

of crying out and pining away and dying of thirst for the want of a drop of beer, are much more comfortable than they were before, and they are very thankful to those good landlords for keeping the drinkshops away from them. And now this is an argument that I have used over and over again in the House of Commons, and which nobody in that great assembly has dared yet to tackle—I have said in the house, and I say it to-night, if it be wrong that landlords should be allowed to sweep away public-houses, why don't you introduce some legislation to prevent their doing this great evil? But if you don't do that, it shows you don't believe it is an evil, and if not an evil, then why not allow the people to do that which you allow the landlords themselves to do? We need not go far for illustrations. Many of you have heard of Shaftsbury Park, no drinkshops there. I was once in Shaftsbury Park, when some new houses were being opened, and who should I find sitting on the platform but Mr. Disraeli—as he then was. That was a grand thing—Disraeli and I sitting together. He got up, and said he was delighted with Shaftsbury Park, where they had no drink shops, and he said the people who manage that park had solved the problem of how to make the homes of the workmen happy. I want you to be able to solve the problem for yourselves. A Norwegian missionary who had been in India, told us a very interesting fact. He said he went amongst the Sauthals, a tribe consisting of about one million people, fine fellows in many ways, but most notorious drunkards. They used to start drinking regularly at two o'clock, and go on till nightfall. They, of course, got drunk and like Christians, beat their wives, and so on. He told us he went to the Government of India and said:—"If these people ask to have drinkshops done away with, will you allow them to be done away accordingly?"—and the Government said yes. He got them to send up a petition, asking that the drinkshops might be abolished, and this was done, and now, instead of being the most drunken people they are one of the most sober people in all India. Why do I tell you that story? Because the argument continually brought against me is—"If you had your way it is only the sober, who do not want any cure, who would stop the drinkshops. You would do no good among the drunken people." Not a bit of it. I believe that the poor drunkards would be the very first people to support me to do away with these places, just as these drunken people in India did. You may depend upon it, it is the man who suffers who knows where the shoe pinches, and it is the working men who have suffered from this evil, and whose wives and families are pining away, who would be almost the strongest supporters of any measure for prohibiting the drinkshops around them.

Contributed Articles.

A REVIEW OF THE DOMINION LICENSE ACT.

READ BEFORE THE TORONTO BRANCH OF THE ONTARIO ALLIANCE.

BY MR. W. BURGESS.

The *Bystander* for July says, in reference to the new Dominion Licensing Act, "a trial of the legal question must follow. It is hardly worth while therefore at present to discuss the Dominion Act."

In an able article by Prof. G. E. Foster, M.P. in the *Mail* of June 16th last, a comparison is made between this Act, and the Crooks Act and other Provincial license laws. Prof. Foster suggests three points of interest as naturally occurring to one proposing to discuss the Act:—

- 1.—Whether this legislation is within the powers of the Dominion Parliament.
- 2.—Whether better or stronger legislation can be obtained from Dominion or Provincial sources.
- 3.—Whether the new Act shows any advance in Temperance feeling throughout the country, and whether Parliament has responded to that feeling by increased stringency of legislation.

Mr. Foster dismisses the first point, very much as Dr. Goldwin Smith dismisses the whole Act, by remarking that it would be idle to take time or space to discuss it, as it can only be determined by reference to the Courts. Ordinary citizens however may be excused if they raise the question as to whether the government were wise in passing an Act which has admittedly no value until submitted to the courts of law, and which may possibly lead to a series of vexatious and costly law suits, producing irritation and annoyance between the conflicting authorities. We cannot avoid the consideration that it would have been wiser and more courteous to the Provincial legislatures, to have first settled by appeal to the highest legal authorities the question of jurisdiction.

On the second point Mr. Foster claims that the Dominion Legislature in this, its first essay, has given restrictive legislation which has been vainly asked for from Provincial Legislators on behalf of temperance reform. But it would appear on reflection that if the authority of the Dominion Government "must be settled by the Courts," and if it is therefore "idle to take time to discuss it," it is surely not less idle to discuss the effectiveness of a measure which, so far as we can judge, may have been passed for the purpose of playing at the game of "tug of war" between the Dominion and the Provincial Governments respectively. But, notwithstanding these considerations, there is much in the new Act of the Dominion Parliament

to command the reflection of temperance people. Any Act of any Government, which deals with the liquor traffic, demands attention and commands discussion. It is impossible for any Parliamentary discussion on this question to have a neutral relation to the temperance agitation.

