paul Boyton, the navigator, at Omaha, on Sunday. He had been in the water since Friday, with the exception of a few hours cooking meals on shore. The crowd was so great that many fainted. A well-dressed man stripped and leaped into the swollen river, evidently in a spirit of bravado. He was immediately whirled under the water and drowned.

"Developing idlers," contriving how the few may live at the expense of the many, by establishing the unity of wealth and scattering the force of labor, seems to be the end of our present statesmanship. Parents study how to accumulate more and more of the products of the "lower ten millions;" sons and daughters give their entire time to cultivating the science of spending money—one of the fine arts now. Idleness is a high and honorable profession—in fact, many persons deem it the most exalted profession of all.—Chicago Express.

It is not good feeling alone that makes a good man, but a good purpose; not merely emotion, but deep and abiding principle. Let a young man start out in life trusting only to his feelings, and he may land at the swine-trough; but let a deep and guiding principle furnish the plan on which he builds, and an earnest, unflinching purpose animate the builder, and the edifice of character shall rise as truly and steadily as it grew from the rock on which it is built.—Christian Register.

Says the Lewiston (Me.) Journal:—"A young lady was wedded in this county a few days ago. Three times she had been engaged prior to her final betrothal. Her first affianced died with consumption. Her second was prostrated with small pox and died within a few days before the time fixed for their marriage. Her third intended was accidentally drowned on the eve of their wedding day. Her fourth love lived to marry her. They are now on their wedding tour and may their honeymoon be sweet and protracted."

The Danish Society for Protection of Animals, (under the patronage of His Majesty the King of Denmark) offers two prizes of 2000 and 1000 francs respectively, for the best and second best scientific essay on that part of the Vivisection question, which concerns the possibility of replacing living by recently killed animals during physiological investigations, and sufficiently indicates not before known cases, in which such a substitution of dead material may be applicable. The essays may be written in the Danish, Swedish, English, French or German language; they must be clearly and legibly written, signed with a motto, which is also to be placed on an accompanying sealed envelope, containing the name and address of the writer. These are to be forwarded before 1st September, 1882, to His Excellency, Mr. de Haxthausen, President of the Danish Society for the Protection of Animals, at the office of the Society, Copenhagen.

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London House.

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OUR Fall and Winter

STOCK OF

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JUST RECEIVED

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FROM LIVERPOOL,

and Anchor and Allan Line Steamers,

NOW OPEN!

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A Large Assortment of

PLAIN and FANCY DRESS GOODS, Black Cashmeres, Lustres, Meltons, Serges, best value.

WINCEYS—Plain and Twilled, all Colors and Qualities.

COTTONS—White, Grey and Printed, in English, Canadian and American makes.

MANTLE CLOTHS, Beavers, Pilots, Worsted Coatings, Scotch, English and Canadian Tweeds, a fine assortment.

MILLINERY—Ladies' Plush, Beaver and Straw Hats, Feathers, Flowers and Ornaments.

SKIRTS, SHAWLS, GLOVES, Hosiery, Thompson's Glove-fitting Corsets.

MEN'S and BOYS' HATS and CAPS, Fur and Cloth.

FLANNELS, Sheetings, Towels, Napkins, Table Linens.

CANVAS, Silesias, Casbains, Linings.

CANADIAN AND SCOTCH Wool Shirts and Drawers, Wool Scarfs, Blankets and Quilts, Small Wares, Braces, Braids, Buttons, Threads, Needles.

CASH BUYERS

will find this Stock complete, and very best value.

GEO. DAVIES & CO. September 30, 1881.

81. TWEEDS. 82.

TRYON Woollen Mills.

FALL 1881-82.

FARMERS will find now in the hands of our agents at the different parts of the Island, a wonderful variety of Plain and Fancy Tweeds, Ladies' and Gents' Ulster Cloths, Blankets, Flannels, Union and all Wool Shirtings, a very fine variety of yarns, &c. These Goods, not having any shoddy or flock in them, are very much superior to imported Goods for durability. Please call and see for yourselves.

REID BROS., Proprietors.

AGENTS: Hon. H. J. Callbeck, Charlottetown. Beer & Son, Montague. Beer & Son, St. Peter's. Beer & Son, Cardigan. Simson & Son, Kensington. Anderson & Burrows, Summerside. Alex. McLeod, Alberton. McDonald, McDonald & Co., Souris. Nov. 11, '81—s] 1m only

TURNIPS! TURNIPS! WANTED!

2000 BUSHELS TURNIPS.

Nov. 10, 1881—21 W. D. STEWART.

HAY.

WE are now buying good HAY, delivered at our Press near the Woolen Factory. As we do not propose buying during the winter, parties disposed to sell will probably get better prices now than later. Apply to G. & H. COOMBS. Nov. 10, '81.

HORSES. HORSES.

I WILL buy or carry on freight a limited number of good Carriage Horses ex-bright, "NATALIE," to Demerara. Parties wishing to ship Horses had better engage at once. GEO. COOMBS, Ch'town, Nov. 9, '81—t] w] li W. D. St.

KENT MILLS,

A. Campbell & Co., Proprietors, CHATHAM, ONT.

I AM instructed to offer at the lowest rates, SUNBEAM, KENT, DEWDROP, Well known as the most reliable brand of Flour offered in this market. As I am the only authorized Agent here for these famous Mills, orders entrusted to me will be promptly executed. W. D. STEWART, Sole Agent for Kent Mills. Ch'town, Nov. 9, '81—31

HORSES

FOR

WEST INDIES.

Parties desiring to ship to the West Indies can secure freight for limited number of horses by applying immediately to FENTON T. NEWBERRY. Nov. 8—31

FEATHERS.

HIGHEST PRICE paid for good GEESE FEATHERS. JOHN NEWSON. Oct. 29, 1881.

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WANTS, LOST, FOUND, &c.

WANTED—A Servant Girl to do general housework. Reference required. Apply to this Office. Nov 5 21

WANTED IMMEDIATELY, a girl as Cook and capable of doing Pastry Baking. Apply at the EXAMINER office. [no 8] t]

BOARDERS WANTED—Two Boarders to be accommodated in a private family, near Prince of Wales College, at moderate rates. Apply, by letter, to C. C. P. O. 221. [no 8] t]

WANTED IMMEDIATELY, a man who thoroughly understands kiln drying and milling. Liberal wages will be given by RICHARD E. BAGNALL, Clyde Mills, New Glasgow. [no 31] t]

LOST—On the 17th Sept., between Piquid L Bridge and Fort Augustus Chapel, a Brown Cashmere Shawl. The finder will be rewarded by leaving same at the store of D. Egan, Esq., Mt. Stewart. [no 10 31 w]ky pd

TO LET, and immediate possession given, is a pleasantly situated Cottage on Bayfield Street. Rent moderate. Apply to Mr. Bruce Stewart on the above-named street, or to Thomas Carter, North River Street. [no 8] t] w]ky 11

WANTED—Hides, Wool and Skins at the Spring Park Wool Shop, for which the highest cash price will be paid by C. F. STRAUP. [no 24] t]

WANTED—Two first-class Coat Makers. To the right persons constant employment and good pay will be given.—D. A. BRUCE, 72 Queen Street. [no 11] t]

TO LET—That desirable Dwelling House on the north side of King's Square, containing nine rooms and a convenient front porch and good stable. Rent very low. Possession given in about one month from this date. Apply to MARK BURMAN. [no 11] t]