

THE CANADIAN CHAMPION.  
MILTON, SEPT. 30, 1866

## THAT LIBEL SUIT.

One of the authors and both the publishers of the libelous attack on one of the proprietors of the "Champion" some months ago in the columns of a certain disreputable sheet established here and supported by the Scott Act party, and never before been mentioned in this paper, have been saluted by the author of the "Assizes," a portion of which appears in another column. Now that they have been taught that slander, personal abuse and vilifications are not always safe weapons, it is to be hoped that they will be more careful in the future. Ever since the trial and war entered against them we have carefully refrained from referring to it in our columns lest we should have been accused of seeking to create a feeling against them, and to enlarge upon it now is needless, the damages and costs awarded being sufficient proof that the action was a just one.

## THE PROPOSED WATERWORKS.

Mr. Bell, of St. Thomas, the engineer employed by the town council to make a survey for the proposed waterworks and to prepare an estimate of their cost, completed his work, except that his estimate was not ready, last week. He reports that the two springs on the mountain from which it is proposed to supply a reservoir of 150,000 gallons of ice cold water per day, and that there is another near by which runs at the rate of 15,000 gallons. It is proposed to use the water from the first two of these springs only at first as their capacity would be more than sufficient for the present consumption of Milton, and to construct a reservoir at a point on the mountain side that would give two hundred feet head of water to a hydrant opposite the town hall, with power enough to throw water 150 feet, or clear over a three-story building. An eight-inch pipe, Mr. Bell says, will be large enough to carry the water as far as the end of the town, whence it can be carried by a six-inch pipe down Main Street and three inch pipes along side streets. It is computed that the whole, with 1,000 feet of hose and a couple of hose carts will cost about \$15,000. The amount estimated to be required for taxation yearly for thirty years to pay off the debentures which it would be necessary to issue would be \$1,000 per annum.

Among the advantages claimed for the proposed waterworks is that the fire engines are useless, that though the latter could be drawn through the streets by hand on dry roads, it could not be moved through mud without horses, while the light hose carts used with waterworks could easily be dragged by hand through deep mud, and, while no horse had a competitor, it could not be matched with a team. It would not require an expert to affix hose to hydrants and use it with effect, and that the two hundred feet head would give greater power than could be obtained from any engine. It is urged too, that though a good engine for a small outfit can be had for \$500, this amount would be largely increased by the expense of building and from time to time filling the tanks, a number of which would be necessary to provide a sufficient supply of water for the steamer.

The objection that the corporation is heavily in debt and cannot afford an additional burden of \$15,000 is met by the claim that a large proportion of this sum would be paid by the water rates contributed by citizens of the town who would prefer mountain water to that of the lake, while all would be the same, pay for the privilege, and making the waterworks more or less self-sustaining.

The comparative advantages of the two systems will be fully discussed at public meetings which will be held shortly, and it is to be hoped that the time of which is the more convenient, has been so well selected, a by-law for raising whatever amount may be considered necessary will be submitted and carried without delay.

## THE INSPECTOR'S REVOLVER.

License Inspector Brothers Fails the Champion's Prophecy and Shoots a Man.

Yesterday about noon License Inspector Brothers took a walk in the direction of the C. P. R. station with a young man named Lake, & Toronto law student sent here by Messrs. McLaren, Macdonald, Morris & Shepley to serve papers on behalf of the suit brought against the Brothers by Mr. Andrew of the Thompson House. When near the residence of Mr. John Lyon, postmaster, Brothers took from his pocket the revolver which he says he has a permit to carry, to show it to his companion. Through the awkwardness of his manner, the noise he made, and the shot he was, a 29 calibre Smith & Wesson, the bullet striking Mr. Lake in the lower part of his abdomen. As the muzzle of the revolver was, fortunately, pointed towards the ground, the bullet did not penetrate into Mr. Lyon's abdomen but went through his clothes, finding lodgment in the back part of his thigh, a little above the knee and close against the femoral artery. Mr. Lyon was carried into Mr. Lyon's house and Dr. Freeman, who was summoned immediately, laid the ball after some trouble, and with Dr. Stewart's assistance succeeded in extracting the bullet.

Dr. Freeman was interviewed just after the operation by a CHAMPION reporter and said that he considered the wound a very serious one, that the result was doubtful, and that should Mr. Lyon recover it would be only after being laid up for a long time.

As Mr. Lyon insisted on going home to Toronto, he was brought there by the C. P. R. evening train.

Three weeks ago the CHAMPION contained an editorial containing the grandiose prediction that Brothers would be cuffed with his pistol, from which the following is an extract:

"It is all very well to allow an officer who has earned a reputation for bravery and coolness, and who is more or less of an expert, to carry a revolver, but it is not in the hands of a rattle-brained individual who has not common sense enough to know what to do it, and who does not know how to use it when it is necessary to do great mischief. The fact is that should an emergency arise when our License Inspector might consider himself justified in using the deadly weapon which he carries, the person who least in danger, and he would be much more likely to lodge a bullet in his own vitals or those of some unfortunate bystander than in those of the intended victim. That pistol should be withdrawn without delay."

In the above extract we spoke of the Inspector's drawing his revolver when on duty, though elsewhere in the same editorial we expressed the opinion that no License Inspector in the country who performed his duty fairly and impartially would be likely to have any real occasion to carry or use a revolver, and mentioned the fact that ex-Licence Inspector Frazer, Brothers' predecessor, who had looked after the enforcement

of the Scott Act for three years, had never found it necessary to do either. In this case however, Brothers was not alone, nor have we heard of any threat of personal violence having been made against him. The foolishness that led him to carry his pistol under such circumstances, and the carelessness and awkwardness in handling it are but poor excuse for yesterday's accident however he may, and no doubt does deplore it.

