

keeper or liquor dealer will be safe next year if he does not take a license under both Acts, and thus be subject to the limitations and restrictions involved in the Dominion as well as in the Provincial Acts. This is a matter of alarm for the publicans; as it is but a call to work and wait; the ultimate issue of the struggle is certain.

In the original draft of this paper two provisions of the Dominion Act were noted—important from a restrictive or temperance point of view. In hastily preparing the paper for the Alliance meeting, the writer overlooked them. There provisions are:

1. A reduction is made of the number of licenses permitted to be granted. The Crooks Act authorizes four to the first thousand inhabitants and one for each four hundred after. The Dominion Act limits the number after four to the first thousand to one in each four hundred. Thus in Toronto the number of licenses permitted by the new act would be less by forty-five than the number the Crooks Act allows. It must be borne in mind however that the license commissioners have power to limit the number below the minimum allowed by the Act. As a matter of fact the Toronto Commissioners have only granted 174 hotel and saloon licenses for the present year, although the Crooks Act authorizes 226 to a population of 90,000. The New Act would only authorize 182 licenses for the same population.

11. The New Act provides that all meetings of the Licensing Board shall be open to the public, and the names of applicants for licenses shall be advertised. This is a decided improvement. It is difficult to conceive on what principle the doings of licensing boards have hitherto been conducted in secret.

Something has been said in praise of the Act on the ground that it provides that any ten electors may petition the licensing board against granting licenses to certain houses, and specifies the grounds of objection which they may raise in such petitions, viz.:—close proximity to schools, churches, &c., &c. The only value which we can see in this clause is the suggestion offered to electors to raise their own or similar objections. The clause cannot be classed among the local option or under any other operative provisions of the act. A petition is only a prayer, it is not a legal instrument. It is something new to find Parliament deliberately enacting that electors may petition or pray for a desired reform. Is not this an established right enjoyed by all English speaking people—electors or non-electors—for ages past.

## PROHIBITORY PROBLEMS OF PRACTICAL BEARING.

BY S—.

- 1.—Is not the liquor traffic as carried on in this country a sore calamity and curse?
- 2.—Are there any real benefits thereby forthcoming to counterbalance the manifold manifest injuries which it works?
- 3.—Is it not astonishing that any rational being should fail to see its direct antagonism to all the best interests of humanity?
- 4.—Is it not far too ruinous to be permitted to proceed unmolested?
- 5.—How is it that any Christian can remain unmoved?
- 6.—Should not effective measures be taken to arouse society to active hostility.
- 7.—Is not its extirpation of sufficient importance to demand prompt action to this end?
- 8.—Ought not all who condemn the business to exert influence for securing immediate suppression?
- 9.—What can I do, what ought I to do, to aid?
- 10.—Is there not unused power in the religious community, sufficient, if exerted, to stamp the business out?
- 11.—Ought it to be lawful?
- 12.—On whom is the blame for its continuance to be correctly placed?
- 13.—Is any part of it to be truly accounted mine?

### HOSTILE DYNASTIES.

To make way on earth for the Holy City coming down from Heaven, all the distilleries and drink shops must needs be removed; one such successfully continued—would mar a Millennium.

[This article is published in leaflet form. It and many similar leaflets are sold at THE CANADA CITIZEN office at very low prices.]

## Correspondence.

[These columns are open for expression and discussion of ideas and plans, in reference to every phase of the work in which THE CANADA CITIZEN is engaged. Of course the Editor is not to be held responsible for the views of correspondents.]

### THE COMPENSATION QUESTION.

Editor Citizen.

A very significant feature of the temperance movement now coming forward for discussion is the "compensation to publicans." Apart from the merits of the question discussed the fact that advocates of the trade have taken to efforts to fortify such position betrays entertainment of the idea that the traffic may soon be forced to abandon the front lines yet occupied.

However there is not peaceful admission of their right even here. Some vigorous discussion discloses firm purpose not to admit any "vested rights," claim. A writer to the London *Christian News* presents very clearly the falsity and folly of the several pretensions usually set up in favor of compensation under three headings.

First: Justice is dealt with in this manner:

"Wherein, we should like to have it pointed out rests the injustice alleged? True, when the publican invested his capital in the purchase of his liquor shop, he paid a fictitious value, probably three times what it was really worth, but it is important to note that this fictitious value is the result of a monopoly conferred upon the proprietors of licensed premises purely as a favour without any payment whatever. It must also be kept in view that while the advantage thus acquired increases the value of the licensed property, it is too often at the expense of the adjoining proprietor, whose property is sadly depreciated in value by contiguity with the public-house. To talk of the "injustice" of merely withdrawing the favour conferred is simply a prostitution of language. If compensation is to be seriously entertained, justice points that it be made in a very different direction."

