

# THE VANGUARD.

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## THE NORTH-WEST EXPERIMENT IN PROHIBITION LAW.

The history of Prohibition in the Canadian Northwest is instructive. From the earliest time of that region's control by the Dominion Parliament, down to 1892, there was in our national statute books, a clearly worded enactment for the protection of natives and settlers from the dangerous and aggressive liquor traffic. The law relating to the subject was in the following terms :

"No intoxicating liquor or intoxicant shall be manufactured, compounded or made in the territories except by the special permission of the Governor in Council ; nor shall any intoxicating liquor or intoxicant be imported or sold, exchanged, traded, or bartered, or had in possession therein except by special permission, in writing, of the Lieut-Governor."

The results of the operation of this legislation were incalculably good. As long as it was enforced there was among the Northwest Indians comparatively little of the drunkenness that is so fatal to the aboriginal race. Statesmen have vied with each other in testifying to its benefits. Well-posted officials in high positions have spoken strongly of its advantages. A few examples might be quoted. Sir Charles Tupper, present High Commissioner, at a complimentary breakfast in Westminster Hotel, in London, Eng., on July 29th, 1880, delivered an address, from a report of which are taken the following extracts :

"Some years ago (1872) he had the honor of proposing to parliament the most prohibitory law that ever was proposed in any country, applying to a section of country 2,500,000 miles in extent, called the Northwest Territory. It was a measure for entire prohibition. There, he felt, was presented an opportunity of dealing with the question on its merits, and without the difficulties involved by the enormous vested interests, that in this country and every other country where the liquor traffic has been established formed the great obstacle to success. . . . It might be asked, Do the people in this Northwest Territory object to the absence of the privilege of being able to purchase intoxicating drinks? Not in the least; but on the contrary he was proud to know that when the proposition was made to annex a portion of the Northwest Territory to Manitoba, where the liquor traffic existed, one of the strongest objections to the annexation was that it would deprive them of the great blessing of a prohibitory liquor law."

Lt.-Col. L. W. Herchmer, Commissioner of the Northwest Mounted Police, the force which was charged with the duty of enforcing prohibition, a gentleman who is known to be personally opposed to prohibitory law, said in one of his reports :

"Having lived in western Manitoba in the old days when a permit was required, and when it was only responsible people who were able to procure them, and having lived in a portion of the province since the license law was extended to it, and having, during all the time I lived there, occupied positions which occasioned continually travelling over a larger section of country than any other resident, I believe that I possess sufficient information to speak with some authority on this question, and I unhesitatingly affirm that under the permit system and the Northwest Act, as then interpreted by our judges, there was less intoxication among the whites, according to population; and there can be no comparison between the quantity of liquor then supplied to Indians and the quantities they have obtained since that portion of the province was, as certain people call it, emancipated."

Superintendent Cotton, one of the Northwest Police officials, stated in his report dated 14th December, 1891 :

"As it is certain that the law will be changed within a short time, it might be well to observe that no law, in my opinion, ever existed on the statute book which effected so much good in so short a time. To it can be credited the quiet, peaceful opening up of this territory by the Northwest Mounted Police."

"Only the old officers and men of the force know what a hold it gave over the western roughs. The whiskey traders

were the strong element in the country, but a rigorous enforcement of this law soon extinguished them.

Evidence gathered up all through the Northwest Territories by the Canadian Royal Commission on the Liquor Traffic, will be found, when published, to bear out these statements, and to be conclusive proof of the value of the law.

The world has talked of the unparalleled feat of the rapid construction of the C.P.R., and the order and sobriety that characterized the great number of men employed upon that undertaking. Those who carried through this great enterprise do not hesitate to declare that their remarkable success was largely due to the prohibition of the liquor traffic in the country in which they worked. The Police Superintendent mentioned above, said in his report for 1889 :

“The construction of the main line of the Canadian Pacific Railway proceeded quietly, and the total absence of all serious crime—notwithstanding the sudden influx of thousands of rough navvies—was remarked with astonishment. This was again and again borne testimony to by prominent railway men who had had experience in other countries. Even with the efficient police surveillance maintained, such happy results could not, I think, have come about but for the prohibitory laws existing. That these laws were sometimes broken, even in those days, is an undeniable fact. Such, however, was the exception, not the rule.”

Additional evidence of the effectiveness of the law will be found in the Royal Commission Report, in the details given of methods by which law-breakers sought to evade it. Liquor was said to have been run into the country in nearly every imaginable disguise;—in barrels of sugar and salt, in ginger ale bottles, in neatly constructed eggs, even in the interior of imitation bibles, and in innumerable ingenious devices, all showing the straits to which persons who wished to evade the law were driven to carry out their plans.

It was not expected that under the regulation quoted there would be any free issue of permits for the bringing in

of liquor. For a long time the issue of such permits was limited, and probably most of the liquor imported under them was for medicinal, sacramental and scientific purposes. In the year 1881 Hon. David Laird was Lieutenant-Governor of the North-West, and the total quantity of liquor taken into the country under permits was 3,165 gallons. The population of the Territories was in that year estimated at 25,515.

In 1882, Hon. E. Dewdney was appointed Lieutenant-Governor. Under his regime the issue of permits became more frequent, and a great deal of liquor was brought in for what was called domestic use. He held office up to the middle of 1888. During his last full year of office, 1887, the number of gallons of liquor for which permits were issued was 21,636. In addition to this, the Report of the Department of the Interior shows that there were sold on the dining cars of the C.P.R., under special permit, from December 15th, 1886, to November 25th, 1887, 3,569 gallons of wine and beer.

The Police Officials complained bitterly of the difficulty of enforcing the law when permits were so freely issued. In his report for 1886, Superintendent Perry said, "Permits are often used to cover unlawfully obtained liquor \* \* they are frequently abused, thus preventing the carrying out of the law."

The officers met with another difficulty. A judge ruled that liquor once admitted under a permit could be held by anyone whether he was the party to whom the permit was originally issued or not. This decision practically allowed a permit to cover any liquor with which the holder could associate it. It was only necessary to get the stuff into the country and some old permit would protect it. The Commissioner declared that this decision "almost completely kills the enforcement of the North-West Act." The effec-

tiveness of the law was destroyed by the action of the Governor who ought to have upheld it, and the decision of the judge who ought to have facilitated its enforcement. Commissioner Herchmer said in 1887 :

“The permit system should be done away with in the first place if the law is to be enforced, and the law itself should be cleared of the technicalities that have enabled so many to escape punishment this last year.”

The people of the North-West favored the law. Sir Charles Tupper's testimony is strong on this point. Protests were continually made by leading settlers, not against the prohibition, but against the facilities provided for its violation. The North-West Council was petitioned to urge the Dominion Government to bring about a reform. In the session of 1887 a motion, favoring a change from prohibition, was carried in the North-West Council, but it was carried by the appointed members, a majority of those elected by the people voting against it. Then it was proposed that no change should be made in the law until a vote of the people should be taken on the question of the continuance of prohibition. In 1888 the new Legislature declared in favor of such a plebiscite by a vote of 14 to 6, the 6 dissidents favoring an amendment offered in favor of a change to “a stringent license system.”

Hon. Joseph Royal was appointed Lieutenant-Governor in 1888, and he at once proposed to inaugurate a new method of dealing with the liquor traffic. The Legislature had declared against license. Citizens had petitioned against it. The best men and women of all Canada were in sympathy with prohibition for the new country. Deliberately the Lieutenant-Governor set himself to break down the law. He declared his intention of interpreting it as authorizing him to issue permits for the bringing in and **SELLING** liquor, and he made provision for sale of beer containing four per cent of alcohol. He practically stated

his intention of administering the law so as to establish the dangerous bar-room all through the great North-West. A reference to the section of the Act quoted on page 66 will show what authority he had for such a course.

