

Printer Wanted.—Wanted immediately a boy who has been two or three years at the business. Apply at Dec. 27-31st. The Mercury Office.

The Ontario Legislature. The session of the Ontario Legislature which opens on Wednesday will, in some respects, be the most important yet held. We are glad to know that the Government measures are in a very forward state, and that no delays will occur in bringing them under the consideration of the House, so that the largest possible amount of time will be available for a full and frank discussion of them. Undoubtedly the most important question which has engaged the attention of the Government, and which will engage the attention of the House, is the proposed measure for the distribution of the surplus and the settlement of the Municipal Loan Fund indebtedness difficulty. The work in which the Government has been engaged in connection with this subject is of no light character. The position of the different Municipalities in relation to this Fund is so varied that it is impossible to hit on a plan of settlement which would apply to all with equal justice. Some have paid up in full what they borrowed; others have paid a portion; others again have paid nothing. Some spent the amounts they borrowed on purely local improvements, such as building gravel roads, erecting town halls, &c.; others, again like Guelph, spent every cent of the sum borrowed in the construction and completion of railways, which while benefitting the Municipality immediately interested, was of equal benefit to all the Townships surrounding. Those Municipalities justly claim that some consideration should be shown them. Those Municipalities again, which have paid up all they borrowed consider that they should be repaid a portion of that money, if any of the other Municipalities are forgiven a part of their debt. It will thus be seen that the Government have had a most difficult work to perform, and that it will require the greatest care, consideration and calculation to deal with such a case, and to do justice to all sections and interests. We are satisfied that the Government is anxious to do this, and that a scheme will be submitted which will merit the support and approval of a large majority not only of the representatives but of the people. Most likely a measure will be introduced for the consolidation of the Municipal law. This is very much required, and a careful and judicious consolidation of these laws will prevent a great many mistakes, and some Magistrates a vast amount of trouble. Attention will also be directed to the necessity for the consolidation of the School law, and the Government if time is permitted will apply themselves to this work. Applications have been published for a great many acts of incorporation of Companies for Manufacturing purposes, and for the development of our industries. All these indicate the increasing prosperity and spirit on the part of the community.

There are quite a number of new railway projects on foot, for which charters will be sought. These are the Trent Valley Railway, starting from Trenton and intended to intersect the proposed Pacific Railway; a narrow gauge line from Windsor across the County of Essex to Lake Erie; a railway to connect the Village of Yorkville with Carlton, etc.; a street railway in the City of Hamilton; the County of Prince Edward Railway, to connect with the Grand Trunk; a road from Belleville to Bridgewater, Madoc and Marmora, with power to connect with the Grand Junction, Canada Central and Quebec and Toronto lines; the Belleville street railway; and a line from Road East to Clatham, and thence to some point on the River St. Clair near Camia.

The creation of new counties will also most likely come up for consideration, no less than eight bills being introduced with that object in view. There are also a very large number of bills of a general character. All this indicates that we shall have a very busy session, and that our legislators will have their hands full of work.

The Market By-Law.

THE CLAUSE ABOVE WOULD CONSTITUTE OFFENSE BY THE MAGISTRATE.

January 4th, 1873.

The Police Magistrate today gave his decision in the case brought up last week by Chief Constable Kelly, against John Truck, for delivering a quantity of cord-wood sold on contract to Mr. Ryan, of the Ashley, without paying the fee of ten cents imposed by the By-Law. The following is the Police Magistrate's decision:

The defendant, in this case, is charged under the new Market By-Law with selling a quantity of cord-wood to a resident within the Municipality of the town of Guelph, city of Guelph, on 29th of Dec. 1st, without having first procured a ticket for the whole quantity to be delivered under the contract, contrary to the 27th section of By-Law No. 217, which reads as follows:

"That all firewood sold to parties living within the corporation, and delivered thereon, shall pay a market fee, and in case such sale is a greater quantity than one load, the seller is not required to take the same to the market; but may deliver the same at the residence or place of business of the purchaser. And it shall be lawful for the Market Clerk to issue to the seller a ticket for the whole quantity to be delivered, which ticket shall be procured before any delivery shall take place. The market fee on each cord so sold and delivered shall be 10 cents per cord."

All the facts alleged on both sides of the case are admitted by the parties. The defendant admitting the sale and delivery of the wood to Mr. Ryan, at his residence in the Town, and that the defendant had not procured a market ticket and the proceeds of the sale of the wood was taken in his residence in the

THE LION!



THE LION!

GOOD NEWS! HAPPY NEWS! JOYFUL NEWS!

New Year's Gifts for me, for you, and for Everybody!

The Lion for Ever! Long may he Reign!

BANKRUPT'S STOCK AT LESS THAN HALF PRICE!

The Bankrupt Stock of Mr. A. Polson, of Galt, amounting to \$20,000, coming to Guelph, to be sold at the Golden Lion!

