

THE DAVID BILL.

QUEBEC'S PREPARED NEW LICENSE LAW.

A Digest of its Principal Provisions—It Does But Little in the Line of Restriction—And Has Some Very Objectionable Features

The question of License Law Reform is attracting a good deal of attention in the Province of Quebec. A large part of this province has for a long time been under Parish Prohibition, and among the rural French Canadians there is really very little drinking; but in the cities and large towns the liquor traffic flourishes. In all probability the generally sober character of the population has prevented the enactment of a stringent anti-liquor legislation, as would naturally exist in a community in which strong drink was doing a great deal of harm. In the cities and large towns of Quebec there is a good deal of drunkenness, and the looseness of the law has permitted a great amount of the business in such places, for example as Montreal, which is said to have about twelve hundred grogeries. An effort is now being made to secure the restriction of this rapidly growing traffic. Hon. Mr. David has given a good deal of attention to the matter, and has prepared a bill which is at present before the Local Legislature. A friend has prepared for us the following summary of this important measure.

Some of the interpretation clauses in the beginning of the Bill are a little odd. "The hotel-keeper is he who keeps an hotel." "The restaurant-keeper is he who keeps a restaurant." "A tavern is an hotel kept within a radius of nine miles from the place where gold mining is being prosecuted."

The licenses are to be granted in the name of the Lieutenant-Governor by the collectors, or deputy collectors, of provincial revenue, upon the recommendation of the municipal councils. This is surely a mistake. The Ontario system of having licenses issued by a board of License Commissioners is more likely to be impartial. The Commissioners being appointed by the Government, and therefore more independent than a council elected by the people.

The applicant for a new hotel license in organized territory has to first secure a certificate signed by 25 electors in the municipality, or a majority of the electors if they number less than 50, whilst in order to successfully oppose such application it is necessary to present a petition signed by two-thirds of the electors. Is this fair? Suppose a village with 450 electors. A petition signed by 25 of these could secure a license, whilst it would require 300 signatures to a counter-petition. Once the license is granted the licensee can get a renewal from year to year without having his petition signed by a solitary elector, and there appears to be no provision made for opposing the renewal of such a license unless the licensee or his establishment has fallen into disrepute after the granting of the license. In other words the licensee has at once a vested right as soon as he gets his license.

The city of Montreal, in addition to all other licenses, may be blessed with 20 special licenses for the exclusive sale of wine, apple cider and beer in quantities not exceeding one pint, imperial measure, and, in this case, they (i.e. the competent authorities) may dispense the persons thus licensed from the obligation of having the proper lodging-room or even of providing food. This is burdening poor Montreal with a vengeance.

To obtain a license for an hotel in a non-organized territory, it is only necessary to give previously, in the presence of the collector of provincial revenue, the security required, etc., etc. "The application for the said licenses must, however, be first submitted to the provincial treasurer, and are subject to his approval." This seems to make liquor selling, where municipal councils do not exist, altogether too easy.

Restaurants may be licensed to sell liquors in the same way as hotels in organized districts. Is it advisable that restaurants should sell liquors at all, granting that hotels may be allowed to do so? Steamboats and other vessels may be licensed "simply upon payment to the proper collector of provincial revenue of the required duties and fees."

Liquor shops may be licensed in the same way as hotels.

Wholesale liquor shop licenses are granted simply upon payment to the proper collector of provincial revenue of the required duties and fees.

No certificate is required to obtain a license for a retail liquor shop in a non-organized territory, but the application for such license is subject to the approval of the provincial treasurer.

The provisions which apply to wholesale liquor stores shall apply to butlers, in so far as relates to obtaining licenses (except the amount to be paid therefor) and the penalties for contravention.

Upon a petition presented by any railway company the Lieutenant-Governor in Council may authorize the collector of provincial revenue to deliver to the person indicated a license to sell intoxicating liquors at the railway station therein mentioned, to travellers upon such railway, and to none others.

It will be seen from the above extracts that there is practically no limit to the number of places that may be licensed for the sale of intoxicating liquors. There is no restriction as to number in proportion to population, or in fact in almost any other way. Take, for example, the village before referred to, with 450 electors, of whom only 25 want any liquor sold in the municipality. Those 25 electors can petition for any number of hotels they choose; they may also petition for any number of restaurants with privilege to sell liquor, and any number of liquor shops may be licensed in the same way. In addition to all these, any number of wholesale liquor shops and any number of butlers may be licensed without any petition. Then, should there be a railway station, the railway company may petition to have a license for the sale of liquor therein. The Ontario system of having licenses limited in proportion to population is a long way ahead of this as a restrictive measure. The granting of licenses to boats and railway stations is particularly objectionable. There is quite sufficient danger in travelling by boat or rail when the travellers are in possession of all their faculties, without having their perceptions blunted and wits deadened by the use of liquor. The licensing of taverns in non-organized territory and near public works, and the sale of liquor on exhibition grounds are all radically wrong and the clauses relating thereto should be expunged.

