

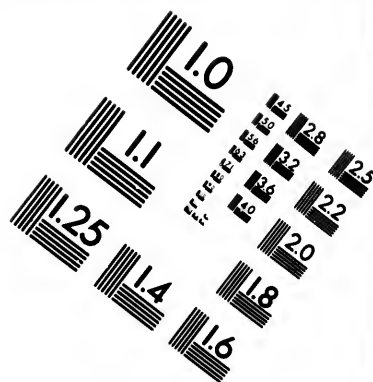
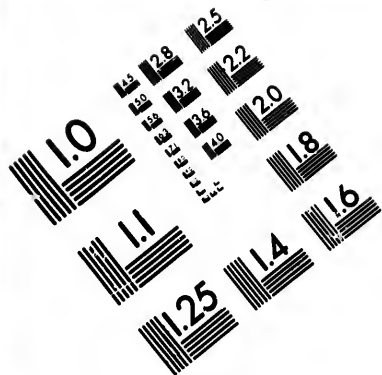
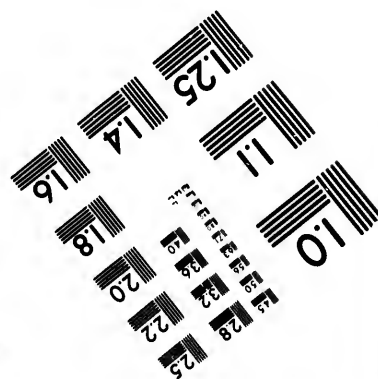
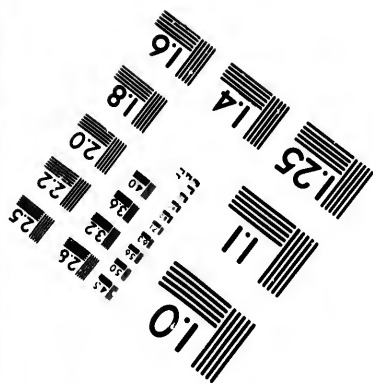
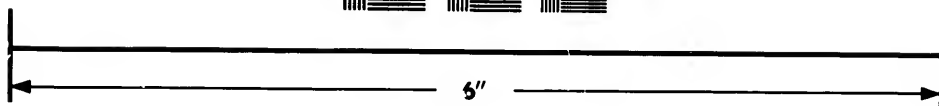
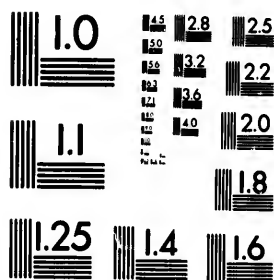


