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April 19, 23



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### LEGISLATIVE COUNCIL PROCEEDINGS

#### OFFICIAL SYNOPSIS OF PROCEEDINGS

(Continued.)

HON. MR. MORINE wished it to be clearly understood that this was not creating a precedent. The section had been taken verbatim from the Quebec and Alberta Acts and it was intended to prevent the Board from being harassed continually by all sorts of petty complaints. He further pointed out that in any criminal proceedings the Minister of Justice can just as well refuse to carry on.

HON. SIS P. T. McGRATH thought an explanation of the Section was unnecessary as it was clearly intended to prevent a needless waste of expense by charges of a visionary character being piled up. It had even been found necessary in England a few years ago to pass a special Act of Parliament to prevent a madman from taking action against the King.

HON. MR. ELLIS said there were two points on which he was quite satisfied, first in that the Prime Minister was quite justified in view of the conditions existing throughout the country in making a declaration in his Manifesto that he would deal with this liquor question, and second that his Government were also justified in concluding that the people were desirous of obtaining a quantity of liquor. The report of the Commission appointed in 1920 which was before the Joint Committee and which Hon. Mr. Morine included in his speech yesterday recommended that a limited quantity of liquor for family use and social requirements be provided for the people. That Commission was composed of representatives of every shade of opinion on this question and as was pointed out by Mr. Morine yesterday practically 22 of its 24 recommendations are included in the present Bill. With the main principle of the Bill he was in full accord but of course did not subscribe to every detail of it. One which he took exception to is that there is no provision for registration which provision he sincerely believed would be a most essential in enabling the people to give expression to their wishes as to the use they would make of the privileges granted by the Act and the prevention of abuses of the measure and he proposed an amendment to corner that point, as follows:—

"To put into operation a system of registration of applicants for spirits and the issuing of individual permits therefor to the residents of this country and that no spirits shall be sold or delivered to any person unless he has been so re-registered and issued a permit and all applications for such permits shall in the case of a married man be countersigned by his wife."

HON. MR. MORINE said the Government appreciated the support the previous speaker had given the Bill. His good work for the cause of Temperance was well-known, and he therefore regretted that the Government could not accept his amendment. It was absolutely unworkable.

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### Stall's Books

Rev. T. Albert Moore, D. D., General Secretary of the Dept. of Social Service and Evangelism of the Meth. Church of Canada, who visited Newfoundland in Sept., 1917, in connection with the Social Congress, says:

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THE GUARDIAN OFFICE  
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not sound in principle and would cause a great amount of detail work that would constitute much necessary trouble and delay. He had never thought he was a man with sinister designs, but now being unmarried himself he wishes to interfere with all married in the country and put a premium on celibacy. If this passed no man who wanted a drink would dare get married as he would have a continual fight with his wife on the contrary she could get all she wants. It was indeed a funny idea to hold that a man who couldn't resist the temptation of a bottle a day and might be suffering from the effects of liquor should be treated to sit down and make a cool calculation for the amount of liquor he would consume in a year, and as to the man's wife having a say in the amount he should require, in his opinion, the only result it would bring would be a great amount of domestic discord. We have either to trust to moral suasion or Prohibition and in this country Prohibition has only proven itself to be a great temptation and a stimulant of public tastes. First we had dope, then moonshining and smuggling and in so far as a restraint is put on people, a premium is put on and men get a taste for them. Perhaps the best restraint on this sort of thing would be to give people the best kind of cheap liquor.

HON. SIR P. T. McGRATH suggested that in spite of the Hon. Gentleman's playful consideration of the matter, Hon. Mr. Ellis's suggestion was entitled to more serious consideration. As regards the permit, we had Mr. Morine's admission that in Alberta some form of permit is in vogue. It was therefore not unreasonable nor impossible. He thought some steps should be devised for dealing with distribution by the Board. In Sweden, under the Gotenburg system every man is licensed, and such licence must be presented before he can obtain a bottle. He suggested Hon. Mr. Ellis's amendment might come before the proposed Commission for consideration before the next session.

HON. MR. ELLIS did not think his suggestion would cause friction in the home. He doubted whether the Hon. Gentleman understood the temperament of the people of this country where such matters would be considered jointly by husband and wife. He did not see why his suggestion should cause mirth; he himself was perfectly serious about it. He was not bound as to the quantities to be supplied, but he hoped in time to see the bill in much better form than it is today.

The House took recess until 7:30 p.m.

House resumed at 9:30 p.m.