As might be expected, this action raised a storm of indignation. The proposal to flood the country with beer was received with alarm. Journals all over the North-West declared their dissatisfaction. Here are few examples of their criticisms :

“The late action of the Lieutenant-Governor in granting beer licenses in the Territories was a direct attack upon the principles of responsible government and prohibition.”—*Edmonton Bulletin.*

“The recent action of Lieut.-Governor Royal in introducing the principle of license in direct opposition to the recently expressed wishes of the electors, was almost like a thunder-bolt from a clear sky. The issue of permits to sell beer, though contrary to the spirit and intention of the Territorial Act, shows that the Lieut.-Governor can control or license the liquor traffic in all its phases just as he pleases.”—*The Qu'Appelle Progress.*

“When the Northwest Assembly meets it will be heard from in no uncertain way on the liquor question. A more ridiculous farce than that which is now being enacted could not be contemplated.”—*Winnipeg Free Press.*

“Like most compromises this has failed to give satisfaction to anyone. Prohibitionists say it is overriding the law ; small hotel-keepers say it is making unfair discrimination against them.”—*Battleford Herald.*

Protests were wired to the Dominion Government at Ottawa. A large Convention gathered at Regina from nearly every part of the Territories to protest against the outrage. The Chairman stated that a widely circulated petition some time ago, praying the Dominion Parliament to make no change before a vote of the people was taken, had secured 2,143 signatures in a very short time. A committee waited upon the Lieutenant-Governor and urged him to delay his action until a vote of the people could be taken. Strong resolutions declared in favor of prohibition,

and again appealed to the Dominion Parliament for legislation allowing the people to vote on the proposal to rob them of this right, before it was carried out.

The Lieutenant-Governor would not heed the appeals. The Government at Ottawa turned a deaf ear to them. The North-West Legislature met and declared its opinion by throwing out a license-favoring motion by a vote of 14 to 6, and declaring in favor of a plebiscite. All was in vain. The disgraceful maladministration went on. The amount of liquor imported under permits in 1888 was 56,388 gallons, the convictions for crime, which had numbered 36 for the preceding year, leaped up to 151. The following year the liquor imported increased to 151,628 gallons, and the convictions to 232, and still the C.P.R. dining cars sold their thousands of gallons of wine and beer. Theoretically the liquor brought in contained four per cent of alcohol. This was simply nonsense. As Superintendent Perry, of the North-West Police, reported, "None but a chemical expert could determine the amount of alcohol in any particular beer." Strong ale was freely imported under four per cent. permits. Spirits were freely sold.

The Police Commissioner had by this time established canteens at the different mounted police posts, at which liquor was sold to the men. Thus the officers who should have carried out the prohibition law, engaged in buying and selling liquor under the authority of the chief officers of the state. The result may readily be imagined. Superintendent McIllree, in his report for 1888, said :

"At the present time the existing law is not obeyed or respected by the mass of the inhabitants of this part of the Northwest. It is evaded and set at naught by very many . . . Under these rulings (of the Court) it is almost impossible to get a conviction."

Superintendent Neale the same year reports twelve of his men punished for drunkenness, four of them being dis-

missed from the service, this in a total force of 29. Commissioner Herchmer wrote in 1890 :

“The liquor question is still in a very unsatisfactory condition, and while the importation of beer has, I think, lowered the demand for stronger liquor, the ruling of the court that liquor once admitted under permit can be held by any one, and the fact that counterfoils of permits belonging to other people can protect liquor, almost completely kills the enforcement of the Northwest Act, in spite of the efforts of the Lieutenant-Governor of the Northwest Territories to prevent the transfer of permits, and places the police in a most unfortunate position, in fact, as at present interpreted, it is impossible to enforce the Act.”

Evidence given before the Royal Commission showed that sometimes when the mounted police seized contraband liquor, permits were issued to protect it, and this was done even subsequent to the seizure. The transference of permits went on. Hotel-keepers got permits for four per cent., carried heavy stocks of all kinds of liquors, and borrowed permits from friends to cover their ardent spirits. A Police Superintendent reports :

“Hotels and saloons were well provided as usual, with other people's permits.

The increase in drinking and crime during the period under consideration may be judged from the following table :

Year.	Gallons of Liquor Imported under Permits.	Convictions for all offences.	Convictions for drunkenness.
1883	6736½	45	
1884	9908	39	
1885	9758½	123	
1886	20564½	60	
1887	21636	37	10
1888	5638¾	151	36
1889	151629	232	41
1890	153670½	311	48

In considering this table it should be borne in mind that 1885 was the year of the rebellion, hence the extra criminal record for that year. The population of the organized territories which we are now considering was in 1891



67,554. The decade showed an increase in population of 165 per cent., and an increase in crime of nearly 1,000 per cent. Friends of the beer system had predicted that the increased consumption would be entirely of malt liquors, but the amount of spirits for which permits were issued in 1890 was 12,417 gallons, as against 6,979 gallons, the highest point reached before Lieutenant-Governor Royal began his breaking down of the law.

In 1891, a new constitution was granted to the Territories. The Dominion Government had rejected all petitions of the North-West people for a vote on the prohibition question, and had refused to interfere with the Lieutenant-Governor's course, although appealed to by petitions and deputations from different parts of the Dominion. An election for the North-West Assembly was about to be held under the new law. To the new Assembly was to be relegated the whole question of how to deal with the liquor traffic.

The Lieutenant-Governor, in the inauguration of his liquor selling scheme, had adroitly adopted a plan by which he had brought about a close alliance between members of the Legislature and the liquor sellers of the North-West. He had provided that the permits to sell four per cent. beer should be issued on the recommendation of the member of the Legislature representing the constituency in which the permit-license was to operate. The representative was the patron of the liquor seller. The seller became the political ally of the man through whom he secured his privilege. Many of these representatives of the people were desirous of getting rid of this distasteful relationship. Prohibition was practically gone, a miserable farce of a license system had replaced it, and it was not strange that people were willing to fly to anything as an alternative to the wretched system that was working such harm.

The political situation practically prevented the temperance question being to any extent an issue in the election. In regard to other matters as well as in reference to the liquor traffic, the Lieutenant-Governor had set himself in opposition to the wishes of the people and the views of the Legislature. A great majority of the members opposed the Lieutenant-Governor. The issue in the election was the sustaining or condemning of these men. Nearly all the old members were candidates for re-election. In many cases they were unopposed. The rally to the polls was to a large extent a protest against the arbitrary action of the ruler. It is easy to see how, under these conditions, there was elected a Legislature which proposed at the very first opportunity to change the law, the administration of which had become a farce and a disgrace. At its first sitting there was enacted a rigid system of license with local option provisions.

The outrage was complete. The conspiracy was successful. Prohibition was broken down, and the liquor traffic had fully opened up to it, our great, new rich North-West Territories.

What have been the results? They have been bad beyond even what was feared. The new system went into operation May 1st, 1892. The Royal Commission visited the Territories in November of the same year. Everywhere they were met with the same unhesitating statement, "Drinking and drunkenness have greatly increased." This was the testimony of reliable men who favored prohibition. It was the admission of those who had advocated license. Not only had the sale and consumption of liquor increased among the white population, but also among the half-breeds and Indians. Sad stories are told of homes broken up, families robbed of necessaries, Indians debauched, drunkenness become more common, and an alarming increase of all

the usually attendant evils. Commissioner Herchmer says in his report for 1892 :

“Even in the best regulated districts there has been, I think, more general drinking than under the permit system, and one result is established beyond contradiction, viz., that the half-breeds and Indians can get more liquor than under the old law. Under the permit system liquor was expensive and dealers were afraid to give to people they could not trust, and consequently, the lower classes of whites and half-breeds could very seldom get any. Now half-breeds with money can get all they want, and as many of them are closely related to the Indians, and in some cases live with them, it is impossible, when liquor once gets into their possession, to prevent Indians camped with them from getting it also: again, it is impossible for anyone not personally acquainted with them to tell, on sight, half-breeds from the better class of Indians, the latter in many cases, dressing like whites, cutting their hair and speaking good English and French. In some cases very little exertion is made to establish their identity, and undoubtedly Indians very often buy liquor as half-breeds.

“To give you an idea of the consumption, I am creditably informed that between 1st June and 1st December, six car-loads of liquor have gone into Battleford; in addition to this there can be little doubt that considerable amounts have gone in in smaller consignments not recognized as liquor.

“There are a great many very poor half-breeds at Battleford, and they can get all the liquor they can buy. Up to date since the license system came in the Indians have had no money to buy liquor, but now that the fur season has commenced, I fully expect that in spite of all our watchfulness Indians will get quantities of liquor through the poorer half-breeds.

