

OUR TERMS FOR 1853 ARE AS FOLLOWS.

This paper will be issued on TUESDAYS, weekly during the year. It will contain eight pages—the two last being devoted to advertisements, and will give all the news of the day, political and otherwise. Subscription price for 1853, \$5.00 in advance. Or within one month after subscription. If not so paid at the end of six months, the paper will be discontinued. If not paid within six months, and if left at the end of the year, the currency of half yearly subscribers will be taken at the above price, provided it be distinctly understood that the subscription was intended to be a half yearly one. All descriptions must end with the year. No paper will be discontinued (unless at the option of the publisher) until the subscription price is paid up. No paper after the known receipt, and detention of the first number will be stopped without payment for the current year. New agents sending six new subscribers with their subscriptions, or guaranteeing due payment, shall receive a copy gratis. Old agents sending 10 old subscribers, or 10 partly old and partly new, with the money or a guarantee, shall receive a copy gratis. The class system at year did not please well owing to the postage. Upon consideration we have concluded to send to clubs, if any of our friends wish to form them, upon those terms—5 copies for \$4; 10 copies for \$6; 20 copies for \$10; 30 copies for \$15; but in each case the money must be paid down, and the papers put in one package and addressed to one person in all cases, otherwise the full charge will be made. Advertisements inserted at reasonable rates. All postage must be paid, and communications addressed to C. Durand, Editor, Toronto, C. W.

The Canadian Son of Temperance.

My son, look not thou upon the wine when it is red, when it giveth its colour in the cup, when it moveth itself aright. At the last it biteth like a serpent, and stingeth like an adder.—Proverbs, chap. 23.

TORONTO, TUESDAY, NOVEMBER 1, 1853.

HAMILTON AND ITS TEMPERANCE INTERESTS.

We paid Hamilton a flying visit the week before last, and are happy to see that it continues to improve. Since we were there last the Great Western Railroad has been run nearly through the centre of the site of the city, midway between the Bay and King Street. The canal through the heights has also been dug and finished within a year past. A large stone school house, quite an ornament to the city, has been built on the beautiful hill that divides the estate, that was, of the late Peter H. Hamilton, Esq. Business in the city is very brisk. Temperance interests in this city, as indeed in all of our cities and large towns, have retrograded within a year. There is now but one Division in Hamilton, the original Division, No. 25. A year ago there were three. The Hamilton Division, however, is now doing well, constantly increasing. The chief of Police, the clerk, and a number of the Policemen, also seven members of the city council, are Sons of Temperance. One of the inspectors is a Son. There is a very good temperance inn kept here by Mr. Belnap, who through good and ill luck has kept on, carrying on his inn upon temperance principles. A person who lately kept a temperance inn there by the name of Knowlton, suddenly turned the same into a liquor inn, to the disgrace of the Division to which he belonged. The Division itself was not to blame for this act, but he certainly brought disgrace upon it, and probably was the cause of its being broken up. We would judge from travelling over the city, that there is a great deal of drunkenness in it. It appears to be filled with small grog-shops and groceries where liquors are sold. Yet Mr. Walker, a very worthy mechanic, and one of the most exemplary of the Sons there, informed us, that he thought there was not more drunkenness in Hamilton now than a year ago, indeed rather less. A quarterly Session of the Grand Union of Daughters of Temperance, was held there last Tuesday. There is a good Section of Cadets in this city. Land speculation has raged some in here during the year, but not to as great an extent as in Toronto. We will give further particulars in our next.

AN EXCELLENT MOVEMENT.

THE DIVISIONS IN THE COUNTIES OF LINCOLN AND PELHAM have adopted the plan frequently recommended in this paper—that is of forming County Associations or Conventions of all the Divisions. The Association of these two Counties consists of all Divisions therein. It meets at stated periods in various parts of the two counties; the Convention is composed of all persons who are now in the Chair or have heretofore passed through it, and of one delegate chosen quarterly from each Division. This association meets (we believe monthly) to concoct plans for reviving temperance—exciting Divisions to action and forming new Divisions. We know of no better movement than this just now. It is one that should be universally followed throughout Canada by immediate action. This plan in connection with useful lectures is the desideratum of the Order. We have no objection to the League movement, so long as it does not destroy a better one. Let those who are opposed to the Sons, or those who desire to act upon different principles; such as are associating drinking men with total abstinents, carry on the League movement; but it will prove an evil if it destroys the influence of a better organization. We have no great faith in the durability of any organization which is not composed of men who practice faithfully, what they recommend and wish to see others practice.

THE COLOURED AND SWEET CIDER QUESTIONS.