SIR P. T. McGRATH proposed as an amendment to Section D paragraph 23 that the word 'Day' be stricken out and the word 'Week' substituted. Which, he added, briefly meant that instead of a bottle a day, a bottle a week only could be procured. He assumed that the object of the Bill was to allow people to receive a reasonable amount in moderate quantities for medicinal, family or social uses—and not sufficient for abuse. He felt safe in saying that in advocating a modification of the Prohibition Law men never expecting the pendulum to swing so far. Mr. Smith, as Secretary of the Moderate Prohibition Movement, had written a letter to the Telegram, some time ago, Sir Patrick added, in which he had 'rubbed it in' to the extremists who had opposed vigorously his motion for a bottle a week, now, he continued, they were to be cursed with a bottle a day. A message from James D. Munn voted the sentiments expressed in the amendment and he also had the opportunity of knowing that a number of Roman Catholic Clergymen had expressed themselves as favorable to it. The amount of whiskey sent out weekly from the Controller's Department was roughly 600 bottles a week, that was 100 per day he continued, and this met the demands of the outports, city, and drug stores, and 400 bottles of rum which went to all parts of the Island. That, he said, was more creditable than what one hears or reads of. 'A bottle a day' would lead to a much greater output of liquor. He then formally moved the amendment of a 'bottle a week' as the maximum quantity to be procured.

MR. MORINE explained that the section referred to did not mean that there should be a bottle a day sold to any one person but that it simply limited the amount that one person might buy for his whole family of seven. He stated that there was no compulsion to purchase a bottle; a phial full or a gill might be procured. The bottle a day was the limit that could be obtained according to the Act. He considered that the cause of the dope trouble and smuggling was

restriction and that the attempt to prohibit reasonable and liberal quantities increased temptation. If you could do away with moonshine and smuggling and then enforce Prohibition it would be a different matter. In his mind Sir P. T. McGrath was the victim of statistics and was always quoting from them but never drew the right morals from them. Sir Patrick had said 50 cases a week was the maximum of the Controller's Department but it was well known that much more than this amount was being consumed in the country. Where does it come from? And why all the drunkenness if this were true? It is because smuggling has gone on wholesale, moonshining unchecked and the Government had strong reason that much liquor coming in for transshipment is consumed here. He further held that the attempt to prohibit having failed, if any restrictions are to be on at all they must be so reasonable that 99 p.c. of the people would want to uphold them. He wished to remind those through the country who had protested against the Bill that there is no compulsion in the Act to force any man to drink any specified amount of liquor; far from it, great care has been made to provide the Board with powers to refuse to sell to drunkards and others who are duly covered by provision.

If we were to adopt the amendment which has been offered it would merely be endorsing another form of Prohibition on a smaller scale which the Government was not prepared to do. He could not accept the amendment and asked the House to reject it.

HON. MR. GIBBS agreed with the previous speaker that such restrictions as a bottle a week would only be a milder form of Prohibition and was contrary to the rights of the people. He then went on to show by elaborate reasoning how the state had no more right to interfere with a man's choosing his own drink than it did with his own food. We have certain natural rights and it is not because of those rights that they are to be taken away. It is the duty of the state to limit and not to destroy. A State that tries to take away rights from its citizens is doing the opposite to what it should. If we say a man shall have no more than a bottle a week, they will break the law to get it elsewhere, either by smuggling or by substitution. It is being smuggled here in St. John's every week, and scarcely a vessel or steamer touching our shores but has it on board. This section did not mean everyone was going to get a bottle a day; some could not get one a month. It is not because some people abuse a right we should take it away from others who do not abuse the privilege. More people die from overeating than from over-drinking. Because one man consumes too much meat and gets sick, should we say to his neighbour you cannot have so much meat because your neighbour got sick. The figures as to consumption quoted are no criterion of the quantity consumed in this country. There are places in the country where you can get champagne and brands of whiskey never seen at the Controller's, any amount of it. Then take the United States with its records as the greatest drug consuming country in the world. More people are treated there than anywhere else and the use of drugs has increased nearly a thousandfold since Prohibition came into force.

HON. SIR P. T. McGRATH referred the attention of the House to the section regarding special safeguards and said he thought it had been included here because this was the kernel of the Act and the section most likely to be abused.

The amendment being put was lost on division, those appearing in favor, Hons. Sir Patrick McGrath and W. J. Ellis; and against, Hons. Sir M. G. Winter, Gibbs, Power, Shea, Steer, Ryan, and Morine.

The section as originally in the Bill then passed.

The Committee reported the Bill passed with some amendment, and with the unanimous consent of the House it was read a third time and passed.

HON. MR. GIBBS had intended moving a further section providing that no member of the Government or Legislature might have any dealings with the Board in the purchase or sale or receiving or giving of commissions in connection with the sale of liquor, but thought perhaps this should be provided for under the Legislative Disabilities Act.

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 Lose it yet win it somehow.  
 The Pathway to glory is rugged, and many the heart-aches you'll know  
 He who seeks to be master must rise from disaster,  
 Must take as he giveth the blow.  
 There's no royal highway to splendour, no short cut to fortune or fame  
 You must fearlessly fight for it, dare to be right for it,  
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 (a) on a signal made to her by one of His Majesty's ships, including any vessel under the command of an officer of His Majesty's navy or full pay, and  
 (b) on entering or leaving any foreign port and  
 (c) if of fifty tons gross tonnage or upwards, on entering or leaving any British Port.  
 (2) If default is made on board any ship in complying with this section the master of the ship shall for each offence be liable to a fine not exceeding one hundred pounds.  
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