“At Batoche and Duck Lake, with a joint population within fifteen miles of less than 400 male adults (outside of Indians), there are two wholesale and two retail licenses; more than four-fifths of these residents are half-breeds and poor, cultivating from five to twenty acres of land, and owning generally about four horses and nine head of cattle each: the whole of the contents of each house being worth on an average less than \$50. There is little or no outside travel at these places, and the question is how are these licensed houses supported? Some of these half-breeds have sold cattle at less than their value to obtain liquor with the proceeds, but not in sufficient quantities to support the trade; there is little or no money in either of the settlements, in

fact in former years considerable relief has been required. . . . So far I do not think the Indians have got much liquor, as they had but little money or fur to trade, but one squaw has met her death near Duck Lake through liquor being supplied her, presumably for immoral consideration, as she was a loose character.

"While I have not the actual figures of liquor imported since 1st May, and under the permit system it was impossible to find out the actual quantity imported illegally, I have no hesitation in writing that the quantity of liquor used under the license system very greatly exceeds that under the permit system, and that while the heavy drinkers under the old system, except those who have taken the gold cure with advantage, still drink heavily, a considerable number of settlers who formerly seldom or never obtained liquor, are now using large quantities and, as I stated before, half-breeds can get it whenever they have money, and consequently, in many cases Indians, in spite of the closest watchfulness on our part."

This strong evidence of the head of the police force is fully borne out by the statement of his subordinates. Superintendent Cotton says :

"Inspector Huot, who is stationed at Duck Lake, is of opinion that some half-breeds have, when without ready cash in hand, sold cattle at a sacrifice in order to procure liquor, the sale of which is constantly going on about them. Under the old system it would have been impossible for such persons to obtain permits at will."

Superintendent Perry says :

"The effect on the Indians by the change in the liquor law, so far as can be judged at present, has been bad. They have obtained more liquor under the license ordinance than they formerly did, and the difficulties in preventing this are greater. They buy from or through the half-breeds, and sometimes directly. In a case recently tried at Regina, a wholesale dealer was convicted for selling two gallons of whiskey to an Indian who spoke fair English and looked altogether like a half-breed. This whiskey was taken to Piapot's reserve during haymaking and the whole camp became drunk.

"The following table shows the number of convictions for drunkenness in the headquarters district during the past seven years :

Convictions 1886.....	11
do. 1887.....	5
do. 1888.....	3
do. 1889.....	0
do. 1890.....	20
do. 1891.....	3
do. (5 months) to April 30th, 1892.....	8
do. (7 months) May 1 to Nov. 30.....	38

The reports of other officers all evidence the same sad condition of deterioration. The effect of the change on the men who make up the police force has also been decidedly bad. Commissioner Herchmer says :

“ With the exception of an increase of drunkenness, discipline has been very good. The introduction of the License Act has enabled some men who formerly could not get liquor to disgrace themselves and the force, and those I have been obliged to dismiss as useless.”

Superintendent Dean tells of his difficulties as follows :

“ During the last few months there has been a great deal of trouble with certain men of the division. The conduct of the large majority has been good, but when four constables have been sentenced to dismissal from the force and two more are recommended to be dismissed, the less said about conduct the better. . . . From the 25th May until the 30th November, 1891, there were eight cases of drunkenness in the division. During the corresponding months of the present year there were thirteen cases, but this does not by any means represent the real increase in consumption of strong drink by men who had evidently been drinking, although they were not under the influence of liquor from a disciplinary point of view.”

Superintendent Steele gives his experience on this line in these terms :

“ Under the permit system there is no doubt that those who desired it could generally succeed in obtaining liquor, but it was expensive, and being prohibited there was always a certain amount of risk attached to the indulgence. Now things are changed. There is no stint of liquor of all descriptions at a low price, while the barracks are so close to town that the temptation to certain men has been very great. As was to be expected, a certain number who were slaves to liquor soon showed their dispositions and were dismissed from the force.”

There is no need to travel further over the deplorable record. A heavy responsibility, a heavy guilt, an offence against morality, a crime against humanity, is on the shoulders of every man who either co-operated in, or connived at this shameful conspiracy. It is one of the most disgraceful blots on our country's history. It is another lesson to moral reform workers that they have to deal with an unsleeping and unscrupulous enemy, whose malign influence can even make men in high positions forget all principles of justice in their zeal to minister to his avarice. The only safety for Canada lies in a well-devised law so clear that it cannot be possibly misconstrued, and in such political action as will place the reins of power only in the hands of men of integrity and honor, who hold sound views on this important question.

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## PROHIBITION IN KANSAS.

BY REV. D. C. MILNER, D. D.

[When the Canadian Royal Commission on the Liquor Traffic visited Kansas some months ago, they met Rev. Dr. Milner, then President of the State Temperance Union. He accompanied the commissioners to different points and gave them a great deal of valuable information. These commissioners expressed in strong terms their high opinion of Rev. Dr. Milner as being unusually well informed and very much respected by the people of Kansas. Believing that this gentleman would be specially qualified, both from his position and character, to give a fair statement of the working and results of prohibition in Kansas, he was asked to write a statement of the same for THE VANGUARD.

For about twenty years Dr. Milner has been a Presbyterian pastor in Kansas. For twelve years he has been president of the Ottawa Chautauqua Assembly, one of the largest institutions of the kind on the continent. He is also a prominent Y.M.C.A., Christian Endeavor and Sunday School worker. An ex-officer of the Federal Army, he carries a crippled arm, the result of a wound received at Chickamauga. Throughout his State he stands high in the esteem of all creeds and classes. What he has to say deserves attention.—ED. VANGUARD.]

The State of Kansas in 1880, by popular vote adopted an amendment to the State constitution prohibiting the manufacture and sale of alcoholic liquors except for medicinal, mechanical and scientific purposes.

The vote was preceded by a campaign in which the question was thoroughly discussed. The people of Kansas had tried free liquor, low license, high license and local option; and believed they were taking an advance step by adopting prohibition.

This method has not been on trial for over twelve years. The electors of Kansas have at least average intelligence. The State shows as small a percentage of illiteracy as any State in the Union. Those electors stand firmly by the prohibitory law.

#### SOME DIFFICULTIES.

It should be remembered that this State is about 200 miles wide, 400 miles long, and with a territory of over 80,000 square miles. On three sides it is bordered by license States. Two of them, Missouri and Nebraska, have high license. They have large breweries and distilleries intensely active in trying to increase their business. The promoters of that business are notoriously unscrupulous in the matter of trampling upon law, and in the purchase of press and personal testimony unfavorable to prohibition. On the southern border of Kansas are the Indian Territory and Oklahoma. This new frontier region with its floating population and unsettled administration of affairs, affects the adjacent settlements in the State. It will readily be seen that the whole border line of Kansas is affected by the conditions, habits and legislation of other communities.

#### ENDORSED BY THE PEOPLE.

Prohibition was adopted as a non-partisan measure, although the Republican party was dominant. At that time there were known in the State really only two political parties, the Republican and the Democratic. The latter concluded it would be a measure of party interest to antagonize prohibition, and so began, in 1881, an agitation for the re-submission of the prohibitory amendment. The Democrats were aided in this by the enemies of prohibition in the Republican ranks, and by large amounts of money furnished by the distillers and brewers of the country. In every campaign in this issue the friends of prohibition had overwhelming victories.



In 1888, when the Republican party of Kansas had the largest majority in its history (82,000) it had made its strongest platform declaration in behalf of prohibition and law enforcement. In every contest in the State where this was a distinct issue, the people have declared by unmistakable majorities their belief in prohibition.

**WHAT HAS BEEN ACCOMPLISHED.**

Legislature after legislature amended the law to make it more efficient until we obtained the present enactment known as the "Murray Law."

The Kansas electors believe that by prohibition they have done more to get relief from the evils of the liquor traffic than could be obtained by any other process hitherto tried. A great many leading citizens and prominent newspapers that were opposed to prohibition in 1880 have become its friends because of their experience in its beneficent results. Some of the gains may be re-counted.

The traffic, having been made an outlaw, has become disreputable. Good people say, "If this evil does go on it is just as other crimes, without our consent or the protection of law."

There has been an immense reduction in the quantity of liquor consumed within our borders. Some of the leading citizens of Kansas most capable of forming an opinion say that seventy-five per cent. less liquor is now used.