The claims of ruined families as well as estates and the general public interests might indeed be presented (if they could be estimated,) on the other side with tremendous force and strict fairness, but where, or how are such damages to be laid? Clearly compensation to the license holder is not only in justice ruled out, but heavy contra set off amply established.

Second: The question of law.—When a dispute arises between landlord and tenant an appeal is usually made to a judicial tribunal. The action of the judge on hearing a statement of the case is invariably to call for the production of the lease, when, in the absence of any subsequent writing or statutory provision, he gives his decision accordingly. If the lease should be for nine, nineteen, or ninety-nine years, it matters not, the court will protect the rights and interests of the lessee up to its extreme limit, but not beyond. Applying this principle to the liquor traffic, the question arises, what are the terms of the license of governmental contract held by the publican? By reference to any publican's certificate issued by the licensing authorities, it will be seen that the exceptional legal right extended to him to traffic in intoxicants is "for one year and no longer." The proposal therefore, to extort rates from those who have already been pecuniary sufferers by the depreciation of property and by oppressive imperial and municipal taxation caused by the traffic, for the purpose of compensating those engaged in it, is simply monstrous and repugnant alike to reason as well as law. This view, we are glad to say, has up till very recently been held by all temperance reformers throughout the world. The Hon Neal Dow, one of the greatest living authorities on this subject, says—"I have never been able to see what claim to compensation disestablished publicans can possibly have in law, equity, or common-sense, near or remote." These sentiments have been long and eloquently enforced by Dr. F. R. Lees, Professor Kirk, Edward Grubb, and Sir Wilfrid Lawson, and are embodied in a recent manifesto of the United Kingdom Alliance. Moreover, they are sustained by the eminent legal opinion of Judge Coleridge, Sir William Harcourt, the present Home Secretary, and by decisions in the Supreme Courts both of England and Scotland.

Third: The question of precedent.—The claim for compensation raised by the liquor traffic is a somewhat novel one, more especially when advocated by temperance reformers. It is a notable fact that while prohibition has been extensively carried out in the United States as well as in many parishes both in England and Scotland, compensation has, in so far as we are aware, never once been suggested. The sale of intoxicating liquors has also been legally suppressed throughout the whole of Scotland from eleven o'clock on Saturday night till eight o'clock on Monday morning, thus depriving the publican of more than one-seventh of his profits, and the claim to compensation had not even been raised. There is here, we contend, the recognition of a principle by which the whole question of compensation is legally and logically settled. This is a fact recognized even by the opponents of all temperance legislation.

On the passing of the Sunday closing Act for Ireland, the *Scotsman* pertinently inquired "Why should there be any further difficulty in Parliament about the neglect of vested rights. Here is a measure passed to take away a seventh part of his trade from the Irish publican without any offer of compensation. If it be right to do this with one-seventh, how can it be wrong to do it with seven-sevenths?"

The *Times*, in writing on this subject, says—"Publicans' profits represent mispent money. The publicans desire to keep the trade, but do they really believe that their claims can be permanently sustained? They have everything against them except the vicious propensities of nature." When we consider that for well-nigh forty years the *Christian News* has advocated these sentiments, we feel a pardonable pride in looking back upon the position which it has occupied as the pioneer of correct teaching in the programme of social progress. Viewed impartially, we think, it must appear clear to most minds that the alleged right of the liquor traffic to compensation is altogether imaginary, and finds no support either in justice, law, or precedent."

A rigid scrutiny and careful weighing of evidence will tend to serve the interests of rights.

Yours,

Toronto, 18th July, 1883.

### PROPOSED REFORM.

To the Editor of the Canada Citizen.

SIR.—I have the good fortune to reside in a portion of the city that is free from liquor saloons, and in which I have no doubt a vast majority of the residents are strongly opposed to the presence of such vicious institutions. Two or three times within the last few years, however, we have learned that some liquor dealer was trying to obtain an entrance, and at once some of us had to take the trouble to get petitions signed requesting the Commissioners to disallow the application. So far such petitions have been granted; but we are unfortunately at the mercy of the Commissioners, who may utterly disregard the desire of the residents, if they choose so to do. In this respect I cannot but regard our laws as exceedingly defective.

- 1st. We receive no official notice that a license is applied for.
- 2nd. The burden is put upon a few of us to get petitions signed against such license.

Now, sir, it appears to me that the law adopted in some of the states of the union meets this difficulty in a capital manner. The law is this:—At the yearly municipal