

# THE DAILY EXAMINER.

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NEW SERIES.

CHARLOTTETOWN, P. E. ISLAND, WEDNESDAY, JANUARY 7, 1891.

VOL. 27.—NO. 38

**CHARLES I. MORRISON,**  
Commission Merchant  
—AND—  
AUCTIONEER,

Agent for St John Dye Works, St. John, N.B.

General agent for Prince Edward Island for  
"Ideal" Washing Machines & "Ideal" Churns

106 Queen St., Charlottetown, P. E. I.  
Oct 7

**A CURE IS CERTAIN**

—IN EVERY CASE—

When a Faithful Trial is Given

—TO—

**WOODILL'S**  
Worm Lozenges.

nov 12

**WILLIAMS**

**PIANOS**

Endorsed by the best authorities in the world

Nearly 14,000 in use and good accounts given of them. Over 40 years of honest business.

**WILLIS PIANO & ORGAN CO.,**  
Maceachern's Building, Lower Queen St.

nov 29 —dw tf



**SEALED TENDERS,** addressed to the undersigned, and endorsed "Tender for Port Seikirk Work," will be received until FRIDAY, the 16th day of January next, inclusively, for the construction of a Block and Span to the Pier at Port Seikirk, Queen's County, P. E. I., according to a plan and specification to be seen on application to the Postmaster, Vernon River Bridge, P. E. I., and at the Department of Public Works, Ottawa.

Tenders will not be considered unless made on the form supplied and signed with the actual signature of the tenderer.

An exact bank cheque, payable to the order of the Minister of Public Works, equal to five per cent. of the amount of tender, must accompany each tender. This cheque will be forfeited if the party declines the contract or fails to complete the work contracted for, and will be returned in case of non-acceptance of tender.

The Department does not bind itself to accept the lowest or any tender.

A. GOBELL,  
Secretary.

Department of Public Works,  
Ottawa, 15th Dec., 1890. 31—dec 27

**SHARP'S**  
TRADE MARK  
**BALSAM**  
OF HOREHOUND AND ANISEED  
FOR  
CROUP, COUGHS  
AND  
WHOOPIING COUGHS  
OVER 40 YEARS IN USE.  
PRICE 25¢ PER BOTTLE

**FRED. de C. DAVIES,**  
DISPENSING CHEMIST,  
Late with Smith & Woodman,  
Chemists, St. Augustine,  
Florida.

**PURE DRUGS, CHEMICALS, PATENT MEDICINES.**  
FANCY ARTICLES, viz., Perfumes, Sponges, Nail and Tooth Brushes, Hair Brushes, Leman's Paris Fancy Soaps, Castile (white and mottled), Colgate's Soaps, Love Soap, Pear's and Margerison's French Soaps.  
Call and see our line for the Xmas Trade. Manicure Sets, also preparations for same. Walking Sticks suitable for Xmas Presents.  
Best line Havana Cigars in the city, and fresh stock, in 25, 50 and 100 boxes, suitable for Xmas presents for smokers. Also, Pipes in and out of cases, Tobacco, Cigarettes, Tobacco Pouches, Cigar Lighters, and every requisite for smokers. Try our 5c. Cigar—best in town. dw—dec 5

**MUST BE PAID.**

ALL accounts rendered from Watson's Drug Store on July 1st, 1890, must be paid before January 1st, prox., when the accounts for the past six months will be rendered. tf—dec 10

**Watches, Jewelry and Spectacles**

**FOR 1891,**

—AT—

**E. W. TAYLOR'S,**  
CAMERON BLOCK.

Charlottetown, January 3, 1891.

**CASTORIA**

for Infants and Children.

"Castoria is so well adapted to children that I recommend it as superior to any prescription known to me." H. A. ARCHER, M. D.,  
111 So. Oxford St., Brooklyn, N. Y.

Castoria cures Colic, Constipation, Sour Stomach, Diarrhea, Eructation, Kills Worms, gives sleep, and promotes digestion. Without injurious medication.

THE CENTAUR COMPANY, 77 Murray Street, N. Y.

**USE**

**EVERYBODY'S PILLS,** for Indigestion, Constipation, Biliousness, Piles, and the many ailments caused by the sluggish action of the Liver, Kidneys and Bowels.

**JOHNSON'S COUGH SYRUP,** for Coughs, Colds, Hoarseness, Sore Throat and Bronchial troubles. Pleasant to take. Will not hurt the youngest child or feeblest adult.

Price 25c. per Box.

Price 25c. per Bottle.

We have constantly in stock all the well-known Cough Syrups and Balsams, Cod Liver Oil Emulsions, and other remedies in demand at this season of the year. Also—Glycerine, Glycerine Jelly, Vaseline, Honey and Almond Cream, Philadelphia, Camphor Ice, Cold Cream, Cream of Witch Hazel, for Chapped Hands and Face, at

**A. S. JOHNSON'S DRUG STORE,**

Corner Kent and Prince Streets.

