

amount should either be deposited immediately, or the guilty party sent to prison.

The 47th section appropriates the penalties in the following manner, one third is to belong to the informer, another third to the Revenue Inspector, who is also prosecutor, and the remaining third to the Crown. We think this is not likely to work well. If the Informer is to be paid from the penalties exacted from those who violate the law, he will take care to lodge informations only against such as are likely to pay. The same remark may be applied to the prosecutor; and the consequence will be, that the poor groggeries will be unmolested, (which, nevertheless, do the most mischief,) and the rich only will be seized upon. We are decidedly of opinion that the Government should assume the whole risks of the prosecution, in all cases; should receive all the fines and forfeitures; and remunerate Inspectors, Deputies, and Informers, handsomely, out of the Public chest.

The 22nd section should be so amended as to authorize the Inspector to visit all suspected places, by virtue of a search-warrant, to be granted by a Justice of the Peace; and the penalties of the 24th section should be extended, so as to apply to such cases.

These alterations would, in our humble opinion, be amendments of the bill as it now stands; yet, as we said before, the main thing is to enforce the penalties. There are few tavern-keepers whom these penalties will not catch every year, and if they were made to feel the smart, they would be very likely to remember the lesson.

Misrepresentation.

There are certain parties who cannot by any means stomach the new act for the suppression of intemperance, which came into operation this spring, and finding it impossible to assail the principle on which it is based in fair logic, they are glad of an opportunity of misrepresenting it. We are sorry to find a specimen of this in the *Transcript* of the 7th current. The editor, after commenting very justly on the late outrages in the neighborhood of Sherbrooke, along the line of the railroad, commits another outrage himself by laying the whole blame upon the act above mentioned. If Holland were to be submerged under the ocean, we suppose this reasoner would maintain that the dykes, which have been erected to protect it, were the cause of the catastrophe. He says—

The remarks of the *Gazette* on the mischief arising from unlicensed groggeries, is instructive. The Solicitor General, in moving the other day for a new act for the regulation of taverns, said, and perfectly truly, as everybody knows, that the only effect of the last act, passed under the auspices of Father Chiniquy, was to increase their number; in other words, to add smuggling and fraud to intemperance. The best guarantee for the maximum amount of sobriety is the facilitating the granting of licenses to respectable people, making it not worth while for any one to violate the law; and to have a police, as the *Gazette* suggests, to exercise a rigid supervision.

The remark is, in other respects, instructive. With the benefit of the arbitrary and tyrannical law of last session, Sherbrooke has had the especial benefit of a movement of an equally arbitrary and tyrannical description to suppress the keeping or selling of spirituous liquors. Something like Lynch-law was superadded to the Statute law. We do not say the object was a bad one—far from it; but, has the object been attained? Let our extracts answer.

Let us, then, turn to his "extracts," and see whether they furnish any authority for this attack upon the Bill. The only

thing we can find, bearing upon the subject, is the following paragraph—

The people of Sherbrooke, we respectfully submit, should take immediate steps to prevent the recurrence of outrages in their vicinity, such as we have detailed above, and promptly to put down the first outbreak of disorder. The first steps should be a rigorous enforcement of the law against the numerous grog holes which are multiplying, not only in Sherbrooke, but, we are told to a fearful extent below this. So long as any of our magistrates set the law at defiance themselves, or apply a timid and wavering application of it to others, we may expect not only that grog shops will multiply, but that murder, arson, and every other crime will follow as a legitimate consequence. By the municipal law the County Council are empowered to make police regulations for towns and villages, and unless immediate steps are taken to have Sherbrooke act off as a separate municipality with corporate powers, as the law provides, a petition should be presented to the council, to make such regulations as the exigencies of the case require.

Whether these "extracts" afford the *Transcript* any just cause for throwing blame upon the "act, passed under the auspices of Father Chiniquy," we leave the public to judge. The *Gazette* ascribes the evils mentioned to the non-enforcement, or "timid" enforcement of the law, through the remissness of magistrates, some of whom it seems "set the law at defiance themselves;" but the *Transcript* blames the law itself! He should not have given the "extracts," for it was impossible for him to present anything that could more triumphantly disprove his own assertions.

If Mr. Drummond made the statement which is here imputed to him, namely, "that the only effect of the last act, passed under the auspices of Father Chiniquy, was to increase the number of taverns, and add fraud and smuggling to intemperance," we have no hesitation in saying, he made a statement which he cannot prove. We have never been amongst the out-and-out admirers of Father Chiniquy's act, as the pages of the *Advocate* can testify, but this is no reason why we should be silent when it is unjustly traduced. We admit that unlicensed groggeries have been increasing since the law came into operation, but Mr. Drummond knows, and "every body knows," that this is not to be ascribed to the law itself, but to remissness of the authorities in enforcing it. There seems to have been a tacit understanding, that nothing should be done anywhere, to put the wholesome restrictions of the act in force, but that the traders in grog should be allowed to do whatever they please, without hindrance; and that then, a general attack should be made to render the act odious, by accusing it of being the cause of all the evil consequences that follow. Had it been an act for the permission of intemperance, instead of its suppression, we suspect it would not have had so many enemies. The fact is undeniable that the act has always been disagreeable to the administrators of the law; and if they treat Mr. Drummond's measure, (should it become law), in the same way, it will be found just as objectionable in regard of its consequences.

In the first part of his article, the writer in the *Transcript* animadverted on the great number of homicides committed in this section of the Province, and very justly ascribes them, we think, not to the state of our criminal law, but to the laxity of its administration. But when he comes to speak of intemperance, he completely reverses his logic. Here, he finds even a greater laxity in the administration of the law, followed also by an increase of crime, as its natural consequence; but, strange to say, he turns his vengeance against the law itself, and finds no fault with the non-administration of it. What can be the cause of this difference? We maintain that whether intemperance has been found increasing or decreasing, Father Chiniquy's act has nothing to do with the matter, for it has never yet been fairly tried.