This is manifest in the great falling off in drunkenness, and the disorder and crime that result from intoxication. During seasons of the highest political and other excitement, great crowds of people have gathered without there being made a single arrest for disorder. This would not have been possible with open saloons.

**AN INTERVAL.**

In 1890 occurred the "original package" invasion, when for a time in many parts of the State, places were openly

selling liquor in unbroken packages under a decision of the Supreme Court. The results were apparent in the immediate increase of crimes of violence. The wholesale liquor houses in cities adjacent to Kansas greatly increased their facilities for business. One of their organs said, "This shows something of what the liquor trade would gain in Kansas if it were not for prohibition."

Congress speedily enacted a measure that enabled us to suppress the "unbroken" nuisance..

#### ‡ THE EFFECT ON CRIME.

There are many jails in the State to-day that would be vacant if it were not that they were occupied by violators of the prohibitory law. In 1880 the penitentiary of the State had 691 convicts. At present it has 724 convicts belonging to Kansas. Our population during this time has increased more than 40 per cent., but the number of convicts in state prison has increased only about 5 per cent.

#### MATERIAL PROSPERITY.

In the years since prohibition became law, Kansas has had, in the language of Governor John A. Martin, "the most wonderful era of prosperity, of material, moral and intellectual development ever witnessed on the American continent." Since the words were written our State has passed through several seasons of drouth and short crops, has had its period of inflated and bursted booms, and yet to-day it can make a marvellous showing of growth.

In 1880 Kansas had under cultivation 8,868,000 acres ; in 1892 18,360,240 acres. The crop values of Kansas in 1880 were \$83,311,000 ; in 1892 the aggregate value of farm products was \$160,891,689. The last report of the State board of equalization, returns a valuation of \$353,962,030. For the fiscal year of 1880 the percentage of State taxation was five and a half mills ; for the present year it is three and eight-tenth mills.

The greatest era of railroad building has been since prohibition was enacted. In 1880 Kansas had 3,104 miles of railway, now it has 8,886 miles.

Surely these corporations will not make their investments in a State whose business interests have been ruined, as is claimed by enemies of prohibition as to Kansas.

A MODEL CITY.

We might give the city of Topeka as typical of what a city can do without saloons or revenue from them. Under prohibition this city has paved its streets; has constructed the finest system of electric street railways in the country, has erected some of its finest business blocks and school buildings and churches, and a large proportion of its best homes. As to cleanness, good order and freedom from crime, it can challenge comparison, and has a rate of taxation that compares favorably with cities of the same grade that license the traffic. This young city has a splendid public library building, finely furnished and equipped, maintained by the city, and which has come into existence under prohibition. It is just beginning the erection of the finest Court House in the State.

It may be said in general that the cities and towns of Kansas that have best enforced prohibition, and have cut themselves off from any revenue from the drink traffic, are the most prosperous and in the best financial condition.

OUT OF POWER.

One of the greatest revolutions accomplished by prohibition has been the driving the liquor dealers from political power. In Kansas, men who secretly sell liquor are called "jointists," "dive-place keepers," "bootleggers," and dare not attempt to influence political affairs.

In license states and cities, liquor-makers and saloon-keepers largely control politics and furnish the "bosses"

who rule and ruin them. In a number of cities in the United States, saloon-keepers control municipal councils. Some of their number have gone to Congress, and a brewer has been sent from one state to the U. S. Senate.

#### IT WORKS.

Facility of supply increases the demand, and it is a great gain to make the supply difficult and inaccessible. In the greater part of our State the illegal traffic is carried on out of sight of the public, in cellars and attics and dark rooms. In license states the open, glittering, attractive saloon haunts and hunts the men with appetite for drink: in Kansas the man is compelled to hunt the place. In more than nine-tenths of our territory, there can be found no signs that indicate the existence of drinking places. When men say, "joints are open in every town in the State," they tell an untruth, if they mean that liquor is openly sold. In most of the towns and cities of Kansas joints exist just as cess-pools exist—secret, concealed and known only to their owners and to those who have a nose for such things.

#### A LAWLESS BUSINESS.

Effort is often made to cultivate the belief that this violation of law is peculiar to prohibition states. The facts are that the liquor traffic is essentially and always a law breaker. In every place where license is granted to saloons all the restrictive features are notoriously ignored and violated. The laws that forbid the sale of liquors on Sundays and holidays and to drunkards and minors are violated with impunity. In all the high license cities there are many lawless places of sale and the men who hold the licenses dare not prosecute the others because they are themselves breaking the law. We can safely say that the prohibitory law is better enforced in Kansas than the restrictive features of the license law are enforced anywhere.

At the present time an effort is being made to close all the business places of Kansas City, Missouri, on Sunday. The law has been enforced as to stores and barber shops, but the saloons have laughed at the movement.

The Kansas city, Kansas, "Gazette"—not regarded as an advocate of prohibition—lately said as to this work :

"It illustrates the tyranny of the saloon power and the impossibility of the enforcement of license laws. The prohibition law is enforced better in Kansas City Kansas, Atchison, Leavenworth, Wichita or any other place, than the license law is enforced in Kansas City, Missouri, or any other city."

Great corporations, wealthy brewers and distillers are behind the lawless elements of Kansas, to aid and encourage them. They even furnish liquors without pay and agree to protect their law-breaking agents when arrested. When it is remembered that prohibition had to contend with depraved appetite, human avarice and the customs of generations, the success of prohibition in Kansas has been marvelous.

A HIGH STANDARD IS GOOD.

It is said that prohibition does not prohibit, inasmuch as there are joints and dives and drinking clubs in Kansas. By parity of reasoning education does not educate because there is illiteracy ; Christianity is a failure because there is so much wickedness ; laws against theft, murder, counterfeiting and gambling are failures because they are constantly violated. This law holds up a standard of right. Many people have no higher rule than the statutes of the state.

Our law, even where it is not well enforced, is doing immense good. The fact that the traffic is secret and unlawful has greatly diminished drinking and all the crime and disorder that flow from it. We believe that it is true today that no population on the face of the earth is less affected by the drink curse than that of Kansas, and that

our prohibitory law has been a large factor in banishing these evils and bringing up a generation free from the training of these open schools of vice.

#### CAPITAL SHY OF LIQUOR INVESTMENT.

Our law makes property in liquor of very uncertain value. Liquor debts cannot be collected by law. In places where the law is flagrantly violated no one can tell how soon, by change of officials or revival of sentiment, the law will be enforced. Recently in Kansas City, Mo., in the midst of failing banks and bankrupt merchants and poverty among laboring men, a splendid saloon was opened. It took six months of time and labor and \$30,000 to prepare this establishment with its elegant counters and mirrors and bar fixtures for its work of dealing out liquid poison to men. Such establishments are not being built in Kansas.

#### ABOUT MISREPRESENTATION.

Newspaper correspondents and others in the interests of the friends of the liquor traffic have written much about the open violations of law, that are confined to a small portion of the State, and have studiously ignored the condition of things in the greater part of this commonwealth. Persons outside of Kansas must take their choice in the matter of witnesses and testimony. The majority vote of the best people of the State, the unanimous testimony of ministers and churches through their different ecclesiastical bodies, the testimonies of governors, judges and other officials of state and county, among them the most eminent citizens of Kansas, ought certainly to be more entitled to respect, than the caricatures and misrepresentations of enemies or men paid to exaggerate defects and suppress the facts of success.

During the past three or four years Kansas has suffered much from short crops in portions of the State. The opening of new territory in Oklahoma just south has drawn

away population from drouth-stricken sections of the State. For two years we have been in a state of political convulsion that had no relation to the prohibition question, but it has diverted the minds of the people to some extent from giving special attention to the enforcement of the law. Still the State is strong and prohibition is here to stay.

SOME STRONG EVIDENCE.

The most influential and leading newspaper in the State, "The Topeka Capital" (Republican), is in hearty sympathy with the prohibitory law and its enforcement. The leading paper of the Populists, the official state paper, "The Advocate," also sustains the law and favors its enforcement. We give one specimen of testimony of special significance :

" We, the undersigned citizens of Kansas, and familiar with the operation of the laws prohibiting the traffic in intoxicating liquors, declare that prohibition has been a moral and financial benefit to Kansas. These laws are as well enforced, and in many portions of the State even better enforced than other criminal laws. There has been an enormous decrease in the consumption of liquors and in the amount of drunkenness. During the eight years since prohibition was enacted our population has greatly increased, business has prospered, poverty and crime have diminished, and the open saloon has disappeared. A very small percent. of our people are opposed to this policy. The great majority of the citizens of Kansas are well satisfied with the results of prohibition and would not on any account think of returning to our former system of license."