Hurrah, Hurrah, for the Lion! Happy New Year! Long Life and Happiness to the Proprietors of this Mammoth Establishment!

CHANCE & WILLIAMSON

Have pleasure in announcing to their friends and customers that they have bought the stock of Mr. A. Polson, of Galt, at half the cost price, and in order to give their numerous customers, one and all, New Year's Gifts, will on January 4th offer to the public, in addition to this Bankrupt Stock, their whole stock of DRY GOODS amounting to over \$100,000 at the actual cash price. Remember, at the actual cost, sterling, in the old country.

Every Clerk & Employee in the Establishment has received instructions to ask only one price, and that the actual Cost.

This being an opportunity that has never occurred before in Guelph, and probably never will again, every one, both young and old, rich and poor, should participate in the benefits of getting the best and cheapest goods ever offered to the public.

REMEMBER, REMEMBER, REMEMBER,

Your choice of Bankrupt Stock; also your choice of the whole store from the fourth flat to cellar, embracing all the novelties in Fancy Goods, also the best Staple Goods ever imported to Canada.

The Sale will commence on Saturday, January 4th, 1873.

No Reserve! Everything at Cost for One Month!

CHANCE & WILLIAMSON.

GUELPH, JAN. 4, 1873

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Therefore, to be decided is a question of law, whether or not the corporation has power to control wood cutting, under certain limits. Several grounds were taken by Mr. Watt on behalf of defendant. At the hearing, on the charge, the principal one being that the contract having been made without the limits of the Town, the case is not within the By-Law. But section 10 of the Municipal Act as amended by Statute of Ontario, 38 Vict. Cap. 29 gives to town councils the power of passing by-laws for regulating the place and manner of selling wood (including other things specially named) and "all other articles exposed for sale" and also the power of regulating the time to be paid therefor; and sub-sec. 33 of the same 18th Sec., which has not been amended or repealed gives the Council power to regulate the measuring of cord wood and other fuel. It is clear, therefore, that the Council has power to regulate the sale and the measuring of wood exposed for sale in the Town, and also power to impose a fee upon it. But on behalf of the defendant it is contended further that the wood must be exposed for sale in the market before the Council can exercise any authority over it. I do not go so far with the defendant as to hold this. On the contrary, there appears to me to be nothing in the Municipal Act to prevent the Council from fixing any place in the Town other than the market place for the sale of wood, if it is thought fit to do so. However, there can be no question, I think, that the Municipal Act did not intend to give the Council power to impose market fees upon wood or any other commodity not brought to the Town for sale and not exposed for sale within the Corporation. The Council can have no jurisdiction beyond its corporate limits, and if the intention of section 27 of the Market By-Law, No. 217, be to levy a fee upon wood not sold or exposed for sale within the corporation, but delivered therein in pursuance of a sale made without the corporation, it was, in my opinion, ultra vires of the Council to make such a by-law, and I would be acting without jurisdiction were I to give effect to it in the case under consideration.

It was urged before me by the prosecutor that the by-law having been duly passed, the Magistrate should give effect to it, but this is not the law. The case of Regina vs. Wood, 5, E and B, 50, cited by Mr. Watt, is an authority for holding that a Magistrate is not bound by a by-law which the statute did not authorize. If the Council exceeded their powers in making the by-law, the Justice would exceed his power in convicting under it. Judgment for the defendant, and case dismissed without costs.

We are authorized by the Town Solicitor to contradict a report to the effect that the clauses of By-Law in question were altered or revised by him.

A Tea Train.

The following paragraph from the Sacramento Record of the 6th gives an indication of what may be done when on Canadian Pacific Railway is constructed: "Mention is made elsewhere of the passing of a heavy tea train east. The train is a special one, consisting of sixteen cars, each car containing ten tons, the whole aggregating 160 tons, or 320,000 pounds of tea. It left San Francisco on the evening of the 3rd, at dusk, and reached Truico at dark last night, being nine hours in advance of the time on which it would originally have run. It is expected equal diligence will be exhibited east of Truico, and the cargo reach New York in about ten days. If close connection is made with the Atlantic steamers the tea should be landed upon the Liverpool docks in twenty-one days from its date of shipment, and be stored in London the succeeding day. The cost to the railroad companies by pushing freight in this manner is fully eighteen per cent, and often twenty per cent, more than by the usual speed, owing to the displacement of trains and extra working forces, &c., &c. It is well known that a strong effort has been made to turn this Oriental trade to our overland railroads; hence the exertions made for speedy transit. This attempt, if quick transportation will, if successful, demonstrate the feasibility of sending through freight, and tend to greatly enhance the

prosperity of our trans-continental railroads. It may well be regarded as one of the most important experiments ever attempted by the railroad.

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FRUIT CAKES, ICED CAKES, CANDIES.

Almost Given Away.