The purchaser of liquor in a licensed shop who drinks it therein is subject to fine, as is the minor who drinks intoxicating liquors in a restaurant—unless at meals. This same provision should extend to any one who purchases elsewhere in violation of the law. The purchaser should be equally liable with the vendor in all cases. The provision that a minor may drink intoxicating liquor in a restaurant or hotel at meals seems to open a loop-hole for wholesale abuse. What is to hinder half a dozen minors from entering a restaurant at meal time, ordering some food by way of excuse, and then getting enough liquor to make the company all drunk?

No intoxicating or temperance liquor shall be sold in an establishment licensed for an hotel, or restaurant, or tavern at the times, from midnight until five o'clock in the morning, nor during the whole of any Sunday, etc. It is a pity the prohibition does not extend from an early hour on Saturday evening till some time on Monday morning, as in Ontario.

The license inspectors are to have their residence in Montreal, shall wear a special uniform, and shall be sworn in as constables. This looks something like the appointment of a provincial constabulary, especially as they are clothed with pretty extensive authority. As every policeman, guardian of the peace or constable in uniform shall have the same rights and privileges as the license inspectors, as to visiting establishments, there appears to be ample provision made for the enforcement of the law.

The prosecutions for infraction of the Act are to be brought by the collector of provincial revenue, and there appears to be no provision made for any private or other individual to prosecute. It does not appear that any policeman or even license inspector can institute proceedings in any way other than through the collector, and "whenever the collector of provincial revenue is called upon to institute a prosecution he may exact of the person soliciting the institution of such proceedings the deposit of a reasonable amount to cover costs." "It is also the duty of the collector of provincial revenue to prosecute the contraventions to the present Act whenever he is requested to do so by a municipal corporation, and that such corporation has assumed the responsibility for the costs to be incurred." This is barbarous legislation and will effectually prevent any corporation or private individual from becoming the prosecutor, especially as, in the event of a fine being levied, the informer is only entitled to receive one quarter of the fine.

It will be seen from the foregoing synopsis of the David Bill that it is far behind the license laws of the other provinces of the Dominion, and it is to be sincerely hoped that, before it is placed on the statute books, it will be materially altered, and made more restrictive of the dangerous drink traffic.

A very hopeful feature of the situation is that the Catholic clergy are interesting themselves a great deal in efforts for the improvement of the law. We are pleased to notice that the proposal to place the control of the liquor laws in the hands of municipal councils is not meeting with much favor. At a recent meeting of the Parochial Temperance Society, Alderman Jeannotte, who is also chairman of the city police committee, said—

When the bill comes back from the House it will be hard to recognize it, so altered will it be. Notwithstanding the great influence of the archbishop and clergy the bill is sure to be mutilated. Well, let it be mutilated if it must be; but at the same time let the authorities give us license commissioners who will be independent of all political parties. I would be in favor of having licenses granted by one or more of the judges of the Superior Court. They are men appointed by the Federal Government, which derives no revenue from liquor licenses, and once appointed these judges are dependent upon no one but their own conscience, as they cannot be removed from office except for some crime. My position on the police committee has allowed me to see the ravages of intemperance, and I cannot too strongly denounce the evil done by the too numerous licenses. To show how powerless the magistrates are to limit licenses I may simply refer to the declaration made by one of them, and which appeared in the press, that he had been forced to grant a certain license. We want license commissioners whom neither you nor I can approach in any way.

Correspondence.

THIRD PARTY NEEDED.

Dear Sir,—Permit me to offer a few suggestions for consideration at the coming Convention, and for the Temperance people of Canada. I do not think that Prohibition is or ought to be made a political question, and I do not see how it can, as there are so many true and determined Prohibitionists in both the great political parties. It should be lifted out of the arena of politics to a higher plane—that of God and country. The political questions of the day are matters of dollars and cents, the liquor question is a matter of souls for time and eternity, not only the souls of the drunkards, but the souls of the drunkard-maker, for of a surety if the drunkard cannot enter heaven the drunkard-maker can hard enter there.

