

certainly a (seedy) C. D. one—(great laughter.)

Hon. Att. General supported the bill; he saw nothing illiberal or unjust in the cause complained of. A was prosecuted for selling liquor to B; on the trial it appears he sold it to C instead of B. Upon making affidavit that he was taken by surprise he could obtain a continuance that he might adduce testimony to disprove the charge of selling to the latter.

Mr. B. Smith thought the accused should not be saddled with double costs. If the prosecutor brought a suit and failed—he should become nonsuit and pay his own costs.

Mr. Archibald warmly advocated the passage of the bill; he would put it to the House whether a guilty party should be allowed to escape punishment merely because he was accused of selling to the wrong person. The tendency of English jurisprudence now was to sweep away the absurd technicalities which encumbered the administration of justice—and enact simple laws, comprehensive in themselves, which give to a Court the power of deciding on the mere right of the subject in issue. This law did nothing more, and he hoped the House would pass it without further debate.

Mr. Wade opposed the bill; he thought its advocates were taking an improper course. If they proposed a Law compulsory in its character providing that two or three licenses should be granted in each county, the duty to be raised in proportion to the diminution in the number, he would support it. The clause under discussion was in the highest degree impolitic and unsound; the principle it enunciated that a man should be prosecuted while the grounds of the prosecution were withheld from him was manifestly unjust,—for how could the accused be prepared to answer a charge if its nature and the attendant circumstances were not previously announced to him.

Hon. W. A. Henry was rather disposed to support the clause. He agreed with the hon. member for Hants—that the prosecutor should pay the costs if he failed to make out a case against the accused,—but the gist of the charge in this case was *the sale* not to whom sold; so that if a sale to any one person could be proved provided the accused had sufficient opportunity afforded him to rebut the charge—he should pay the costs. The adjournment for a week would place him in a better position—for after the first investigation, the case made out against him would be within his knowledge and he could bring his testimony to meet that case.

Hon. Mr. Johnston strongly urged the passage of the bill.

Mr. Marshall said that if these gentlemen were really sincere let them introduce the Maine Liquor Law at once, and no nibbling about it. This bill laid everybody at the mercy of the public informer; a person the most despicable in any community—who was a pimp if he were not a drunkard; for no man would go into a drinking houses for the purpose of informing, who was not too contemptible for civilized society; and no respectable person ought to be subjected to the consequences of his oath.

Hon. Prov. Secretary did not see very mate-

rial objection to this clause, and expressed his views at large upon it.

Mr. Whitman said the great objection to this law was the expenses. Now, all criminal prosecutions were conducted by the crown officers, free of charge; he would therefore move that selling liquor be made a capital offence; then the expenses would be got rid of, and the culprits would be hanged. (Laughter.)

Mr. Archibald again defended the bill, and said it was necessary that we should have a bill that would not only meet the views of this house, but other branches of the Legislature. The bill was here, and its friends wished to know who would support it. [The hon. gent. made further remarks which we could not hear.]

Mr. Marshall, from what had been said, not convinced that this bill was introduced, not with any hope or expectation of carrying it, but merely for the purpose of courting popularity, and deceiving the people.

The clause, and some others, passed. (As a reason for one clause, Mr. Archibald mentioned the case of a man who had been fined £7 10s., and had been imprisoned. He however, had got on the limits, and continued to sell liquor as formerly.)

Mr. Wade moved in amendment to the bill that the sessions and the Grand Jury in each county should grant a certain number of licenses.

Mr. Zwicker considered the amendment as perfectly preposterous.

Mr. Martin I. Wilkins was in favor of the Clerks of License being salaried officers, in charge of the whole subject in each county.

Mr. Wade explained the operation of the Law for restraining licenses in the county of Digby; instead of curtailing drunkenness, it was increased by obnoxious restrictions. Formerly when there were respectable licensed houses their proprietors refused liquor to Indians and boys, and kept their establishments in proper order. Now, so long as liquor could be had, it was sold without license—the license money was lost to the county, and the evils of imprudent restrictions were evident, because parties procured liquors in spite of law, and the traffic was no longer under wholesome regulations.

Hon. Joseph Howe was not quite sure that the morals of the counties would be improved by municipal incorporations; because in this city, which was the only incorporation in Nova Scotia, with its Mayor and Council, and its ten or a dozen constables, there was more immorality than ever there had been before. Liquors were sold in licensed houses side by side with human flesh; whole streets were devoted to this infamous business, where the soul and body were being bartered away. Under the old system the state of things was tolerable—now, the number of these dens of iniquity were perfectly intolerable; and the Mayor and Corporation who would permit the mingling together of liquor and women in any of these infamous dens, for another month, ought to be turned out in October. He was perfectly prepared, therefore, to go with the friends of this bill, and vote for the separation of the sale of liquors from other traffic, so that if a gentleman wanted to go into a respectable ale-house to get a glass of beer, he could do so, and the privilege would not be abused. There was another point to which he would call the attention of the Committee: As the railroad advanced, little shanties rose up, and he rather thought that liquor was sold in them, because every Monday morning the men