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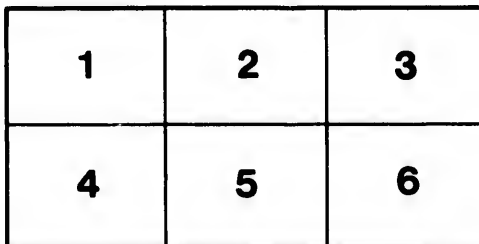
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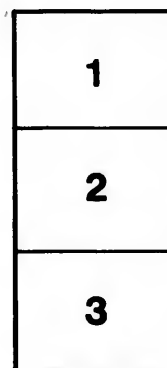
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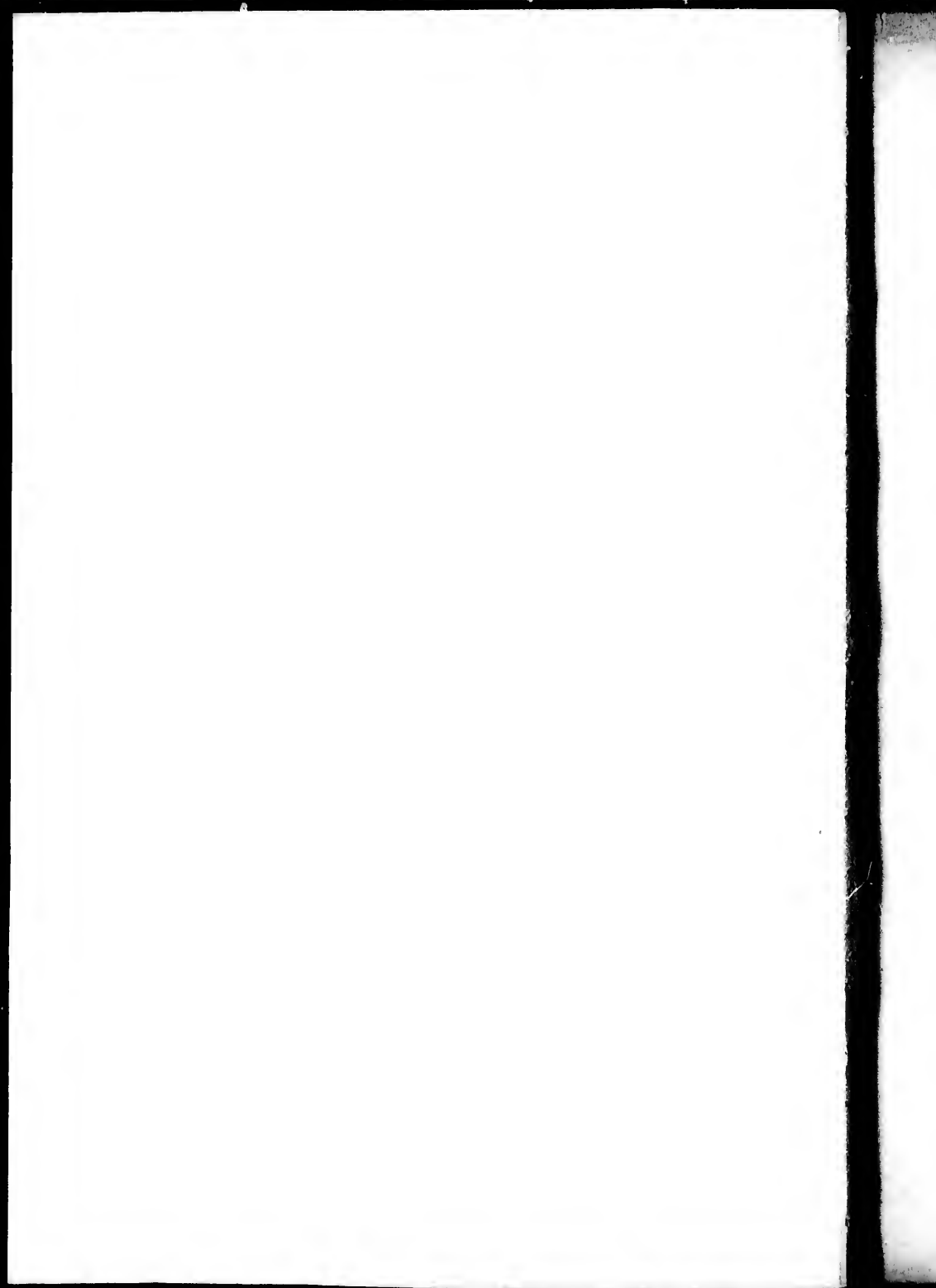
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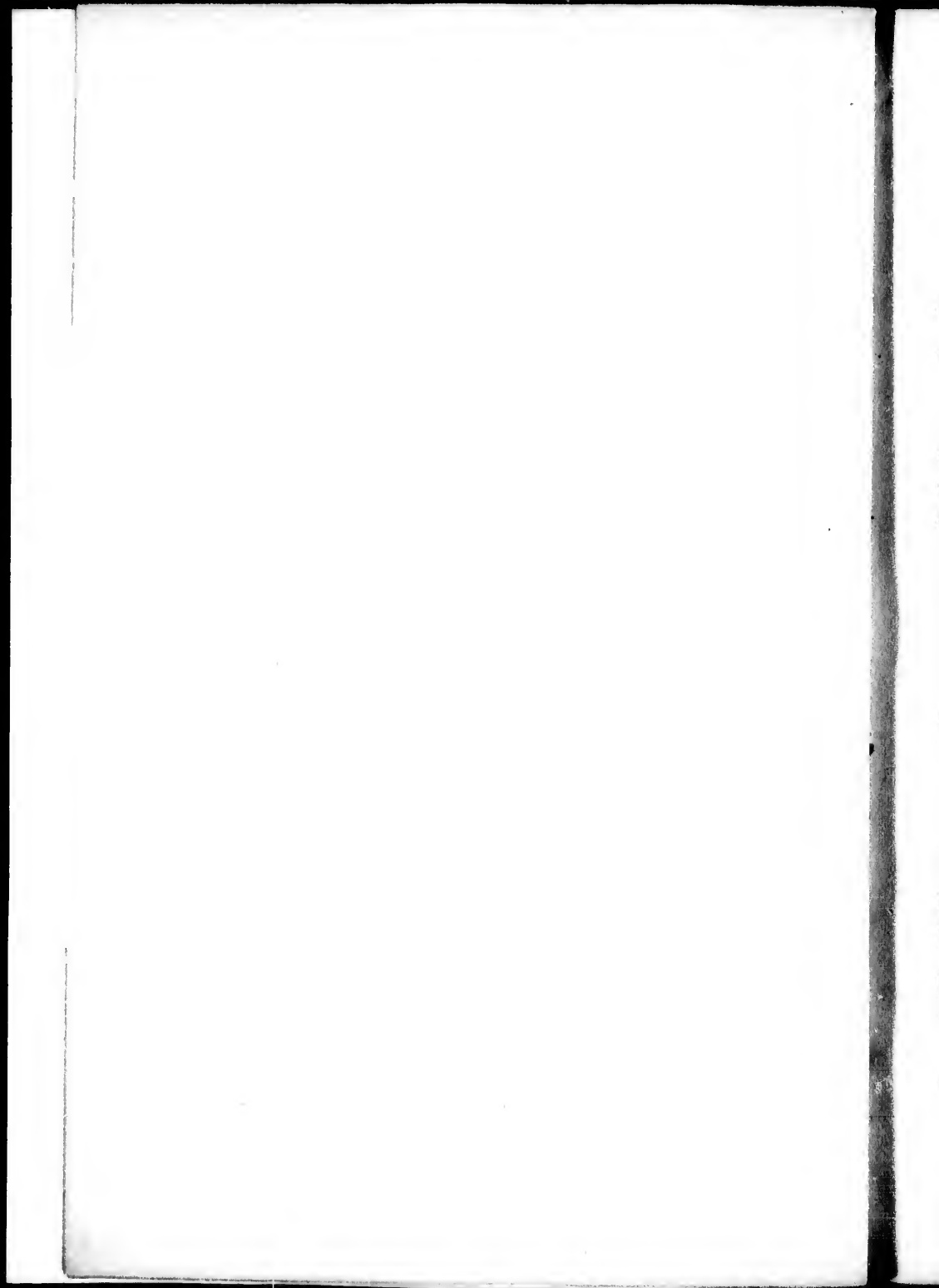
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SPEECH
OF THE
HON. JOSEPH HOWE,
IN THE
NOVA SCOTIA HOUSE OF ASSEMBLY.
ON THE TWENTY-FIRST OF FEBRUARY,
IN
OPPOSITION
TO THE
PROHIBITORY LIQUOR LAW.