This declaration was signed by more than 150 leading citizens of all political parties in all portions of the State and representing almost every line of business and political life. Among the names attached to it are those of the Governor and three ex-Governors, the Chief Justice and the other members of the Supreme Court, a number of the leading Judges of the District Courts of the State, with other state and county officials. It has also the names of the presidents of the state university, the normal school, the

agricultural college, and a number of denominational colleges, with leading professors, superintendents and teachers in state and private schools. Among business men there are found as signers the vice-president and general manager of the great Santa Fe Railway, also its treasurer, superintendent of telegraphy and resident director, the presidents of a number of the leading banks, prominent capitalists, merchants, lawyers, doctors and farmers. It is also signed by a bishop of the Methodist Episcopal church, leading pastors of the various denominations and a number of prominent editors.

## PROVED AND APPROVED.

No one claims that we have annihilated the liquor traffic, but we do claim that the public sentiment of Kansas, after these years of trial, says that prohibition is the best method yet devised to rid the State of the curse of the liquor traffic, and that the people propose to fight the battle out on that line.

Topeka, Kansas, Nov., 1893.

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## THE HISTORY OF THE QUESTION OF JURISDICTION.

BY J. J. MACLAREN, Q.C., D.C.L.

The British North America Act does not mention the prohibition of the liquor traffic among the subjects assigned to either the Dominion Parliament or the Provincial Legislature. In consequence of this, very soon after Confederation the controversy began as to where this power lay. On one side it was said to belong to the Dominion, as coming under the head of Trade and Commerce, or the Criminal Law; on the other that it belonged to the provinces under Property and Civil Rights, Municipal Institutions, Licenses, or Local Matters.

The decisions of the courts were very conflicting. In Ontario in 1875 it was decided that municipal prohibitory by-laws under the old Provincial Act were valid, and in the same year the provincial courts held that the provincial statute requiring brewers to take out a license was constitutional. In 1877 the latter decision was reversed by the Supreme Court on the ground that it was an interference with trade and commerce, which were under the exclusive control of the Dominion Parliament.

In Quebec it was held by the courts that the province had not the power to pass a prohibitory law, or to repeal the Dunkin Act, which had been passed prior to Confederation.

In Nova Scotia a provincial law prohibiting licenses except on the petition of two-thirds of the electors in the district was upheld, while in New Brunswick a similar Act was declared to be unconstitutional.

In this state of the law the Scott Act was passed by the Dominion Parliament in 1878. It was adopted the same year in Fredericton, N.B., and the Supreme Court of that province held it to be *ultra vires*. On appeal to the Supreme Court at Ottawa this decision was reversed in 1880. Another case was shortly afterwards taken directly from New Brunswick to the Privy Council, and that body in 1882 held the Act to be valid, and the question of its constitutionality was finally and authoritatively settled.

Remarks made in the course of the rendering of this judgment led some to believe that the Dominion Parliament had the power to license as well as to prohibit, and the Dominion License Act of 1883 was passed at the following session.

Later in the same year the question of the validity of the Ontario License Act came before the Privy Council, which upheld the Act.

In 1885 the Supreme Court at Ottawa held the Dominion License Act to be unconstitutional, in so far as it related to tavern or shop licenses, but valid as to vessel licenses and wholesale licenses. On appeal to the Privy Council it was decided that as to these latter also it was invalid.

Since that time the courts in the various provinces, as well as the Supreme Court, have upheld various restrictive provisions of the provincial license laws.

Thus the Supreme Court has lately decided in favor of the following:—The right of a province (1) to compel brewers to take out provincial licenses to entitle them to sell in that province; (2) to require an applicant for a

license to produce a petition signed by a certain proportion of the electors; (3) to disqualify a licensee from holding certain provincial and municipal offices.

In 1890 the Ontario Legislature re-enacted the provisions of the Municipal Act in existence at the time of Confederation, which authorized municipal councils to pass by-laws prohibiting the issue of tavern or shop licenses subject to a vote of the electors, and which had been repealed by that legislature. This Act was held to be unconstitutional by one of the judges, and the question of its validity was referred by the Provincial Government to the Court of Appeal, which sustained the law. It has since been carried to the Supreme Court, and was argued before that court in May last, but no decision has yet been given. A corresponding provision in the Municipal Code of Quebec was set aside by a judge of that province, but his decision was reversed by a unanimous judgment of the Quebec Court of Appeal.

The decision of the Privy Council in the Scott Act case placed it beyond doubt that the Dominion Parliament had the power to prohibit the liquor traffic, and subsequent decisions went to show that the provinces also had the right to exercise important powers in that direction. The exact nature and extent of these were open to serious doubt. In order to set these doubts at rest the Ontario Government, shortly after the close of the last session, entered into correspondence with the Dominion Government with a view of obtaining the consent of the latter to the submission of a joint case, the judgment in which might be a final and authoritative decision on the subject.

This result not having been reached in the month of August last, the Provincial Government submitted to the Ontario Court of Appeal the following questions:--

1. Has a Provincial Legislature jurisdiction to prohibit the sale, within the province, of spirituous, fermented, or other intoxicating liquors?

2. Or has the Legislature such jurisdiction regarding such portions of the province as to which the Canada Temperance Act is not in operation?

3. Has a Provincial Legislature jurisdiction to prohibit the manufacture of such liquors within the province?

4. Has a Provincial Legislature jurisdiction to prohibit the importation of such liquors into the province?

5. If a Provincial Legislature has not jurisdiction to prohibit sales of such liquors, irrespective of quantity, has such Legislature jurisdiction to prohibit the sale, by retail, according to the definition of a sale by retail, either in statutes in force in the province at the time of Confederation, or any other definition thereof?

6. If a Provincial Legislature has a limited jurisdiction only, as regards the prohibition of sales, has the Legislature jurisdiction to prohibit sales subject to the limits provided by the several sub-sections of the 99th Section of "The Canada Temperance Act," or any of them? (R.S.C., c. 106, s. 99.)

7. Had the Ontario Legislature jurisdiction to enact the 18th section of the Act passed by the Legislature of Ontario in the 53rd year of Her Majesty's reign, and entitled, "An Act to improve the Liquor License Acts," as the said section is explained by the Act passed by the said Legislature in the 54th year of Her Majesty's reign, and entitled, "An Act Respecting Local Option in the matter of Liquor Selling?"

Before the case was reached in the Court of Appeal it was announced that the Dominion Government had accepted these questions as fully covering the disputed points of provincial jurisdiction, and would submit them to the Supreme Court at its next sitting. The argument will consequently first take place at Ottawa, and the decision will no doubt be taken to the Privy Council for a final and authoritative settlement of the matter.

## THE PLEBISCITE PLAN: ITS WISDOM AND ITS WORTH.

[REPORT OF A SPEECH MADE BY HON. A VIDAL, SENATOR, IN THE TOWN HALL AT SARNIA, ON OCTOBER 31ST, 1893.]

It is very much to be regretted that there is at the present time, in some quarters, even among true friends of the temperance cause, a good deal of misapprehension and consequent misrepresentation in regard to the motive and object of the present plebiscite movement. It has been said, or at any rate implied in certain statements made, that the action of the Ontario Government and Legislature in providing for the taking of the vote on Prohibition next January, was not in order to meet the wishes of the temperance people, but was a device to get rid of a troublesome question, and to evade the importunity of those who were demanding direct prohibitory legislation.

No one is likely to impute to me any special desire to make out a case in favor of the Ontario Government, or the political party it represents. I deem it, however, fair to that Government and party, and just to the prohibition cause, to state for the information of friends of that cause, the facts concerning the initiation of the action which led up to the enactment of the measure providing for the provincial plebiscite.