The general character of the Dominion Act is a compliment to the Crooks Act, inasmuch as it is, in the main, a copy of it. The new Act provides for five different licenses, called hotel, saloon, shop, vessel and wholesale licenses. The hotel and saloon licenses differ only in name, except that, under the name of saloon license, the licensing board have power, by resolution, to dispense with the conditions otherwise necessary to a license under that name in regard to a certain number of licenses, such as bedrooms, board, meals, etc., etc. Shop licenses are practically the same as under the Crooks Act, but are to cease after the year 1890. Vessel licenses under the Dominion Act would have this improvement, that no bar would be permitted, and liquor would only be sold to passengers during meal hours. Wholesale licenses, on the other hand, offer greater facilities for the sale of liquor than the Crooks Act. Under the Crooks Act a wholesale licensee can only sell in quantities of not less than five gallons in each cask or vessel at one time. The Dominion Act provides that the wholesale licensee may sell in quantities of (2) two gallons in each cask or vessel. It does not require much perception to anticipate a great increase of home drinking if the two gallon casks are to be allowed to be sold by wholesale brewers. The spectacle of a brewer's dray at the private houses of citizens would become far more common than now, and the results would be anything but contributory to temperance.

A new creation of the Dominion Act is what may be termed an auction license. Provision is made that nothing in the Act shall apply "to any person who holds a license as an auctioneer selling liquor at public auction in quantities of not less than two gallons at one time." Perhaps it did not occur to the framers of the Act that this provision practically destroys the value of its prohibitory clauses, for if the local option clauses (to be referred to again) were put into operation, it would be easy to multiply the auctioneers who could sell the liquor in two gallon casks by public auction. Nor does it seem to have occurred to the Dominion Government in framing this Act that to allow auctioneers to sell liquor in two gallon casks without any of the restraints or conditions imposed upon the hotel keepers, is to increase enormously the sale of liquor, inasmuch as it would become a regular article of sale in almost every auction room in the Dominion. It certainly would not tend to the advancement of temperance if the number of liquor dealers were increased by just that number of persons who chose to take an auctioneer's license, and who would be free of all restrictions except the one defining the limit of quantities to be sold in one vessel.

There are several important restrictions in the new Dominion Act over the Crooks Act, viz:—

- 1.—Increase of amount of bonds or sureties from license-holders from \$400 to \$800, thereby contributing to place the traffic in more responsible hands. Whether, however, this is a real benefit from a temperance point of view is open to discussion. It is frequently argued amongst us that the less respectable the trade is the sooner it will be condemned by public opinion, while no amount of gilded respectability can ever make liquor a less destructive agent.
- 2.—The new Act provides more stringent penalties for offences against its provisions, including forfeiture of license, in regard to several of its most important conditions.
- 3.—It provides for the prohibition of sale of liquors to minors under sixteen years of age.
- 4.—Increased hotel accommodation is required—viz., for city licenses six beds are necessary instead of four, as under the Crooks Act.
- 5.—Hotelkeepers must keep a lamp fixed over their doors, or within twenty feet, and keep it lighted during the whole night. Whether this provision is made to aid the benighted customers of the tavern who are supposed to be leaving under the effects of the refreshments purchased at the hotel, or to enable sober policemen to more easily recognize their customers the Act does not say.
- 6.—Hotelkeepers are forbidden by the new Act to receive anything except money in payment for liquor.
- 7.—Hotelkeepers are prohibited from acting the part of pawnbrokers, not being allowed to take anything in pledge for liquor.

Under the Dominion Act a change is proposed in the constitution of the License Board so as to prevent the charge of party preferences which has been made against the Provincial Government in the appointment of the trio of Commissioners. The proposition of the new Act is that the Board shall consist of (1) the County Judge, (2) the Warden of the county or Mayor of city, (3) an appointee of the Government. It has since been shown by *The Globe* that mayors and wardens cannot act as license commissioners, and this provision will therefore have to be altered before a Commission Board can be constituted in this Province.

[The remainder of this paper, discussing the Local Option and Sunday Sale features of the new Act, together with a postscript specially prepared for *THE CITIZEN*, will appear in our next issue.]

Mr. Wm. Boyd Hill, Cobourg, writes. "Having used Dr. Thomas' Eclectic Oil for some years, I have much pleasure in testifying to its efficacy in relieving pains in the back and shoulders. I have also used it in cases of croup in children, and have found it to be all that you claim it to be."