These questions are continually exciting discussions in Divisions. Below it will be seen that the New Market Division has taken up the subjects and issued circulars. When the National Division of America pronounced sweet cider a prohibited article, they trampled upon the rights of the whole order—usurped a jurisdiction, an unjust and unwarrantable, as that taken in reference to the colour of a man's skin. They pronounced a man of

a dark skin, or rather any one having negro blood in his veins, incapable and unfit to be a member of the order. They had no constitutional right to do and trampled upon justice in so doing. As to sweet cider, containing as it does, no intoxicating properties, the National Division should have said nothing. Even the Maine Law permits its use, sale, and manufacture in Maine. This question has already destroyed many Divisions in Canada, and will destroy many more. A majority of the country Divisions in Canada are in favor of its use. As well might the National Division forbid the use of coffee or lemonade as sweet cider. It was done, it is said, to prevent the possibility of Sons using fermented cider as an excuse. If men cannot be trusted this far, and are to be put into such straight jackets as this, it is time they ceased to be Sons at all.

To the Subordinate Divisions of S. of T. of Canada West.

THE NEWMARKET DIVISION S. OF T., NO. 108,

SENDETH GREETING:

Whereas, the National Division of North America, and the Grand Division of Canada West, at their late Sessions, confirmed certain Resolutions, adopted by the Ohio Grand Division, making it necessary for Sub-Divisions to reject a man, otherwise qualified, on account of Color; and this Division believing such action to be unjust, arbitrary, and striking at the fundamental principles of our Order, gave the subject a free, unqualified, and impartial discussion; after which, the annexed resolutions were adopted.

The question, also, in reference to the use of Sweet Cider, previous to its possessing alcoholic properties, was fully discussed, and this Division arrived at the conclusion contained in the following resolutions:—

Resolved, That this Division considers any interference by the National or Grand Division in restricting sub-Divisions in reference to the receiving or rejection of any man, otherwise qualified on account of Nationality or Color, as an unconstitutional infringement, and without effect.

Resolved, That this Division views the declaration of the National Division in reference to the use of sweet cider, making it a violation of the pledge to use the Article, previous to its possessing Alcoholic properties, as arbitrary and unconstitutional.

Resolved, That this Division instruct their Representatives to the Grand Division to use their best endeavors with that body to adopt resolutions praying for the repeal of the resolutions preventing persons of color from entering sub-Divisions, believing the same to be unjust, arbitrary, and infringing upon the constitutional rights of local Divisions, ceded in their Charters, and leaving the matter an open question with Subordinate Divisions.

Resolved, That the foregoing resolutions be forwarded to the various sub-Divisions in Canada West, requesting them to take immediate action in the matter, that this unjust infringement may be repealed.

S. BRIDGLAND, R. S.

AN AMERICAN AND A CANADIAN JUDGE'S OPINION.

The following is the common sense opinion of an American Judge on the effect of the liquor traffic, and the use of spirituous liquors. Who cannot see that it is full of sterling sense—of arguments borne out by every day's experience? How strangely does it contrast with the opinion of Judge Robinson, whereby all the rum shops and bar rooms of Canada have been lately thrown open on Sundays?

JUDGE SHEPLEY AND THE MAINE LAW.—The following opinion of Chief Justice Shepley was concurred in by a full bench of the Supreme Court of Maine. It covers the whole ground of the law—seizures, forfeitures, and destruction. Read it:—"The State, by its legislative enactments, operating prospectively, may determine that articles injurious to the public health or to morals shall not constitute property, within its jurisdiction. It may come to the conclusion that spirituous liquors, when used as a beverage, are productive of a great variety of ills to the people, both in their individual and in their social relation. That the least use of them for such a purpose is injurious, and suited to produce, by a greater use, serious injury to the comforts, morals and health; and the common use of them for such a purpose, operates to diminish the productiveness of labor; to injure the health; to impose upon the people additional and unnecessary burdens; to produce waste of time and of property; to introduce disorder, and disobedience to law; to disturb the peace, and to multiply crimes of every grade. Such conclusions would be justified by the experience and history of man. If a Legislature declares that no person shall acquire any property in them for such a purpose, there would be no occasion for any complaint that it had violated any provision of the Constitution."

Here we see unsophisticated common sense—truth uttered without prejudice—the law construed for the public good. Old wicked customs overruled for the good of all. On the other hand Chief Justice Robinson, although he knew the Legislature of Canada intended to invest all the city, town, and township municipalities with powers to wholly forbid the sale of intoxicating drinks on the Sabbath to all classes, yet overrules this intention, and virtually (and as time has since proved) effectually destroys the legislative intent. He says, whilst Municipalities may prohibit all Sunday tipping, and the sale to residents, or the opening of the common bar, yet they cannot prevent the innkeeper from selling liquor to travellers, because it clashes with the old common law of England!! Thus the evident intention of the Canadian Legislature, because it does not expressly allude to travellers, and take away the common law right to furnish refreshments to them, is set aside by this Canadian Judge! A consequence of this decision has been, that Municipalities, not knowing how far they could go, being left in the dark by a sophistical judgment of our highest court, have repealed their bye-laws, and the flood-gates of drunkenness are opened on the Sabbath. The common law right to sell to a few travellers was