There had been at different times proposals respecting the taking of a popular vote on the question of prohibition, but no result came of any of these proposals until last year, when the legislature of Manitoba passed an act providing for the taking of such a vote of the electors of that province. The result of this vote justified the assertions of those who claimed that a great majority of the people of that province were in favor of the immediate and complete prohibition of the liquor traffic. The majority recorded in favor of prohibition was remarkably large. As a result of this demonstration of their strength the prohibitionists of Mani-

toba have to-day more enthusiasm in their work, more confidence of success, more determination to win than they ever had before, and their success has greatly cheered and encouraged and stirred up the prohibitionists in the other provinces.

A large number of the earnest friends of temperance in the Province of Ontario believed that the temperance cause in our province would be benefited by following Manitoba's example, and at the meeting of the Ontario Branch of the Dominion Alliance held in Toronto over a year ago, a resolution was adopted in favor of a provincial plebiscite. A few days later the Council of the Dominion Alliance in Montreal declared its approval of this proposition and recommended other provinces to take similar action. Following up these declarations a vigorous petition movement was inaugurated, and when the Ontario Legislature met early in the present year it was deluged with petitions for the enactment of a measure providing for a vote of the people on the prohibition question. Mr. G. F. Marter, a member of the legislature and a pronounced temperance man, introduced a bill proposing to prohibit entirely the retail sale of liquor in the Province of Ontario. This was the measure generally known as the "Marter Bill," and the erroneous statement to which I have already alluded, is the imputation that the plebiscite proposition was a scheme to set aside this proposed measure of prohibition. The unreasonable nature of this charge is apparent when it is remembered that the plebiscite was petitioned for months before the "Marter Bill" was introduced, or any intimation given of its being presented.

Nothing has come to my knowledge that would lead me to change the opinion formed some years ago, based upon decisions of our Canadian courts and the Privy Council in England, that the power to prohibit the manufacture and importation of intoxicating liquors belongs exclusively to the Dominion Parliament. There doubtless is some uncer-

tainty as to the exact measure of the restrictive power over the sale of such liquors, which is possessed by provincial legislatures. There are no decisions of courts that would justify us in assuming, without any further judicial declarations, that they certainly have authority to make such a law as was proposed in the Marter Bill. Under these circumstances, and receiving assurance that the Government would immediately submit the question to the Court of Appeal, the legislature acted prudently in refraining from passing the proposed prohibitory measure. To have taken any other course would have certainly been most unwise and prejudicial to the cause of temperance. It would have led to uncertainty, to litigation, to appeals from court to court, to unlicensed and unrestricted sales, and other obvious results which would assuredly not have led to progress and success. There was no judicious course open to the legislature but the course adopted, and I am fully satisfied that the action taken was the very best that could have been taken under the circumstances.

We are now, by this submission of the question to the courts, in a fair way to secure a definition of the limit of the authority of our legislature to prohibit. We are at the same time taking steps to secure a full expression of the desire of the electors, by the vote to be taken on the 1st of January, under the statute. A strong vote in favor of prohibition will not only strengthen the hands of our friends in the Ontario Legislature, it will be a strength to myself and other supporters of prohibition in the Dominion Parliament. It is unwise at the present time to hamper our efforts by charging on the originators of the plebiscite idea unworthy motives for which there is not a shadow of a foundation of truth.

Let us unitedly go into this contest to win. It is a contest that the prohibitionists of this province have invited. It is one for which I believe they are prepared, and it will,

I fondly anticipate, result in such a victory for prohibition as will place us very much further forward than we would otherwise have been. We have been making good progress during the last few years, and the present opportunity for another advance should be gratefully and energetically seized upon, and used to the very best possible advantage.

The chief value of the plebiscite, in my estimation, is the effect which a large majority in favor of prohibition, obtained in the several provinces (for I believe such will be obtained, as in Manitoba), will have upon both the Dominion Parliament and the Provincial Legislatures, by showing unquestionably that the people desire the prohibition of the traffic. But there are incidental advantages which are worthy of consideration, connected with the taking of the vote. It will have a good educational effect, as there will be much discussion on intemperance and its baneful results, and of the success or failure of the different plans which have from time to time been adopted to mitigate or remove them. It will arouse the friends of temperance to renewed energy and effort. It will afford valuable and reliable information for the leaders and guides of temperance workers as to the weakness or strength of prohibitionists in each municipality of the province, on which action may be taken to get the present local-option law adopted as widely as possible until better legislation is enacted.

As to the effect upon our law-makers, I may remark that the Dominion House of Commons has on more than one occasion stated its readiness to enact a prohibitory law as soon as a majority of the electors desire it; and the Hon. Mr. Ross, of the Ontario Government, publicly pointed out that if the vote on the 1st of January showed a reasonable majority in favor of prohibition, the Ontario Assembly would have to grant it to the full extent of the constitutional power of the legislature, so soon expected to be authoritatively determined.



## OUR DUTY AND OUR PROSPECTS IN THE PLEBISCITE CAMPAIGN.

[VERBATIM REPORT OF SPEECH MADE BY HON. G. W. ROSS,  
MINISTER OF EDUCATION, IN THE HORTICULTURAL  
PAVILION, TORONTO, OCTOBER 4TH, 1893.]

Our duty for the next three months, as I understand it, is not to discuss prohibition, but to organize our forces in order to obtain the strongest possible expression of public opinion as to the immediate adoption of prohibitory legislation. The Dominion Government has appointed a commission to enquire into the results of prohibitory legislation both in Canada and in the United States, and on the strength of the report so made we are assured by the Premier that we shall obtain such legislation as the evidence will warrant. The Ontario Government has, by statute, appointed a commission of the whole electorate vote of the province, women included, to report whether from their own experience of the liquor traffic and the facts which have come under their own personal observation, they are of the opinion that the immediate prohibition of this traffic is desirable. The Ontario Commission will report on the first day of January at the ballot box. The other commission, we understand, will also report about the same time. It therefore becomes the duty of the temperance men to see that the fullest evidence available is submitted to the commissioners in both cases respectively. Those who entertain a contrary opinion will no doubt put their own case.

Let me then first, by way of preface, say that we should waste no time in wordy wrangling about the propriety or impropriety of a plebiscite. Whether we approve or disapprove of the action of the legislature in submitting the question of prohibition to the direct vote of the people, this is not the time to say so. It is the liquor traffic that is on its trial, not the politician, his trial will probably come next summer, and that is soon enough for all practical purposes. Even as temperance men, if we were disposed to find fault with the legislature for granting us a plebiscite we are practically estopped from doing so, firstly, by the universal approval with which we stamped the action of the legislation of Manitoba, and secondly, by the unanimity with which we pressed upon the legislature the adoption of the plebiscite. From a report brought down to the House last session it appears that petitions were presented in favor of a plebiscite by 495 temperance societies, 314 churches and 156 municipal corporations. The petitions in favor of prohibition were from 255 temperance societies, 54 churches and 5 municipal corporations. For the Marter Bill there were 3 petitions presented.

In formulating a policy which resulted in the large number of petitions already mentioned in favor of a plebiscite, the Ontario Alliance, which is supposed to represent the conjoint views of all the temperance organizations of the province, proceeded with great caution and deliberation. Circulars were sent to every clergyman and representative officer of the different temperance societies in the province, asking them, among other things, if they were in favor of submitting the question of prohibition to a vote of the electors. Out of 1,182 replies received 1,041 favored a plebiscite, 24 were indefinite and 117 negative, so that we have the following chain of circumstances:—

- (1) The all but universal demand of leading clergymen and temperance men for this course of action;
- (2) The over-

whelming majority of the petitions submitted to the legislature, and (3) The precedent of two provinces of the Dominion. If the Legislature has gone astray it has been misled by the temperance sentiment of the country.