LIVERPOOL:
M. ROURKE, PRINTER, SOUTH JOHN STREET.
1855.



SPEECH OF THE HON. JOSEPH HOWE.

THE following remarks of the Hon. JOSEPH HOWE, a member of the Nova Scotia House of Assembly, in opposition to a motion to introduce the Maine Liquor Law into that colony, are full of wit, humour, and historical allusions, and cannot fail both to amuse and convince the reader. The Hon. JOSEPH HOWE is one of the ablest men in the British North American Provinces, at least one would infer as much from the ability and research he displays. Hitherto we have been accustomed to consider the debates in our own House of Commons the perfection of legislative eloquence, but if we would have good readable speeches containing sound convincing arguments we must evidently import them from Nova Scotia or some other of our colonies, for our present parliamentary orators are certainly not the Burke's, Pitt's, Sheridan's, and Fox's of other days. But to the speech. The Hon. JOSEPH HOWE said :—

After much reflection upon the subject, he had not been able to bring his mind up to assume the responsibility of voting for this bill. He approved of the efforts made by the Temperance Societies, and wished them success, so long as they sought to reform by persuasion, by argument, and by example. When they attempted impossibilities—when they sought to coerce the people into temperance, he conscientiously believed they would fail—he believed that all the good they had done would be perilled by a resort to harshness and coercion.

