

Miramichi Advance.

CHATHAM, N. B., - FEBRUARY 16, 1893.

Faults of the New Criminal Code.

Judge Taschereau has written an open letter to Sir John Thompson pointing out a large number of defects in the criminal law of 1892 which is to come into effect on 1st July next.

Let me assure you, that had it all been possible for me to think, for one moment, that you were the author of this one, I would not have taken the trouble to address you these comments.

Attached to the letter is a running comment on those sections of the code, which in the opinion of Judge Taschereau require reconsideration and amendment.

The business-like character of the present session of parliament at Ottawa, when compared with former sessions, is noteworthy. The address in reply to the Speech from the throne was never put through so soon after the meeting of parliament, nor were the estimates so soon submitted, or so large a number of the items thereof passed as are already voted.

The report of the post master general for the year ended 30th January, 1892, shows that at that time there were 8,288 post offices in operation in the Dominion, an increase of 227 over the last year.

The estimated number of letters mailed was 102,850,000; of postal cards, 20,815,000; of transient newspapers, 34,044,000.

With regard to postage stamps, the deputy postmaster general says that letters carried, similar to those in use in Great Britain, Austria and other European countries are being prepared, and will be ready for putting in short time.

The gross postal revenue for the year was \$3,842,611.02, showing an increase of \$107,723.30 over last year, and the expenditure was \$2,058,983.26, an increase of \$185,245.32.

The amount of deposits received was \$555,630 in excess of the previous year, and the withdrawals showed a corresponding diminution of \$445,133.43.

One of the government measures brought down this session is a bill to amend the Steamboat Inspection Act.

No person shall employ another as engineer, and no person shall serve as engineer of any passenger steamboat, or of any freight or mixed freight and passenger steamboat, unless he holds a certificate from the Minister for that grade in which he is to be employed.

and every person who offends against this section shall incur a penalty of one hundred dollars. It is to be noted, however, that if a steamboat leaves a port with a complement of engineers, and on her voyage is deprived of their services, or the services of any of them, the master, owner or any person interested in the steamboat, the deficiency may be temporarily supplied until engineers holding such certificates can be obtained.

Mr. Burns, M. P. for Gloucester had a long interview on Thursday with Hon. Mr. Daly, minister of the interior, concerning the discovery of large seams of coal on the line of the Carquet railway. The minister asked for Burns' request that a member of the geological staff be instructed to make an official examination and report, but intimated that the matter would be very favorably considered and promptly acted on.

On motion for the second reading of his bill to disfranchise electors who have taken bribes, Mr. Weldon of Albert explained its provisions and objects at some length. He said its machinery was largely taken from a bill introduced by Hon. Edward Blake in 1876, the only changes being in the direction of simplification. But it differed from Blake's in its aim in that it recognized the right of voting as a grave penalty that should not be left in the hands of those found unworthy of the trust.

The report of the Dominion Auditor-general shows that the amounts paid to the different newspaper proprietors of the Maritime provinces for the year ending 30th June, 1892 for advertising and printing (with exception of payments for work done for revising and returning copies) were as follows:-

Table with 2 columns: Newspaper Name and Amount. Includes Bathurst Gazette, World, Fredericton Farmer, etc.

Table with 2 columns: Newspaper Name and Amount. Includes Annapolis Spectator, Antigonish Casket, Halifax Herald, etc.

We refer to the Conway case, however, only to illustrate the worthlessness of some of the legal advice which was the product of a certain lawyer, and which was the most expensive character. Under safe and disinterested advice we do not believe there would be a single failure to convict offenders against the Scott Act in Northumberland.

A writer who is evidently of the same class as "A Temperance Wall," from whom a letter appeared last Saturday's World, favors us with a communication on the subject of the Scott Act, which is in two parts—one in the form of a letter addressed to the present methods of enforcing the Act, and the other in the form of an editorial criticizing the views expressed therein—the whole being evidently intended to add to the perplexity of the friends of the Scott Act, and the temperance cause alike. The palpable in-

discharge of their duties. The section says:— Every Municipality wherein the Canada Temperance Act of 1878 has been or shall be proclaimed, is hereby authorized to appoint by order of council, for the purpose of being sent to such an inspector, all officers against the second part of the Canada Temperance Act of 1878 and when any information is given to such inspector, etc., that there is cause to suspect that some person is violating or has violated any of the provisions of the second part of the said Act, &c.

That section clearly contemplates a faithful and diligent enquiry respecting the character of the information against suspected parties by the inspector, and that he shall be satisfied that there is reasonable and probable cause to believe that the Act is being violated and that the same can be proved by competent witnesses on oath, for, as we have just said, a failure to convict is worse in its moral effect than ten failures to prosecute in doubtful cases.

It is because the wholesome and prudent policy indicated has not been followed that the conditions exhibited at the last meeting of Council was found to exist. No good citizen ought to complain of any unnecessary expense in carrying out the law, but it was the element of unnecessary, unreasonable and illegal expenditure that disgusted the people. What better index was needed of the character of the prosecutions than the fact that about one-half of the fines imposed were uncollected? For let it be remembered that in the delinquent cases, it was the fines that were allowed to stand uncollected, while the costs were more sharply looked after. The whole business was done in such a reckless and unbusiness-like manner with such an evident and predominant purpose of securing costs and fees for those carrying on the prosecutions, that the genuine enforcement of the Act had practically become a secondary consideration.

We hope the Inspector will make a new beginning. He has learned enough to enable him to conduct any case that he ought to prosecute. Let him be sure that he has proper evidence on which to convict before proceeding and he will have no trouble. If, however, he continues to bring doubtful cases through advice of counsel to eschew fees, and to prosecute them before a magistrate too willing to convict, we shall continue to have appeal cases like those of last year for which we have yet to see the bills of the lawyers at Fredericton, and a large balance of fines which will never be collected, while the costs incurred and chargeable upon the County will eventually be disgorged with the whole business.

