

I shall here just give a quotation from the law, and they can then judge of the judgments rendered in the five cases above referred to:—

"The power to sue is given to any person to prosecute any person who sells any goods, wares, merchandize, or any commodity whatever on Sundays. For the first offence the fine is not more than £5, and for the second offence not less than £5 and not more than £10. The half of all fines goes to the Provincial chest, commonly called the Crown, but no costs is given in the act."

Now, Sir, you will be able to judge of our dismay when the person we employed to suppress the illegal traffic on the Lord's day, was actually the person punished from the judgment rendered. Plainly, from this cause the prosecutor gets 2s 6d only, and the Crown the other 2s 6d; then he has to pay to his attorney 12s 6d, summons 5s, service of ditto 2s, other court expenses about 4s, man's wages say 4s.

The public in the City and District of Montreal may now judge of the law and its administration for selling on the Lord's day, and they may also perceive where amendments are to be made.

Since writing on the observance of the Sabbath in Canada, the *North British Mail* newspaper, from Edinburgh, has just been sent me. On Sunday Selling it says:—

"At a meeting of the Edinburgh Town Council, the Lord Provost referred with satisfaction to the success which had attended the efforts of the magistrates to close whisky shops on Sunday, particularly as the result had been without Lord Kinnaird's bill, or any but moral means. On the communion Sabbath his Lordship stated that there were 413 public houses open, exclusive of 77 hotels. On the Sabbath following, namely, the one succeeding the meeting of magistrates, the number was reduced to 241, and on the subsequent Sunday to 168."

P.S.—Since the actions were taken out for selling on Sunday, nearly five years ago, none have since been sued, entirely in consequence of the judgments rendered above.

Your obedient servant,

J. H.

[We call attention to the above communication from a reliable source. It furnishes one among many painful proofs of the incompatibility of our present license system with anything like obedience to law or morality. Give a man or woman authority to do wrong and commit villainy, and you may look for iniquity augmenting itself pretty fast. The law guards the sanctity of the Sabbath, but it also gives authority to create an appetite which must be gratified on Sunday as well as any other day. How then can it be expected that magistrates will or can be so hard-hearted as to punish a man for selling to a poor thirsty tippler on Sunday. There is only one kind of legislation on this liquor selling that accords with right reason and common sense, and that is—abolish all the existing laws regulating the sale of liquor, and give as the grand substitute, TOTAL PROHIBITION.—ED. C. T. A.]

### Legal Suasion vs. Moral Suasion.

(To the Editor of the Canada Temperance Advocate.)

DEAR SIR, AND BRO.—Throwing myself upon your indulgence and that of the reader, in the hope that where I am weak, better and stronger minds will supply strength, let me offer a few remarks relative to a communication over the signature of "Moral Suasion" in your number of the 2nd inst. The professions, doubts, and other positions assumed by the above fictitious writer, is, to say the least of it, very inconsistent with the march of the progressive temperance movement of the present day. I am an old and a firm believer in the agency of moral suasion, yet not so bigotted as to throw legal suasion aside. It is but a very short time

since the advocates of the liquor traffic took shelter under the law, now so alarmed are they at its operations, that they would fondly take the temperance men into their embrace if they would confine themselves to moral suasion and let law alone. What is Law? Law is a double power—a moral and a physical power combined, and when complete in both these parts, is the highest influence known to social organization. It is the supreme and unresisted authority of every peaceful and orderly community, and of none more than the Province of Canada, where reverence and obedience to the Law constitute the first duty of its people. I pray the temperance men to pause over this great fact, and to consider how far he can abandon such a tremendous power to those who would use it to the full for the defeat of his cherished hopes, and the object of all his labors. Looked at superficially in the ordinary way in which we think of Law, it may naturally appear to be of secondary and even small consequence; but sit down to it, take it in your fingers and examine its parts, and the vast influence it really exercises in the community, and you will be amazed to see the whole machinery of society guided, driven, checked, or turned, according as the Law shall direct. You will then find that the moral and physical controlling influence around you is the Law acting almost unconsciously, because we are all our lives habituated to respect and obey it, but rising from this very fact to a magnitude of strength which it is madness to disregard or despise.

I have abundance of illustrations that show the principles necessary to call a law into existence and make it vigorous and effective, and all of these harmonize with the reasons which connect the Temperance reform with Law. They all show a gradual awakening to some social injury, a gradual willingness to invoke the power of law for its suppression, and a final resort to it as the ultimate and surest protection. Take the law against the sale of poisons, except under certain precautions, one of comparatively small importance and little utility, the law against the sale of obscene books, gambling, lotteries, unwholesome meat, light bread, &c., &c. All that can be said for the liquor traffic and liquor drinking, could be, and was said for the lottery trade, and all that could be said against lotteries, and a thousand times more can now be successfully used against the liquor trade and liquor drinking. Where are the lottery offices—where the lottery licences—where the millions of business once done in our fatherland, under the authority of law and public opinion? Gone—swept away—annihilated! And how? By the power of the Law backed by the general voice, aroused by seeing a few men here and there rendered bankrupt, reduced from comfort to want, driven to speculation, forgery and fraud, by an insane passion to reach wealth by a short cut through the fatal road of Lotteries. I am not about to enter on particulars, nor am I going for law simply, but my purpose is to state facts, to show how public sentiment acts, what influences begets laws, and leave to the common sense of the reader in searching out and studying these principles, and the facts which illustrate them, to draw the conclusion to which they directly point. It is no hap hazard, uncertain, unintelligible principle that I am pursuing, but one that acts with certainty, uniformity, and power. It is one that has much, even now, and must finally have far more to do with the Temperance Reform if it is ever to reach the point of a pervading, strong, triumphant doctrine, and which I hope is now at hand. Hoping our representatives will without hesitation at once enact a prohibitory Liquor Law, simple in its machinery and effective in its operations,—I am, &c.,

Yours in L. P. & F.

JOHN M. ROSS.

Toronto, 9th Aug., 1852.