The Deity had not prohibited the use of wine; on the contrary he had given the grape to man with immeasurable other bounties. Our Saviour had not prohibited the use of wine. He had sat with those who had drank it, and had, by a miracle,

replenished their cups at the Marriage Feast. The apostles had not forbidden the use of wine. Its use was denounced in the Koran, by the pagan Mahomet, but was not, so far as he could perceive, in the Bible. What, then, the Almighty had not done or attempted—what He could have done with so much ease, yet had refrained from doing—he thought it not wise for man to attempt.

The evils flowing from the excessive use of wine he deeply deplored, as he did the evils flowing from over-indulgence of any other passion or propensity. But who could argue from excess of any kind that the rational enjoyment of God's gifts was therefore sinful? Who would venture to argue that because mischief was done by many of God's gifts that they should, on that account, be circumscribed or prohibited by human laws? The atmosphere that fans the cheek of beauty—that invigorates the frame—that flutters the leaf upon the tree—that dimples the surface of the lake—that gives variety and majesty to the ocean, when accumulated in masses lashes itself into the tempest and strews the shore with the wreck of human life and property. The learned member, standing amidst the wreck of navies, and the whitening bones of the human victims, might eloquently describe the scene; but would he, if he could, attempt to restrain the eccentricities of nature, or to forbid to man, by human laws, the benefits of navigation? How beautiful is water, (the Temperance man's own element,) yet how dangerous. The rain which fertilises the fields sweeps away with its excess bridges, mills, and human habitations; if not drained off, it spoils the land, and breeds pestilence in cities. The fire that warms our hearths—that clears our woodlands—that smelts our metals—that drives our steamers and locomotives, is not less dangerous. Would he deny to man the use of these elements because the casualties by fire and flood are most disastrous? Would he forbid their use because people are burned in cities; drowned in the rivers; because a boiler bursts at sea, or an engine sometimes runs off the track, and kills hundreds by the violence of a collision? William the Conqueror, it is true, once denied to the people of England fire and light after the curfew tolled, but the abhorrence in which the act was held would not encourage anybody to follow his example.

Woman is God's best gift to man. The fascination which she spreads around her—how difficult to resist the passion she

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inspires—how intimately interwoven with all that arouses to exertion, and rewards us for our toils. Yet, when even love is indulged in to excess—when reason is overpowered—when passion hurries on to folly, how numerous the victims; how blasting the effects. Yet, who would, reasoning from the perils of indulgence, and the dangers of society, deny to man the companionship which alone makes existence tolerable? The learned member for Annapolis might draw from the sinks of vice, or even from the agony of a single victim, some harrowing pictures; but would he on that account imitate the Turks, and lock up all the women? (Roars of laughter.) The victims of indulgence in opium I have never seen, but even spirituous liquors do not produce the extent of physical suffering and moral dislocation that results from the abuse of this drug. But would the learned member deny to society the use of that which allays the delirium of fever—which soothes the infant upon the mother's bosom, and saves more lives than it ever destroys? Take gunpowder, which blasts our rocks, loosens our minerals defends our country, kills our game. Mark the mischiefs and miseries it produces when its mysterious power is abused. But who would argue that because boys blow themselves up and tyrants use gunpowder for unworthy purposes its use should be forbidden? Would the learned gentleman, even with the battle-fields of Balaklava or Inkerman before him, attempt to restrain, by human laws, the manufacture and sale of gunpowder? Who denies that law is the safeguard of our lives and properties; that courts are indispensable institutions; that lawyers are the fearless advocates of the innocent and oppressed? But has not even the law been abused? How many pettifoggers defile the courts, ensnare the ignorant, waste men's estates, and embitter their lives? Walter Scott's Peebles and Plainestanes, and Dickens's pictures of the Court of Chancery are familiar to us all. These are but sketches illustrative of the evils inseparable from the dispensation of equity and law by the most perfect tribunals of civilized countries.