Nepequin Trout and Salmon. We have had many enquiries respecting the fishing waters of the North Shore, but one of last week from a gentleman in Rochester, who seemed to think that he could step from some of our railway trains and immediately begin to cast for the king of fishes seemed, at first, quite ridiculous, until the idea presented itself that the Nepequin really offered an opportunity of filling the bill, for, as a matter of fact, the Intercolonial Railway bridge crosses that river over the famous "Rough Waters" and at least one good salmon pool may be seen from the car windows of passing trains, and one might stand on the bridge and hook and play a countryman from without. The imposition of this system upon Ireland in defiance of the constitutional representatives, constituted a double wrong of such a character that while it existed it offended against the traditions of the harmony and self-government of a people who could not be brought into sympathy with the law and without which sympathy it could have no true social stability in civilization. What has been the result? I have been in cabinets of the queen, and in concert with no less than sixty or seventy statesmen, and among them there has only been one Irishman, the Duke of Wellington, while Lord Castlereagh was the only other Irishman who sat in the British cabinet since the establishment of that union, where Pitt promulgated equal laws to both countries.

The salmon make their appearance in the Nepequin the first week in June. There is good fishing for them in the Rough Waters, but their headquarters for the season are in the vicinity of and a few miles below Pabineau Falls. There are several proprietors of the region, but the Nepequin Angling Association, with its club house and pools are, perhaps, the best known. They own Gray, Lodge, Green's, Red Pine, McManus', Conroy, Baldwin, Crossing, Pine and Flint Rock pools and "The Upper pool." These are the principal pools, but there are others. They extend from Grey pool, which is four and a half miles above Bathurst, to a distance of three and a half miles up river.

The season opened later last year than usual, and the government officials in charge of the river as well as the private guardians report the weight of fish a larger average than those of former seasons, which they attribute to the plaiting of Restigouche fry in those waters. We have not seen the full record of the river, but that of the Association waters shows a pretty good catch, notwithstanding the fact that 1892 has been pronounced an off year. It is as follows:—

Table with 2 columns: Date and Quantity. Includes June 17 4 salmon, June 18 2 salmon, etc.

laws for the peace, order and good government of Ireland. I have named certain limitations in this bill and stipulated certain incapacities to be imposed. These relate to acts concerning the crown, the regency, viceroyalty, peace, war, defense, treaties with foreign nations, titles, treason, aliens and coinage.

I have borrowed one modern amendment from the American constitution, that the executive should depose the viceroy from all party character, that the appointments should be for six years, and should be free from religious disability. There should be a revolution of the sovereign power from the sovereign to the viceroy. Every power should be left to the viceroy acting under the advice of the executive council.

Regarding the legislative council, I do not think it is warranted without some strong necessity arises. Ireland has looked to a legislative council as affording her the best constitutional method for meeting her expectations, and this would give the minority the means of a voice expressive thus securing a fair and deliberate consideration of its views. The number in this legislative council the bill fixes at forty-eight, and the term to be eight years; that of the assembly to be four. A new constituency would be created possessing a ratable value of £20 sterling either as owner or occupier of land. No one constituent would vote in more than one district.

The bill provides that in case of a deadlock the two assemblies will be required to come together, and the fate of the bill be decided by these joint assemblies; while an appeal, if taken, shall be to the privy council alone and not to the privy council of the house of lords.

In regard to the judges, the bill provides they shall not be removed except for cause. This cause corresponds with the regular colonial provision, as does also the clause providing that any act passed by the Irish Legislature shall be operated only so far as it is not in conflict to the acts passed by parliament. It is further provided that two exchequer judges shall be appointed under the great seal to control the financial business. Apart from these all judges shall be appointed as now. In regard to the meeting of parliament or the legislature a clause provides that it shall meet on the first Tuesday in September.

Regarding the constabulary, the bill proposes a gradual, not abrupt, dissolution, with a control during the transition stage, by the viceroy, ultimately the constabulary to be replaced by police, local areas to be controlled by Irish authority. The retention of the Irish members to a large extent was taken out of the hands of the government in 1886 and has gradually entirely dropped out. Now the government is yielding to the wish that they should be appointed as now. In regard to the meeting of parliament or the legislature a clause provides that it shall meet on the first Tuesday in September.

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UNPRECEDENTED ATTRACTION. OVER ONE QUARTER OF A MILLION DISTRIBUTED. Louisiana State Lottery Company.

GRAND EXTRAORDINARY DRAWINGS take place semi-annually. GRAND SINGLE NUMBER DRAWINGS take place in addition to the others.

THE MONTHLY \$5 DRAWING. WILL TAKE PLACE AT THE ACADEMY OF MUSIC, NEW ORLEANS, Tuesday, March 14, 1893. Capital Prize, \$75,000.

SEND MONEY BY EXPRESS AT OUR EXPENSE IN SUMS NOT LESS THAN FIVE DOLLARS. We will pay all charges, and we prepare Express Receipts for all money sent.

9 CORDS IN 10 HOURS. Doaktown Cryst-Mill. The subscriber has made arrangements with the Canada Eastern Railway Company to transport his mill.

NOTICE OF SALE. To Jerniah Redmond, of the Parish of Chatham, New Brunswick, farmer, and to all others who may be concerned.

SMELT SHOOKS. GEO. BURCHILL & SON.

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SALESMAN Wanted—Salary and expenses paid. Pulp Wood & Logs Wanted.

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