by the whole of Prince Edward Island, and by one of the largest counties in Manitoba, that embraces nearly half the Province, Marquette. It has been adopted in New Brunswick, Frederiction being the first municipality to decide for it; and in Carleton, Albert, Charlotte, King's, Queen's and, I think, and am now informed, in Westmoreland; also in York and in the city of Woodstock. In Nova Scotia it has been adopted in Digby, Queen's, and is going to be voted on on the 17th March in Shelburne. Petitions have been made for its adoption in Yarmouth, Hants, King's and Gloucester, and have been largely approved, I am told. These facts prove that the Temperance Act of 1878 is acceptable to temperance men. It will be quite time enough for my hon. friend to propose his amendment when it shall have been shown that the Temperance Act of 1878 fails to accomplish what we trust it will accomplish. The hon. gentleman points to the failure of the Dunkin Act as a proof that the Scott Act will be a failure. The two cases are not analagous. Not only are the methods of introducing the two measures very different, but the penalties which are provided, and the machinery by which the Temperance Act of 1878 is to be enforced, are by no means the same. The Dunkin Act was a failure in many respects. The privilege allowed to those who were prosecuted for infringing its provisions of constantly appealing from one court to another, frequently prevented the results which temperance men expected would follow from the prosecutions under the Act. Under the Temperance Act of 1878, when cases are tried before a police magistrate or a stipendiary magistrate, appeals are not allowed, and we expect that many beneficial results, which were not obtainable under the Dunkin Act, will follow from that provision. The hon. gentleman did not argue fairly when he argued against the Temperance Act of 1878, by the example of the Dunkin Act. But the hon. gentleman protests against all sumptuary legislation.

Mr. WHITE (Cardwell). Would the hon. gentleman go on and state all the points and differences between the two Acts. I do not ask him in a captious spirit to do so, but as a matter in which the public are interested.

Mr. ROSS. In the first place any thirty petitioners could ask for the submission of the Dunkin Act—now it requires 25 per cent. of the names upon the voters' list to be attached to a petition and transmitted to the Minister of Justice through the Secretary of State before the Scott Act —as we call it—can be voted upon. This petition is an evidence that there is a substantial temperance sentiment in the constituency in which it is intended to have a vote on the Act before a vote can take place, and I agree with my hon. friend that a substantial public sentiment is necessary to the effective operation of the Act, as I believe it is necessary to the effective operation of any law. I believe it is as necessary for the maintenance of public morality in any form, as it is for the maintenance of that form of public morality which we suppose the Temperance Act of 1878 is designed to enforce. But besides the mode of submitting the Act there are other differences. The penalties under the Act are greater than those provided under the Dunkin Bill. The penalty for the first offence is $50, for the second offence $100, and for the third offence, imprisonment. In the next place, when a summary trial takes place before a police magistrate or a mayor, under the Act no appeal can be made. Fourthly, the defendant himself, or prosecutors under the Act, may be examined, by which we can ascertain more easily and with certainty if he has violated the law. Fifthly, the husband may give evidence against the wife or the wife against the husband. Sixthly, liquors, casks and other paraphernalia may be forfeited, and in many cases destroyed. Seventhly, search can be made for liquors sold contrary to law, and if found can be forfeited or destroyed. Eighthly, an action can be brought by any person. Ninthly, certain portions of the fines are to be set aside, to form a fund in aid of prosecution. Tenthly, it is not necessary to prove the precise description of the liquor, the actual passing of money, or the consumption of the liquor, a transaction in the nature of barter and sale is suffi ient; and where apparatus is found with liquors it is *primâ facie* evidence of guilt, and the onus of proof rests upon the defendant in many important cases under the Act. It will be seen from this summary of the main points of difference between the two Acts, that the Temperance Act of 1878 gives greater powers to magistrates and police officers to see that the law is carried out. My hon. friend made an allusion to the eastern States to show that sumptuary legislation, as practiced there, was destructive of the intellectual fibre of the people. My hon. friend could not have been very familiar with the public sentiment which prevails there. Does the hon. gentleman not know that the most active public sentiment, that the force of all other forces which moulds and creates the public sentiment of the United States, exists in the eastern States? Can he produce a single fact to show that there is not at present in the eastern and north-eastern States as active an intellectual fibre—if I may use the term—as in any other portion of the United States? Whence came the Daniel Websters and the Blaines of American politics? Have not the eastern States given us such orators as Wendell Phillips and Lyman Beecher—such poets as Oliver Wendell Holmes and William Cullen Bryant? Have not many of the legislators, the orators and the poets of the Republic come from those States? Do they not produce the most active and refined men of letters which the United States has ever produced? My hon. friend has cited an example which proves too much for his case. If he had cited Tennessee, or Mississippi, or Missouri, or Indiana, where there are no prohibitory laws, he might have found something to sustain him; but as it is, if I wished to rest my case on the intelligence or the intellectual force and vigor, or the domestic or moral purity or the character of any portion of the American Republic, I should have selected the eastern States, as furnishing evidence upon which to ask that the Bill of the hon. gentleman should be unanimously rejected. If we could raise a population with the intellectual keenness of the average citizen of the United States, with his constructive skill and his mental refinement and his moral purity, by temperance legislation, then temperance legislators would be the greatest benefactors of the age, and the Temperance Act of 1878 would be one of the most valuable Bills ever placed on the Statute-book of Canada. The hon. gentleman says crime is on the increase in the State of Maine. Well, Sir, crime is on the increase in the Dominion of Canada. It is on the increase in the Province of Ontario, and that in a very alarming degree. The hon. gentleman's statement again proves too much. The House will, perhaps, allow me to quote a few figures from the last report of the Inspector of Prisons and Asylums for the Province of Ontario, received since the House met. It will show how crime is on the increase in Ontario, and will be an effectual answer to the position taken by my hon. friend. In 1869 we had committed to the jails in Ontario, 5,655 persons; in 1870, 6,379; in 1873, 7,877; in 1875, 10,073; that is, an increase of 100 per cent. in six years. In 1880 the commitments were 11,300, that is to say, from 1869 to 1880, commitments to the jails in Ontario averaged from 5,656 to 11,300. Now, Sir, that cannot be said to be the result of temperance legislation, because there was no temperance legislation in Ontario at that time. If it be true that crime has increased in Maine, as my hon. friend says, why has it increased in Ontario? The Inspector of Prisons, Mr. Langmuir, than whom there