How are those evils to be mitigated or removed? I would say, by discussion, by exposure, by example, by honest and successful attempts to separate the securities and the legitimate practice of law from its abuse. The learned advocate of this bill, to be consistent, should close the courts, imprison the lawyers, and forbid the manufacture of law, or its importation from foreign

countries. Woman, from her first appearance on the scene of life, had brought sorrow and suffering with her. In her train came rivalries, and jealousies, and war, and strife. Let the learned member go into his own county, where the pretty faces, peeping through the apple-blossoms, are lovely to behold. Even there, are there no broken hearts, no pale faces, no blighted lives, no damaged reputations? No girls with Burn's pretty excuse upon their lips—

'A dear, loved lad, occasion sung
A treacherous inclination'?

No youths pleading, in the intonation of passionate repentance, that even—

'The light that led astray
Was light from Heaven'?

Yet would the learned gentleman, in view of all these evils, point to the pretty girls, and say—'Touch not, taste not, handle not.' Would he, for fear of mischief, coop them all up like cows in a Belgian barn?

The world has come down to the present period from the most remote antiquity with the wine cup in its hand. David, the man after God's own heart, drank wine. Solomon, the wisest of monarchs and of human beings, drank wine. Our Saviour not only drank it, but commanded Christians to drink it 'in remembrance of him.' In strong contrast with our Divine Redeemer's life and practice, we hear the Scribes and Pharisees, who drank it not; who reviled our Saviour as a wine 'bibber,' and the 'companion of publicans and sinners'; who would have voted for the Maine Liquor Law as unanimously as they cried, 'Crucify him.' Such people have existed in all ages of the world. The desire of human beings to dictate to each other what they should eat, and drink, and wear, has been evinced in different countries at different periods. The zealots in the State of Maine are mere plagiarists after all. Sumptuary laws, tried in many countries, and at different periods of the world's history, are now universally condemned by the good sense of mankind. Laws restraining drunkenness are nearly as old as drinking. It is curious to see what strange experiments have been tried at times. Zaleucus of Locris, 450 years before the Christian era, ordained that no woman should go attended with more than one maid *unless she was drunk*; and that she should not wear gold or embroidered apparel unless she intended to act un-

chastely. This sage lawgiver punished adultery with the loss of both eyes. His own son broke the law, and the old gentleman, unwillingly to deprive his son of both eyes, compromised the matter by putting out one of his own.

As early as 747, laws were passed in England *restraining drunkenness in the Clergy*. And Constantine, king of the Scots, (who was a sort of Neil Dow in his day) punished it *with death*. His laws passed away as this law will pass, and a good deal of whiskey has been drunk in Scotland since. In England, in 995, an effort was made to restrain drinking by law, but it failed. Taverns were only introduced in the thirteenth century. In the reign of Edward the 3rd, there were only three allowed in all London. Now there are thousands. Edward the 6th tried to restrain them in 1552; 40 were then allowed in London, 8 in York, and but 4 in Oxford. They were not licensed till 1752. The history of wine is curious. Its invention is attributed to Noah, who certainly had seen enough of the evils of waters. The Chinese made wine from rice two thousand years before the birth of Christ, and although it must be allowed that they have tea enough, they make and drink it yet. Wine was but little known in England till the Roman conquest. We are told that it impairs our strength, yet the people who drank it conquered those who did not. It was only *sold by the apothecaries* (as is now proposed again) in the 13th century. In 1427, Henry the 6th, a sensible king, tried to restrain its adulteration, and we read that 150 butts and pipes were condemned and emptied into the gutters in London, for being adulterated.

The Stoics denied themselves the use of wine, but their sick died. The Puritans tried the experiment of coaxing people into temperance and virtue, but they signally failed. I invite the honourable and learned member for Annapolis to review this period of English history. I refer to a time when the Puritan cause was most triumphant, when Charles had been slain, his followers dispersed, when Cromwell reigned in Whitehall, when his Major-General held military command of all the counties, when the May poles were struck down—the theatres closed—the taverns shut up; when mirth was restrained and temperance enforced by the sword. Now, what was the effect of all this? No sooner was the Protector in his coffin than the people of England, by a common impulse, threw off a system which they regarded as oppressive. So distasteful had their restraints be-

come, that the people restored the Stuarts, forgot their civil wars and sacrifices—re-opened their theatres and taverns, and so disgusted were they with Puritan domination that liberty was forgotten in the general joy which the restoration of personal freedom occasioned. The wine cup went round, and from that day to this no attempt has been made to re-establish Cromwell's system. Now, what I fear is this, that the friends of temperance are about to sacrifice all the good they have done, as the Puritans sacrificed all the reforms that they had established *by carrying restraints too far*. This law may be partially enforced for two or three years, but it will coerce people into resistance, and occasion a revulsion of feeling to be followed by universal license.