Those who gave him his permit to carry the revolver are equally without justification. It is to be hoped that they will now properly appreciate our recollection of three weeks ago, when without that permit, so as to prevent any more casualties, or if every license inspector must carry deadly weapons, let us at least have one appointed here who is fit to be trusted.

## HALTON ASSIZES.

The Fall Assizes opened on Monday, Hon. Chief Justice Cameron presiding, and the following cases were disposed of:

CAMPBELL et al. v. BROTHERS et al.

This was a libel suit brought by the Rev. Mr. David W. Campbell, one of the proprietors of the "Champion," against the defendants, Brothers & White, Thomas S. Bounous and William H. Young. The defendant, Brothers, is License Inspector, and Young, Police Magistrate. The plaintiff, Mr. Campbell, published in Milton an alleged newspaper published in Halton, and which contained several vile inscriptions and a virulent attack upon the character of a certain Justice of the Peace, before Judge

Brothers. For obvious reasons, he sought the name of the Police Magistrate struck out of the proceedings, but agreed that if the plaintiff should consent to it, he should do without the order for costs. Young might have agreed to have been unmercifully brought against him. Finally, on Mr. McLaren becoming surety for the amount of the damages and costs the plaintiff agreed to accept the following judgment, which was accordingly pronounced: "That the name of the defendant, W. H. Young, be struck out of the pleadings without costs, and that judgment be entered against the other defendants for the sum of \$50 damages with full costs of suit, to be taxed as for solicitor and client." I think that a way of settling a dispute from further future publications of the libel in the plaintiff's statement of claim mentioned. (S'g'd) M. C. CAMERON, C. J. C. P. SPROUL et al. v. SPROUL et al.

This was a family affair, an action for a mortgage with counter claim for a mortgage, and was referred to the Master at Milton.

## BURGER et al. v. ARMSTRONG.

This was an action for slander, and was settled by the defendant admitting the offence,赔款, and agreeing to have no need by him against the plaintiff, each party paying his own costs. W. Laidlaw, Q. C., and D. McClellan for plff.; John W. Elliott for deft.

## The following is the

PRESENTMENT OF THE GRAND JURY: The Grand Jury of the County of Halton here present:

That they have examined the County Gaol and found everything in good order.

That they found a female lunatic has been confined in the County Gaol for the last eighteen months, and recommend that the proper authorities take steps to have her removed to a lunatic asylum at an early date.

That there is one person confined for branch of犯人, the Lunatic Asylum Act, he being two old men confined as vagrants, one William Bell from the Township of Trafalgar, and David Robertson from Oakville, who should properly be inmates of a poor house, and would recommend each municipality to the expense of keeping their overburdened gaols.

There is also one youth awaiting trial by the County Judge on a charge of attempting to commit a rape.

## (S'g'd) Jno STEWART,

Foreman.

## More Honest Than the Mail.

(Hamilton Spectator)

We are disposed to give the Ontario government credit for having done its duty in so far as compelling the prohibitionists to secure a proper observance of the law is concerned. Time will show whether we are correct.

Now that the Dominion government has given the municipalities the benefit of protection from being imposed by reason of Scott Act provisions, the prohibitionists can no longer make confirmation of fines a cause of complaint against the government, nor can the municipalities plead that as an excuse for not securing the enforcement of the law.

With the exception that they have asked for a moratorium, the prohibitionists should now be able to show the world some excellent examples of a prohibition that does prohibit. Hitherto they have not been successful in accomplishing this result to any great extent. By the opportunity before them, and we shall await results with some interest.

## The Defended Mail.

The Mail has got the length of advancing the cause of suffrage and the adoption of the "one man one vote" principle. At its present rate of progress, the Mail may wake up some day to find itself a liberal newspaper in everything except its name, its Protestant horse and its prohibition delusion. Mr. John Stewart has a cause to be proud of. Many have been cuffed, many have been gashed and maimed, may take an ell-Hamilton Times.

## The Defended Mail.

The Globe has no sense of delicacy. Yesterday it called the new convert to the ministry a "fanatic" and the new convert to the prohibition cause:

Will the Mail support a Reform Prohibitionist for the Commons against a Conservative candidate who is not a Prohibitionist?

Avon & Morris—Are you disturbed at night and broken of your rest by a sick child suffering from convulsions? Call in Dr. Winslow's "Syrup" for children teeth, &c. with sufferer himself. Depend upon it, mother, there is no better.

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Shall I Obey God Rather than Man?

Mr. Enrons.—Sir, we have read in the Acts of the Apostles, the chapter, that Peter and the other apostles were brought before the Jewish Parliament, called the council, with the high priest at its head, and the parliament "strictly enquired of the apostles that they did not teach in the name of Jesus." But the apostles replied, "We ought to obey God rather than man." Indeed the apostles had said the same thing before to their friends when the Lord had commanded "not to speak at all in the name of Jesus." Peter and John replied, "Whether it be right in the sight of God to hear you is for me to say nothing. But this is my answer to you all, that we will not cease to speak in the name of Jesus." Then the apostles said, "We are right, and that they have given us a most just and unchangeable rule that we should not withdraw from it, but that we will say in all things what God commands us to do. If man commands us to do anything, if God commands us to do it, or if God bids us to do it; or if God bids us to do what God bids us to do; then our duty is clear to obey God rather than man."

Those who gave him his permit to

carry the revolver are equally without justification. It is to be hoped that they will now properly appreciate our recollection of three weeks ago, when without that permit, so as to prevent any more casualties, or if every license inspector must carry deadly weapons, let us at least have one appointed here who is fit to be trusted.

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