Ch'town, Dec. 27, 1890.

**GREAT SALE OF BOOTS!**

Child's Long Boots, \$1.20, now 85c.; Boys' Long Boots, \$1.50, now \$1.10; Women's Strong Boots, \$1.28, now \$1.00; Women's Strong Boots, \$1.00, now 75c.; 200 pairs Men's Long Boots, reduced 50 to 75 cents a pair, at

**GOFF BROS.**

Charlottetown, Dec. 3, 1890—ed & wky

**PICTURES FRAMED CHEAP!**

For the next few weeks we will give Special Discounts on Picture Frames, to enable parties receiving the Annual Newspaper Pictures to get them Framed at Special Rates. Bring them along soon.  
**MARK WRIGHT & CO., LTD.**

**MEN WANTED.**

Two or three Machine Hands and an Upholsterer can get work at our Factory.

**MARK WRIGHT & CO., LTD.**

Charlottetown, December 24, 1890.

**WINTER, 1891.**

**General Hardware & Carriage Goods**

Arrived—A Full and Complete Stock of Everything in Our Line.

**CARRIAGE BUILDERS!**—We intend clearing out our entire stock of Carriage Goods, and give up the trade for the coming season we will sell, at Specially Reduced Prices for Cash, **HARDWARE and CARRIAGE GOODS.** Terms Short. Prices Low for Cash.  
**NORTON & FENNEL,**  
City Hardware Store.

Charlottetown, Dec. 9, 1890—2w and wky

**SCOTT'S EMULSION**

Of Pure Cod Liver Oil and HYPOPHOSPHITES of Lime and Soda

Scott's Emulsion is a perfect food. It is a wonderful Flesh Producer. It is the Best Remedy for CONSUMPTION, Scrophula, Bronchitis, Wasting Diseases, Chronic Coughs and Colds. PALATABLE AS MILK. Scott's Emulsion is only put up in salmon color wrapper. Avoid all imitations or substitutions. Sold by all Druggists at 50c and \$1.00. SCOTT & BOWNE, Belleville.

**DYSPEPTICURE**  
THE SPECIFIC FOR  
**DYSPEPSIA**

Dyspeptiure aids Digestion. Dyspeptiure cures Indigestion. The most serious and long-standing cases of Chronic Dyspepsia positively cured by Dyspeptiure.

Price per bottle 75c and 100 (large bottles four times size of small) prepared by Charles K. Short, St. John, N.B. SOLD EVERYWHERE.

**FOR SALE.**

**THE SLOOP "PET,"** 9 tons, new, suitable for Lobster Smack; is decked, and has a good cabin for two; carries 14 tons. Apply to John Lowrie, Charlottetown, or to the owner,  
**PETER STEWART,**  
dec 19—wy eow 2m Victoria.

**"Strong Drink, Its Use and Abuse,"**

By F. W. L. MOORE, Barrister-at-Law. The Liquor Question in a Nutshell. For sale at Hazard & Moore's and the Diamond Books ore. Price 15 cents, post paid. dec 30—10i

**NEW GOODS**

—FOR THE—  
**Holiday Trade**

—AT—  
**SANDERSON & CO'S.**

New Layer Raisins,  
New Valencia Layer Raisins,  
New Cooking Raisins,  
New Currants,  
Nuts and Confectionery.  
New Dates,  
New Figs,  
New Stewing Prunes,  
New Lemons,  
New Florida Oranges.  
—ALSO—

A large stock of Pink Table Jelly (assorted flavors), Keller's Jams and Jelly, Raspberry Vinegar, Van Houtan's Cocoa, Fry's Chocolate and Cocoa, Rowntree's Chocolates and Confectionery, Fine Scotch Oatmeal (in 7 lb tins), English Golden Syrup (superior quality). Our Choice Blended 32 Cent Tea has become very popular, and our 24 Cent Tea continues to keep away ahead of everything in the market.

**SANDERSON & CO.,**  
Newson's Block, South Side of Queen Square,  
Opposite Post Office.  
dec 11—dy lm eod wky

**SHERWOOD FARM,**  
**FOR SALE.**

BEAUTIFULLY situated on the Royalty Road, fronting on the Malpeque Road and running back to Sherwood Cemetery. The Farm, containing about 50 acres, is in a high state of cultivation. Commodious and comfortable buildings, with a first-class orchard, make this a very desirable property. For particulars apply on the premises to  
**SARAH STEWART,**  
nov 12—dy law 2m Administratrix.