superior to the best interests of man—to the peace and harmony of man on the Sabbath. Municipalities are not told what they ought to and may do. No remarks are made on the evils arising from this Sunday traffic—but great stress is laid by Judge Robinson on the misery and deprivation the poor traveller would undergo if he could not get his BRANDY RUSCH, his beer, wine, or whiskey! As the head of the highest court of Canada no recommendation is thrown out to the Legislature to pass more explicit or stringent laws, but the only one existing is frittered away by sophistry. Now it may be, and we are not going to say it is not so, that Judge Robinson was sincere in giving this judgment, but we must say, that it shows a want of foresightedness and forethought for the moral interests of society. The effects of his judgment have been so far very evil—filling the land on the Sabbath with profanation and drunkenness. This prejudice in favor of the right of travellers to drink at inns, is deep rooted among our gentry classes. Is it not of far more importance that tipping and lounging about taverns on the Sabbath should be stopped, than that an old common law right, musty with the mists of ten centuries, allowing travellers to call for liquors on the Sabbath, should be upheld? Judge Robinson, although a Canadian by birth, is too fond of the old musty acts of the barbarian times of England.

The greatest source of evil now existing in Canada is Sabbath drinking. More incipient drunkards, especially among the young are made from drunken frolics on this day than from all other causes. A few weeks since we saw a boy of fourteen lying drunk in the college avenue on this day. Yet with all these facts staring the public in the face, some so our judges, high and low, encourage this practice.—[Ed. Sox.

SABBATH DRINKING.

Paris, October 14, 1853.

MR. EDITOR,—Since leaving my quiet home on the shores of the beautiful and romantic Lake Ontario, I have traveled to a considerable extent through the western part of Canada West. In my travels I have met with many things which are calculated to awaken feelings of pleasure in my soul; but there is one thing which sits like a Leprous spot on the fair face of Canada, I mean "Sabbath drinking." It is a fact that a majority of the rum holes are kept open on the Sabbath day. Men of whom we might expect better things, men who possess noble minds, minds which must live when the glowing stars will fade, are found in THESE SINKS OF DEATH on the Sabbath, BEASTLY INTOXICATED. It is enough to make shame mantle the cheek of humanity to think that we have men in our midst who will, for the sake of a few pence, open the flood gates of death upon their fellow men. In the vicinity of Paris on the Sabbath I have seen the not stranger in the street, I have seen him senseless by the side of THE ROAD; yet with all these facts staring us in the face, we know men who will not vote for the Maine Law, men too, who will plead for the sale of Alcohol on the Sabbath.

F. B. ROLPH.

The following letter speaks in words of energy and warms the hearts of all who are determined to be true. It comes from one of the few sterling Sons of Canada. It is a pity that the thousands who are nominally in our ranks were not as enthusiastic as Br. Rolph.—[Ed. Sox.

BR. DURAND,—We are truly glad that your voice is still heard and that the Son of Temperance still lives to visit our homes and firesides, and cheer us with its presence. We feel thankful that there are still some few who dare defend our noble cause, a few who have raised the standard, unfolded their silken banner on the breeze, and on its folds have inscribed in unpeniciled letters "we surrender." Our cause must be victorious. A voice from ten thousand bleeding hearts cry, "GIVE US THE MAINE LAW." The free, the noble of Canada, cannot be bound. Their voice is still for war. A few like the Leader of Toronto may try to stop the progress of the cause, but it will be of no avail. As well might the bubbling brook try to wash out the golden lamp of truth. All good and great causes have met with opposition from evil and selfish men. Our's is a good and glorious reform. Let us awake and arise in our might and victory will be ours.

F. B. ROLPH.

Paris, October 13, 1853.

THERE ARE TWO THINGS, Br. Rolph, which will prevent this victory from becoming ours unless remedied. These are, petty factions in Divisions and want of principle in Sons. What our Grand Division sustains the National Division in excluding men with coloured skins from the Order—when it tacitly winked at the practice of Sons advertising spirituous liquors in papers owned by them, little true enthusiasm for principle can be looked for.—[Ed. Sox.

DEATH OF M. ARAGO.

This distinguished French Astronomer died at Paris on the 1st October. M. Arago was born at Estagel, in the South of France, and near the Spanish frontier, on February 26, 1786. His age was accordingly 67 years and 7 months. He took a leading part in all the Revolutions in France since 1793, and had, in consequence, to undergo many severe deprivations and sufferings.

The discoveries of Arago in Science have been numerous and important. His determination of the Diameter of Planets was subsequently adopted by Laplace. His discovery of Caloric Polarization, and that of Magnetism by Rotation, gained him the Copley Medal. As Secretary of the Academy of Sciences he had a vast field for research, and published many notices of his applications and discoveries. He was a member of nearly all the scientific societies of Europe and of some in this country. A paper on the Physical Constitution of the Sun, submitted by