Secondly. It is not for us here to settle whether a plebiscite is an evasion of prohibition by the Legislature, or an honest effort to settle a great issue by an appeal to the tribunal of last resort—the electors of Ontario. If we are to judge by the petitions presented in favor of a plebiscite as against prohibition, then the Legislature has acted in accordance with public opinion. Of that there can be no doubt. But even if it were an evasion of an issue, even if the Legislature did attempt to transfer the responsibility from its own shoulders to the shoulders of the people, on whom as a matter of fact it must rest at last in any case, this is not the time to retaliate. The enemies of temperance would no doubt be delighted to see us direct our artillery, not against the real foe whose overthrow would bring relief to thousands, but against the Legislature which, whether innocent or guilty, is a creature of the constitution. It is easy to frame strong epithets and to discolor the atmosphere with fiery denunciations of treachery and cowardice—and to those who enjoy that sort of thing I must not be considered as desiring to curtail their pleasures—but we must take care that our denunciations are not taken as evidences of the weakness of our cause. The advanced prohibitionists contend that the country is ready for prohibition. Good and well. The vote, if favorable, will not only be a vindication of their contention, but will be a mandate to the Legislature of which there can be no evasion. If it should turn out, as I hope it will not, that the country is opposed to prohibition, then the temperance men of Ontario will see what yet remains to be done in order to give legal effect to those remedies which they believe to be the only effectual way of dealing with the liquor traffic.

Thirdly. Neither is it worth our while to discuss whether the action of the Legislature in taking a plebiscite is repugnant to the constitution or not. There is no more ardent admirer of the British Constitution in this wide Dominion than myself. The British Constitution has broadened from century to century until in its ample fold it protects three hundred millions of people in the enjoyment of their dearest rights and privileges, and among its greatest virtues is its adaptability to every condition of society and to every nationality and creed. To say that any expression of opinion—I care not whether it is the timid voice of the petitioner at the foot of the throne, the turbulent tones of the public assembly, the crystallized resolve of a great convention, the will of the people expressed at a general election, or a plebiscite of a province one and a half times greater in area than the United Kingdom itself—deliberately expressed at the ballot box, is repugnant to the British Constitution, is something I cannot understand. To me all of these are but expressions of public opinion, and such expressions have a right to be heard under the British Constitution. On the other hand, deny the Legislature the right of ascertaining public opinion by any honest means, or refuse to public opinion the right to be heard in the legislative halls on all suitable occasions, and you are preparing the way for the time predicted by Macaulay, when a naked New Zealander would stand upon a broken arch of London bridge and sketch the ruins of St. Paul's. To temperance men, as I understand the matter, this is not the time for expressing repugnance, but a time for action, not a time for indulging in constitutional scruples, but a time for educating public opinion and dealing courageously with one of the greatest issues ever submitted to the people of Ontario. Even should the worst come to the worst, it is of far less importance that we should stick by constitutional precedents than that we

should allow intemperance to ravage our homes and blight the prospects of many, who even under the British Constitution have not the power to make themselves effectively heard.

Fourthly. But what of the constitutional difficulties that surround the question of jurisdiction? Will they not so complicate matters as to render nugatory the expressions of public opinion even if it is favorable? Well, what of them? This is not the first time that difficulties have arisen with regard to the interpretation of the constitution of Canada. The temperance question is not the only question in regard to which there have been constitutional differences. Many of these differences were only settled after the bitterest sectional and political strife. Some of them are not settled yet, but for all of them a settlement must be found, and will be found sooner or later. Temperance men have always been the champions of law and order. To precipitate legislation that would be ultra vires of our constitutional power would be an act of folly for which there could be no palliation or excuse, and which would certainly re-act most injuriously upon the temperance cause. Were it necessary, in order to get a constitutional opinion, that we must pass a prohibitory law in the Province of Ontario, then we had no choice; but as the Legislature has the right to ascertain the law before taking action, he must be a very unreasonable man, and I should add, a reckless man, who would imperil the cause of prohibition by any other course than the one proposed. The constitutional question so far as Ontario is concerned stands thus:—The Premier has prepared his case for submission to the Court of Appeal. He has engaged one of the best temperance men in this province as counsel—the gentleman who defended the Scott Act successfully before the Privy Council thirteen years ago. Whatever may be the decision of the Court of Appeal there will be an appeal

to the Privy Council. The case is down for argument at the next sittings of the Court.\* The decision of the Privy Council will be obtained thereafter at the earliest possible moment. Thus, without relaxing any of the restraints now imposed upon the liquor traffic, we will reach the point at which we can constitutionally determine our future attitude towards it.

Fifthly. But it is said we have no guarantee that if public opinion is favorable to prohibition, even if the Ontario Legislature has the power, that it will pass a prohibitory liquor law. You have no guarantee? What guarantee do you want? The contract between a representative and the electors is not a contract between two parties of equal status, but it is a contract between master and servant. You are the master, the Legislature is the servant. Did you ever hear of a Legislature that refused to bow to public opinion? Such Legislatures are known by their epitaphs, not by their legislation. The English House of Commons for some years refused to listen to the voice of Grenville, Sharpe, Clarkson and Wilberforce when they pleaded for the emancipation of the slave, but by and by there arose a House of Commons so transformed and renovated by public opinion, that they paid the slaveholder twenty millions sterling for the fetters with which he had bound the slaves that they might be free. There was a House of Commons that taxed the bread of England's millions in the interest of the agricultural landlord. There came up from the battle-fields of public opinion a House of Commons that said: "It is not meet for us to tax the children's bread for the sake of the landlord," and bread

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\*Since this speech was delivered it has been announced that the questions prepared by the Ontario Government will be submitted by the Dominion Government to the Supreme Court of Canada, thus avoiding the delay that would have been caused by a prior argument in the Court of Appeal and an appeal from the judgment of that Court.

was made free. There was a House of Commons in England that said: "The franchise is for the capitalist and the landed aristocracy." By and by there came a House of Commons that said the franchise should represent manhood not money, and it is possible the time may come when the House of Commons may say that the franchise will represent womanhood as well. You want guarantees from the Legislature! You want the Legislature to open the door while you have the key in your own possession! You want the Legislature to sign a bond not to trespass on your property, while you hold a title to it in fee simple. The Legislature can have no permanent opinion of its own. A few individuals may endeavor to control it, and sometimes do control it for a time, but just so sure as the superior force of the allied armies of Wellington and Blucher crushed Napoleon at Waterloo, so sure will every Legislature that resists public opinion be itself obliged by and by to obey the mandate of the people, or be relegated to a position of retirement where its opinions will be as harmless as the rhapsodies of Napoleon at St. Helena. The people of this country are supreme, and when their will is decisively expressed, Legislatures dare not offer opposition even if they would. Will we have prohibition, then? Certainly, if we want it, and there is nobody who can say "nay" to our demand. Will it come soon? It is for you to say, and after it has come it will be for you to say whether the opinion you expressed was based upon an honest conception of the issues involved, or an opinion open to reversal the moment it encountered the first onslaught of its enemies.

## PRACTICAL PROHIBITION THROUGH THE ONTARIO LOCAL OPTION LAW.

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BY A. C. GAVILLER, M.D., OF GRAND VALLEY, ONT.

When I first came to Grand Valley, some eleven years ago, the village had a population of about 150, and was then, as now, a part of the municipality of East Luther Township. There were then two hotels doing a rushing bar business. I stopped at the most popular one and found the rooms and general accommodation very small and poor, everything being secondary to the bar. The frequent uproars at night disturbed my rest greatly. Drinking was the principal trade carried on in the village. I have seen as many as from 20 to 30 drunken brawlers rioting through the main street at night after a fall show, and the hotel bars crowded by those amongst whom drunk and disorderlies figured prominently.

The village was, however, well situated for business, and about the time named obtained a railway station and other conveniences: a grist mill was built, and the place began to grow. In May, 1884, the Scott Act came into force in the County of Dufferin, of which East Luther forms a part, having been carried by a great majority. There was much less drinking and drunkenness during the first few months and the last six months of the three year term it was in force. The improvement effected during the first few months was owing to the fact that hotelkeepers believed the law would be enforced and consequently prepared to obey. The McCarthy Act license inspector, who was then acting, made no attempt, however, to enforce the law. I never heard of



his even entering a case. Finding some small breaches of the law passed unnoticed, the hotelkeepers began to disregard it. By the time the McCarthy Act was declared *ultra vires* of the Dominion Parliament the traffic was going on openly. Still, even at that time the amount of drinking done here was rather less than under license, as men found it disreputable to be parties to law defiance, and there certainly was not as much drunkenness on the average under this, the worst part of Scott Act regime, as under license law before or since.

The second year of Scott Act the Ontario Government gave us a new inspector, a fair man but timid and disinclined to deal radically with the culprits, also a police magistrate, whose administration of law reminded one strongly of Bret Harte's description of the Heathen Chinee, "who, for ways that were dark and tricks that were vain, was peculiar." I speak this from my own personal knowledge of the transactions of the time. The records of our county council and correspondence filed in the License Department at Toronto will bear out my statements. Notwithstanding these drawbacks matters were improved.