**WINTER CROSSING!**

**THE WINTER ROUTE** between Cape Traverse and Cape Tormentine is now open. Passengers and Luggage at the regular rates. Passengers will find this route very much the cheapest. Passengers accommodated in the very best manner.  
**CAPT. GEORGE IRVING.**  
dec 26—3m eod wky

**The Case Against Dr. Baynes.**

MAGISTRATE FITZGERALD'S DECISION.

On Monday morning Magistrate Fitzgerald gave the following judgment in re the prosecution of Stephen R. Jenkins vs. Dr. George A. Baynes:

This is a prosecution against the defendant for attempting to practice medicine in this Province by opening transient offices therein in contravention of Sec. 33 of the Provincial Act, 53 Vic., chap. 10.

I shall not review the evidence given before me in this case, as it is not necessary for me to do so in view of the decision I have arrived at. The contention of the counsel for the prosecution is that this section beginning with the words, "It shall not be lawful for any itinerant person to practice medicine, surgery or midwifery in this province by opening a transient office therein, etc.," applies as well to registered as unregistered medical practitioners. For the defence it is claimed that this section only applies to unregistered or otherwise unauthorized practitioners, and was not intended in any way to limit, restrict or control the full practice of medicine by regular practitioners, under section 32 which enacts "that every person registered under the provisions of this Act shall be entitled to practice medicine and surgery—including midwifery—or any one of them, as the case may be, in the Province of Prince Edward Island."

The words used in this Section, "itinerant person," certainly would not in their ordinary acceptance be taken to include a member of the medical profession, who, after having had his qualification duly inquired into by the Medical Council, appointed under this Act for this purpose, has been admitted on the registrar as a properly qualified medical practitioner. But it is contended that this Section is not controlled in its application to persons per se "itinerant persons," but is applicable as well to all medical men who by their mode of practicing their profession, that is by itinerating from place to place, bring themselves within its meaning, and that it was to prevent such a mode of practice that this section was enacted. There might be some force in such an argument if this section prevented such a mode of practice, but on the contrary, I read it and its sub-section "a," not as a prohibitory enactment, but as an enabling one giving the Medical Council, on payment of a certain not very large license fee, authority to permit and license such itinerancy for such time as they in their discretion might think fit.

Now, it is fair to ask, if this section was intended to tie up medical practitioners in their practice throughout the Province, so that without this license they could not make an appointment to meet their patients, except where they (the medical practitioners) resided, why it did not say so in plain terms, more especially as otherwise throughout this Act there appears no intent to limit, control or interfere with such practice. There is not—except this section be taken to do so—the faintest hint in the Act of a desire to confine medical men to a practice of their profession to any particular portion of the province, or in other words, to live the profession in the various localities in which they reside.

I do not strain this section when I say it, as interpreted by prosecutor's counsel, ties up the medical profession in their practice, as I have stated. It appears to me it would almost render it impossible for a medical man to pursue his profession without this license.

Read these words in this section: "assign or appoint such transient office or other place for the purpose of such practice." That means he could not write to a patient, say at Mount Stewart or anywhere else, indeed, outside some mythical line drawn round his place of residence, saying "I will meet you on Monday next at (mentioning some place where the doctor intended to put up) when I will be for a day or so attending to my patients in that place," for that is certainly appointing a place for the purpose of his practice.

This section, in my opinion, was never intended to have any such meaning. It was directed against "Itinerant persons whose office would necessarily be transient" and not to regular practitioners living in the Province, in connection with whose regular practice in this province there would be no sense in speaking of opening a transient office therein.

This act, I find, so far as 42 out of its total of 56 sections are concerned, is almost a verbatim transcript of the British Columbia Statute 51 Victoria chapter 81, the remaining sections being merely changed to suit the altered conditions in this province.

It may, perhaps, account for the difficulty in interpreting this section in harmony with the rest of the statute, when it appears that it is not in the statute copied from, but has been interpolated between two sections having no reference whatever to the matter therein legislated upon.

Were there no other construction possible to be put upon this clause in order to give expression to every section of the act, than the one contended for by the prosecution, a magistrate might possibly find himself compelled to use its ambiguous phraseology in the manner sought for here. But on the contrary, I read this section as it really is, an interpolation of new matter into an otherwise consistent statute, a power to the Medical Council to permit itinerant persons to practice medicine for limited periods of time. As this action does not do what it means by itinerant, I shall not attempt it, but of a certainty, I shall not say it means Regular Medical Practitioners.

The only other regular Medical Practitioner at the time the offence charged was committed, to be considered in these proceedings as a duly registered practitioner or not. The 36th section of our Act is conclusive upon this point. It is only upon the person who neglects or omits to be registered that the penalties of the Act are applicable. The evidence given before me indisputably showed that the defendant, in every way, persistently sought the necessary registration, which the Council after such delay as was in their opinion necessitated for due investigation

as to his qualification, granted, and he is now, and must under the statute be held by me, as having been at the time the offence charged was committed, a duly qualified Medical Practitioner.