So far as my reading extends, I may assert that every king, every statesman, every warrior who has illustrated the pages of history, drank wine. The apostles, who were the companions of our Saviour, drank it. The prophets, whose flights of inspiration still astonish us, we have every reason to believe drank it. Cicero and Demosthenes, and all the orators of antiquity and of modern time indulged in the juice of the grape. Who can say how much of the inspiration which gave them such power of language was drawn from its inspiration. Have these men been eclipsed by the Dows and Kellogs of the platform? What orators have the State of Maine sent us forth comparable with the Pitts and Burkes, and Grattans, and Foxes, and Sheridans of the British Islands, every one of whom drank wine?

Let the learned gentleman glance at the noble structures—the architectural wonders that embellish Europe. Who reared them? Men of gigantic intellect, whose common beverage was wine. Let his eyes range through the noble galleries where the sculptors have left their statues—where the painters have hung in rich profusion the noblest works of Art. Wine, we are told, clouds the faculties, deadens the imagination; yet it was drunk by those benefactors of their race, and we cannot, with their master-pieces before us, believe the assertion till their works have been eclipsed by artists trained under this rigorous legislation. Has Maine turned us out yet a statue that any body would look at, a picture that any body would buy? Look at the deliverers of mankind—the heroic defenders of nations. Was Washington a member of the Temperance Society? Did not Wallace 'drink the red wine through the helmet barred?' Who will undertake

to say that Bruce, on the morning on which he won the battle of Bannockburn—that Tell on the day when he shot the apple off his son's head, had not tasted a stoup of whiskey or a glass of wine?

If then, Sir, all that is valuable in the past; if heroism, and architecture, and oratory, sculpture and painting; if all that has bulwarked freedom and embellished life, has come to us with the juice of the grape; if no age or nation has been long without it I think it behoves the advocates of this bill to show us some country where their system has been tried; some race of men who drunk nothing but cold water

I turn to the learned member's own profession. I ask him to show me two such lawyers, two judges so eminent as Lords Eldon and Stowell, the one the wonder of the Admiralty as the other was of the Equity Court. Yet it is on record that at the very time when these men were oppressed with herculean labours, when day after day they were delivering judgments so masterly and profound that they defy all criticism, each of these great jurists drank his five bottles of port a day. (Laughter.) I certainly would not advise the learned member for Annapolis to try in this country an experiment so hazardous. In the moist climate of England this might be done, but not in the dry atmosphere of Nova Scotia. I have sometimes seen him, however, when a few glasses would have done him good. Indeed, I sometimes fancy that both in the senate and at the bar his wit is not so poignant or his logic so acute as in the olden time when he used to take his glass of wine.

My honourable colleague and friend from Cumberland, whose sincerity in this cause I entirely respect, quoted to us last winter the passage from Scripture—'If eating meat causeth my brother to offend, then I will eat no more.' But would my honourable friend shut up all the butchers' shops, and forbid by law the sale of meat, for fear somebody would eat too much? Again—he told us 'We have tried moral suasion and have failed.' If so, who is to blame? If a speaker here fails to convince his audience, do we permit him to coerce them into belief by force of law? I resist this bill because it is a violation of the voluntary principle. Because it is defended by the old arguments by which fanatics and persecutors in all ages have sought to propagate religious opinions. Hoping to save men's souls (more precious than their bodies) Catholics have burnt Protestants and Protestants Catholics.

The right of private judgment was denied. The right of one human being to coerce others into belief, as it is now sought to coerce them into temperance, has been tried a thousand times, and has failed, as this attempt will fail.

Mr. Howe cautioned the House against following too readily the example of the United States. The people in these States were liable to sudden gusts of excitement, and their history was filled with absurdities. He convulsed the House with laughter by extracts from the Blue Jaws; by reference to their burning of witches, and by a sketch of their latest extravagance—the policy of the Know-Nothings, who sought to drain out of their country the foreigners who had cut their canals, built their railroads, and made the Republic to flourish.

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