MR. PETRIE

Having purchased Mr. J. R. PORTER'S Stock of Confectionery is determined to clear the whole out

IN THREE DAYS

To make room for his stock of Drugs which he is about to remove to that store.

If You Want Bargains, Come at Once.

New Advertisements.

Fresh Finnan Haddies

Just to Hand:

Choice XXX Oysters,

Received To-Day.

J. E. McELDERRY,

No. 2, Day's Block.

Co-Operative Store.

LADIES PLAIN FELT OVER SHOES

Reduced to \$1 per pair.

Men's Overcoats & Ladies' Furs

Are also Reduced in Price.

NOTICE

Customers who present their Pass Books during the present month will receive the dividend of Three per cent on their purchases for the past quarter.

J. C. MACKLIN & Co.

GUELPH, Jan. 6, 1873.

FRUIT AND FOREIGN IMPORTING HOUSE,

48 and 50 Yonge Street, TORONTO;

196 and 198 McMillan Street, MONTREAL.

Full lines of the following goods of this season's importation or manufacture offered to the jobbing trade by the package or to general merchants in any part of the Dominion.

TERMS—CLOSE, and discounts liberal to prompt men.

Celebrated Periscopic Spectacles, Musical and Patent Albums, Violins and Accordions, Watches, Waltham and Swiss Clocks, Conchoidal and French Old Full Violin Strings, Bohemian Glass Ware, German Morocco Pocket Books, Toys in wood, tin and iron, Buckets, Fancy and Market.

Fancy China Ware, Gossell's Brushes and Soaps, Meerschaum and Brim Pipe Work boxes and writing desks, Ladies' and Gents' Dressing Cases, Shell and Pearl Card Cases, &c. Jewellery, Gold and Plated, Jewellery, Gold and Jet, Crystal Looking Glass Plates.

Fancy Goods generally, The largest stock in the Dominion.

ROBT. WILKER

Sept. 21, 1872. dwjt

GIFFTS

AND

Holiday Goods.

MRS. WRIGHT

Desire to inform her numerous customers and the public that she has just received a nice variety of

Toys and other Fancy Goods

Suitable for the Christmas and New Year's Holidays.

MRS. WRIGHT,

UPPER WYNDHAM STREET,

Next to the Wellington Hotel,

Guelph, Dec. 23, 1872. dw

SCHOOL BOOKS,

SCHOOL BOOKS,

SCHOOL BOOKS,

DAY'S BOOKSTORE.

DRAWING BOOKS,

DRAWING BOOKS,

DRAWING BOOKS

At Day's Bookstore.

EXERCISE BOOKS,

EXERCISE BOOKS,

BOOK-KEEPING BLANKS,

BOOK-KEEPING BLANKS.

Day's 5 cent Copy Book

Is the Best Value, and it is better than any other 5 cent Copy Book in the Market.

Children should go to Day's Bookstore for their School Books, for Day's the books wanted on hand, and sell cheap.

NO MONOPOLY!

West End Fruit Depot,

ALMA BLOCK

OYSTERS

Only 30c per can.

Sole Agent for Hamilton, Baker & Co's World Renowned Oysters.

W. PICKARD,

Alma Block, Guelph

Jan. 2, 1873

School Books

BOTH

Grammar & Common

Copy Books, School Material

UNDER COST FOR ONE WEEK ONLY

P. C. ALLAN'S.

BALANCE OF

Blank Books, Ledgers, Journals, Day Books, Cash Books, Blotters, &c.

Will be sold at a half cheaper than any store in Canada, at P. C. Allan's

FOR ONE WEEK ONLY.

1873.

ANDERSON'S

Opposite the Market,

School Books,

Text Books,

School Satchels,

Drawing Materials,

Exercise Books.

The Guelph 5 Cent COPY BOOK

The largest and Best Five-cent Copy Book in the Dominion. Sold only

AT ANDERSON'S

Cheap Book and News Depot,

Opposite the Market,

GUELPH.

GORDON STREET BAKERY.

ESTABLISHED 1835.

J. SOLE hereby tenders his sincere thanks to his numerous customers for the very liberal patronage he has received, and begs to intimate that he is now building a SECOND LARGE OVEN in order to meet the requirements of his steadily increasing business.

The Bread, &c., will be delivered by J. Sole, junr. All orders promptly attended to.

Remember the stand—next to F. W. Stone's store, Gordon St., Guelph.

Dec. 5, 1872. dw

WAGGON SHOP AND DWELLING

FOR SALE OR TO RENT.—Situated in Paisley Block, about five miles from Guelph. The house contains six rooms, large cellar, and is well finished. The shop is commodious, and is in full operation. A good opportunity for a person wishing to carry on that branch of business. A blacksmith shop in close proximity. The lot contains one quarter of an acre, and is well stocked with fruit trees. Apply, on the premises, to W. S. Cowan, or by letter, Guelph P. O. n12-d2w-wt