The keystone of the contest is organization. This must be thoroughly effected in every constituency and municipality throughout the Dominion. And it should not be a difficult task when we consider the strong nucleus that now exists in the Temperance Societies. The ministers and lecturers, the cavalry, the voters as infantry, and the temperance publications, as the artillery, must be put on a war footing. This will take money. While speaking of money in connection with the Temperance cause, is it not marvellous that there are so few bequests made to forward this great movement for the glory of God? Large bequests are made to churches, universities and schools, but seldom, if ever, is there any material sum devoted to the advancement of Temperance, which is without doubt one of the principal allies of the Church, the University, and the School.

There is no doubt that the Temperance journals are doing a work that is not accomplished by any other means. During the years when the Church was cold and apparently indifferent to the temperance sentiment, it was kept alive and extended by the influence of these journals, and in the great contest now coming on their part is a most important one, and they should be fully equipped with the sinews of war.

To return to "organization." In the first place, the fundamental principle must be, "Prohibition first." When the Temperance people of Canada honestly accept this and carry it out at the polls the liquor question will be relegated to his original abode.

No Third Party is needed. It would take years and years to perfect it. We want two parties only—Prohibition and Anti—and my idea is to organize our forces, absolutely and positively to vote for no man unless he is known to be an uncompromising Prohibitionist. In counties where there are two such candidates the temperance vote should be solid for the best man. Thirdly, where there is only one candidate whose record comes up to the above standard, whether he be Reformer or Conservative, the vote must be solid for him. Fourthly, where there are two anti-Prohibition candidates brought out by the political parties, the Temperance men must select their best man and nominate him. Choosing from the strongest political party, in this way insuring success by the solid temperance vote and the party vote which will surely go with it.

If the organization is made thorough and positive on these grounds, there will be few anti-Prohibitionists brought out. Reformers will do their utmost to nominate good Prohibition candidates, and the Conservatives will do likewise, and we shall have a Government pledged to carry out and enforce the great and fundamental law, which will be a blessing to millions, and which will create a jubilee in heaven such as angels seldom witness.

C. H.

Among the notable articles in THE LANCET MAGAZINE for May, are the following: The Negro Question in the United States, by George W. Cable, the concluding paper on the Constitution of the United States, by Hon. E. J. Phelps, U. S. Minister to Great Britain, the fourth of a series of scholarly articles on Post-Talmudic Hebrew Literature, by Dr. Richard Pick; the article on Hans Sachs, the cobler poet of Nuremberg, from the Westminster Review, is very curious; Showed up in Arad, by Rev. Dr. Jessop, is one of the most enjoyable papers found in last month's English magazines. Curious and Manly's Plea for the Worthless, is very timely, and worth universal reading, the critique upon Mr. Fraude's West India sound and appreciative, the East of Meath gives a genial account of a Model Factory in England, Miss Frances Power Cobbe discusses the Education of the Emancipated, and opens up a suggestive train of thought, as also does the paper on "Domestic Service and Industry." The editorial miscellany, entitled "Current Thought," is unusually full and interesting. The issue contains 197 pages, in large type, an extraordinary amount of high-class literature for the price of \$1.00 a year, or 10 cents a copy. John H. Alden, Publisher, 50 Pearl Street, New York; 21st Park Street, Chicago.

We have received copies of two very attractive little treatises for the use of Temperance Societies. The one entitled "Sharp Shooters and Snipers" and "Ketches from the Veil," and has been not merely compiled, but written by Corney Simmonds, who was for a long time a very active and successful platform worker in Great Britain. English journals have referred to these excellent articles on Post-Talmudic Hebrew Literature, by Dr. Richard Pick; the article on Hans Sachs, the cobler poet of Nuremberg, from the Westminster Review, is very curious; Showed up in Arad, by Rev. Dr. Jessop, is one of the most enjoyable papers found in last month's English magazines. Curious and Manly's Plea for the Worthless, is very timely, and worth universal reading, the critique upon Mr. Fraude's West India sound and appreciative, the East of Meath gives a genial account of a Model Factory in England, Miss Frances Power Cobbe discusses the Education of the Emancipated, and opens up a suggestive train of thought, as also does the paper on "Domestic Service and Industry." The editorial miscellany, entitled "Current Thought," is unusually full and interesting. The issue contains 197 pages, in large type, an extraordinary amount of high-class literature for the price of \$1.00 a year, or 10 cents a copy. John H. Alden, Publisher, 50 Pearl Street, New York; 21st Park Street, Chicago.

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