

The Temperance Cause.

THE SCOTT ACT.

What effect, says the *Montreal Gazette*, if any, the decision of the Supreme Court on the McCarthy Act has upon the constitutionality of the Scott Act, assuming that decision to be a sound one, is naturally causing some discussion. The statement of the Court that those portions of the McCarthy Act which provide for the enforcement of the Scott Act are *ultra vires*, does not by any means settle this question. The Court evidently felt itself bound by the decision of the Privy Council in *Russell and the Queen*, affirming the constitutionality of the Scott Act, and in *Hodge and the Queen*, affirming that of the Crooks Act, and their effort appears to have been to make their own opinion square with those two manifestly contradictory judgments. They therefore decided that the regulation of the retail traffic in intoxicating liquors belonged to the Provinces, notwithstanding that the Scott Act, which deals almost exclusively with the retail traffic, had been declared to be within the competence of the Dominion. To most people it will appear perfectly evident that the power to prohibit all but a single tavern in a locality and the power to prohibit altogether must belong to the same authority. At least it is important that this whole question should be finally settled by the highest court.

The *Globe*, referring to the decision, says:—

As to the Scott Act, we fail to see how it is in any way affected by the Supreme Court's finding on the McCarthy Act. That Court, as well as the Judicial Committee of the Privy Council, has already held that the Scott Act is constitutional, and although we do not believe that it was fairly or fully argued before the Privy Council, there can be no question that it is the law of the land. A new appeal and an exhaustive argument by capable counsel, might lead their lordships to reverse their former decision, and to rule that the authority to prohibit, as well as the authority to regulate, is in the exclusive jurisdiction of the local legislature, but this is extremely doubtful."

The voting on the Scott Act in the the County of Missisquoi is expected to take place on or about the 20th of this month. The advocates of the measure are much encouraged by its success in the neighboring County of Bromé.

Sir Edward Malet, the British Ambassador, has distributed a proposal among the delegates to the Congo Conference that the powers agree that the freedom of transit on the Lower Niger shall not include alcohol, when the traffic in that article is prohibited by the native chiefs.

A great building, costing over 70,000 crowns, was publicly inaugurated with great *edat* by the Norwegian Good Templars, at Christiania, on November 21st. It embraces halls for lodge sessions, club rooms and temperance hotel and café.

The reports of the British Army show a steady decrease of drunkenness in the last seven years. This may be attributed to the temperance movement which has prevailed in England for a few years past. The Admiralty now marks its approval of the efforts of the Royal Navy Temperance Society by sending out the organ of the Society officially.

The New York *Tribune* recently stated that "one in twenty of the inhabitants of this country are rendered idle and incapacitated for work through the liquor traffic; and these, if not idle, would, at ordinary wages, earn \$200,000,000 annually."

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