For these reasons I hold section 33 does not apply to him, and consequently the summons in this case must be dismissed with costs.

**Montague Notes.**

On the evening of the 23rd ult., a concert and pie social was held in the hall at Lower Montague, in connection with Keefer Lodge. The programme was a good one, and was well carried out. The music, both vocal and instrumental, as well as the dialogues and readings, well selected and executed in a manner that delighted the audience and called forth frequent and loud applause. Immediately after the concert a large number of pies were auctioned off by the Rev. G. A. Poole to good advantage. After spending a pleasant time strolling away the pies, the company dispersed, highly pleased with the evening's enjoyment.

On New Year's evening the pupils attending the Sunday School in connection with the Methodist Church here gave a free and very pleasant entertainment. Considering the age of the children, and the very short time they had for rehearsal, the concert was a decided success, and reflected much credit on the youth of Montague. Even Master Opie himself made his presence felt, and contributed considerably towards the entertainment. At the close of the intellectual part, Mr. R. W. Sprague, the efficient Superintendent of the Sunday School, invited all the children present to remain and partake of a bountiful supply of fruit and candy, which had been provided for the occasion. It is needless to say that this was a very enjoyable part of the evening's proceedings, as was evinced by the pleasing countenances of the children as the delicacies were fast disappearing.

We have at Montague one of the best fitted up drug stores in King's County. At this season of the year it presents a very neat and pleasing appearance. Mr. John T. Robison, the enterprising proprietor, is alive to the wants of his numerous customers, and has now in stock a large quantity of drugs and medicines of all kinds, besides a well-assorted supply of useful and fancy articles. His very efficient assistant, Mr. Macdonald, is fast earning for himself the respect of all by his pleasing and obliging disposition.

On the 3rd of December last the schooner Royal Home sailed from St. John's, Newfoundland, for this port. The night after leaving she would encounter a heavy southeasterly gale, and it is now believed that she was wrecked on the Newfoundland coast during that gale. Some think that she may have weathered the storm and has since been blown off. At present much anxiety is felt for Capt. J. Wolf and the rest of the crew. The Captain, although an island man, has for the last few years made his home in St. John's, where he has a wife and two children. The rest of the crew are supposed to be Newfoundlanders and to be all married men. Captain Wolf was an excellent seaman and a man of sterling worth and unquestionable integrity. He was prompt in all his duties, just to his fellow men, upright in all his dealings and stood high in the estimation of his employer. The Royal Home is owned by Mr. George A. Thompson, of the firm of Poole & Thompson, and was insured in the Nova Scotia Marine for \$2,000. M.  
Montague, Jan. 5, 1890.

**SHIPPING CASUALTIES.**—The Quebec Chronicle publishes the following statement of disasters to vessels bound to or from Canadian ports during 1890: The total number of casualties was 343. Of this number 93 vessels were totally lost, 96 were injured by going ashore, 73 suffered damage to hull, rigging, etc. by rough weather, 56 were injured by collision, 18 were damaged by fire, and 19 were injured by ice. The casualties in 1889 under the above headings, were 319.

**GOD SAVE THE QUEEN.**—La Minerve, the leading French Conservative journal in Montreal, in taking a glance back at men and nations pays the following tribute to the old motherland: "As to Great Britain we find still on the throne of the British empire, the great sovereign who took up the crown in 1837, and who since then has added to it year by year, an incomparable lustre. May God preserve her long to the affections of her subjects. God Save the Queen!"

**HEAVY FREIGHT BUSINESS.**—The Sun says: The freight business over the Canadian Pacific into St. John at present is very heavy. Last night two big freight trains arrived, composed in part of goods for shipment over the Intercolonial for Halifax, to be forwarded by mail steamer to England. It is said that hereafter nearly all the goods to and from England will pass over the Canadian Pacific from St. John.

"Under all forms of license, the people have every facility to get drunk, and the young every temptation to drink. License is practical 'free rum.' Prohibition unenforced could be no worse. But it properly defines the business, and keeps our hands clear of the price of blood."—Dr. J. M. Buckley, in the Christian Advocate, Oct. 4, 1883. dec 30 advt 1 wk.

**PROFESSOR SHUTTELDWORTH** will attend a farmer's meeting at the Mt. Herbert Hall, Saturday, Jan. 17th, at 7 o'clock. At collection will be taken up to defray the expenses of the hall. jan 6 2i

**TAXPAYERS** of the City will remember that if a License Law is passed, the tax on Real Estate will be reduced at least one quarter. advt 1i

**January 13.**—On the evening of this date the Social Department of the Spworth League will hold a Social in the basement of the Methodist (brick) Church.

**K. D. C. for the Stomach.**