In the third year the Government gave us a new and energetic police magistrate, M. S. Gray, and during the last nine months of the three years' term excellent work was done in enforcing the law. Thus it came about that the law caused a great improvement in the sobriety and order of our village during the latter months of its operation.

The improvement effected over license law by the Scott Act here was so apparent that East Luther Township in which we are situate, and the adjoining Township of Amaranth, gave majorities in favor of the Act at the repeal vote. The repeal vote was in the spring of 1887, at which time our village numbered about 400 or 500 souls. The total repeal majority in the county was but 199.

The change was followed by two years of license, well named, in which drunkenness constantly increased and I often heard regrets expressed for the repeal of the Scott Act. Drinking was lawful and respectable and carried on openly and in constantly increasing degree. The midnight rows and carousing were appalling.

As affairs were evidently becoming worse with us, it was resolved to take a vote on a local option or no-license by-law, a provision under the Ontario Statutes permitting municipalities to take such.

The vote took place on December 12, 1890, and the result—a tie vote—was largely due to three principal causes. 1st, the hotelkeepers feeling the tide rising against them, at a special meeting pledged themselves to amend their conduct, and promised to stop selling to minors, selling to drunkards and those intoxicated, etc. These pledges were believed by many. 2nd, there was shameful bribery and personation of votes. 3rd, a combination of a municipal political party with the antis for their mutual profit aided in carrying both license and political elections for the allied forces.

As soon, however, as the danger of carrying local option was over and a whiskey majority elected to the council, the licencees broke their pledges, sold to minors and to drunkards and all the rest of it. Things became worse and worse. Boys of 15 or 17 drank on licensed premises. Gambling was carried on on licensed premises. Men already staggering were given liquor freely and drunkards hung around all day in various stages of intoxication, or made the neighboring roads unsafe for travellers by their reckless driving. I used to meet them at all hours of the night—especially in fall and winter, shouting or singing or lying in the bottom of their wagons or sleighs, or leaning stupidly over the dashboards while the horses walked or galloped as suited their inclination. Twice in a hotel was murder narrowly escaped!

A man died in delirium tremens! So positive was the downward tendency that many not before favorable to local-option called loudly for another vote. The council then in office refused to again submit a by-law. The question was an issue at the next election. A new council was elected, a by-law was submitted and was carried by a sweeping majority, notwithstanding renewed disgraceful attempts at corruption.

The prohibitory by-law came into force on May 1st, 1893, and has given the grandest satisfaction to all except the former saloon-keepers. Were a fresh vote taken to-day the majority would be greater than before. Drunkenness has practically ceased in our village, which now numbers over 700. Occasionally a poor drunkard, made so by former license law, goes to the neighboring village of Waldemar, three miles off, and returns in that degraded condition in which we used to license men to keep him constantly. A club of half a dozen men (not boys) cautiously drink, from a bottle kept in a dark stable, such liquor as they are able to bring from the aforesaid village by stealth. One only of our drug stores keeps the liquors liable to be called for for medical purposes. The proprietor, although opposed to the carrying of local option, yet keeps as closely within the law as a druggist practically can. Occasionally, too, a traveller (for our cold water fame has spread) brings a pocket flask with him, and perhaps treats friends to small doses, for the liquor is too precious to throw away lightly. I do not know of a man getting drunk on liquor purchased here, neither have I met an intoxicated man on the roads for miles around during either day or night since May 1st, 1893. Neither do I know a case myself nor has one been reported to me of people bringing liquor home in kegs and becoming intoxicated therefrom, as we were frequently told before the election would be the case. Taking all sources of supply

there cannot be one-tenth the liquor consumed here now that there was under license law.

At our fall show we had the largest crowd that ever visited the village. I did not see one drunken man, and I heard of but one, and he was said to have come from another village. The crowd that attended our show was satisfactory evidence that people prefer a sober to a drunken town for a holiday, and a more orderly, satisfied and happy crowd I never saw. Several of our leading green grocers remarked the greatly increased sales of fruits, etc., to the visitors this year.

I am sure liquor is not sold in stores or dives, as we were told it would be, and it is not believed here to be so sold by any one. A reward of \$25.00 offered by a committee six months ago for convicting evidence is still unclaimed.

We afford trade to one more grocer than last year, and as far as I can judge our general trade has not suffered at all. Of course there have been individual fluctuations owing to various causes, as elsewhere, but the general volume of business is fully equal to or better than that of last year. Our butchers claim a marked improvement. The average amount of building has gone on this year, and our village wears a neat, thrifty and growing appearance, contrasting strongly with many Ontario towns under license.

Three or four years ago a third hotel was built here and was run without license or liquor. The proprietor, though not in favor of prohibition did not break the law. His house and the best of the two houses formerly licensed, now supply the travelling public with all the accommodation they require. The house formerly run without liquor in license days lived and sustained an honorable and financially sound life then. It does better now. The hotelkeeper formerly licensed who now continues in business does a respectable trade and makes a fair living as far as I can discover,

though he does not maintain the expensive cortege he once kept up. The old hotel on the hill, the scene of many riotous nights, is not inhabited. Still, there is abundant accommodation given to all at current prices, and of quality rather above what is usually given in places larger than this, for now the landlord depends upon the excellence of his accommodation for his custom.

Our taxes are scarcely any higher than under license. I have been told unasked by commercial travellers with whom I deal, that they think the change greatly for the better. To show that real estate has not suffered I may mention that a vacant lot on Main street, for which under license last year I did not have an offer, this year sold at \$18.00 per foot.

When I started practice here I had been in the habit of occasionally taking a glass of intoxicating liquor, but was led to become a total abstainer and prohibitionist by witnessing the misery and want, the financial dry-rot, and the moral, intellectual and bodily ruin directly caused by the drink traffic. My views have been strengthened as I have seen these evils intensified by license law and less or more mitigated by our prohibitory measures, partial and local though they have been.

Grand Valley, November, 1893.

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## THE COMPENSATION QUESTION.

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On February 25th, 1885, Mr. Kranz, M.P. for North Waterloo, moved in the House of Commons a resolution declaring that if a prohibitory law were enacted "equitable provision should be made for the compensation of brewers, distillers and maltsters, so far as respects the diminution in the value of the real property, premises and plant owned and used by them in their business." On motion of Mr. Fisher, M.P. for Brome, the House of Commons adopted an amendment declaring that the time for the discussion of such a question was when the details of a prohibitory measure were before the House. During the discussion an able speech against the compensation proposition was made by the present Finance Minister, Hon. George E. Foster, D.C.L. This article consists of some extracts from that speech, and expresses the views on compensation of a gentleman unusually well qualified to discuss this important question.—ED. VANGUARD.

We have first to learn from the voice of precedent,—from the voice of related precedent. I think I can stand before this House, and, looking back through history, can challenge anyone to present a case in the legislation which has taken place for the last hundred years in Anglo-Saxon countries in which a single penny has been paid for damage or loss which has come to the traffic, either from certain mild restrictions placed upon it, or from the more drastic measure of complete and total prohibition.

### NO BRITISH PRECEDENT.

If we go back to English history, and to the history of legislation from the first, restrictions were placed upon it, which became greater in magnitude and power, and which must have interfered with the gains, and must have cur-

tailed the profits of the traffic; but not a single case can be found in which any one of these restrictions had attached to it the principle of compensation.

You may take the year 1736 in the British House of Parliament, when, driven almost to desperation by the multiplied and constant evils which arose from the gin traffic, the House of Parliament in Great Britain passed the Gin Act, which was virtually prohibition; and yet that House of Parliament, noted for its conservatism, noted for its eminent sense of fairness, attached no compensation to it all.

Following that up, you find another instance where, about the year 1742, the distillation from grain or flour or malt was distinctly prohibited. Well, as a result of that prohibition, what followed? Whereas in the year 1742 the consumption of alcoholic spirits was 19,000,000 gallons a year, from 1760 to 1782 the average yearly consumption had fallen to 4,000,000. There was a reduction from 19,000,000 to 4,000,000 of a yearly sale. Does not anyone see that that interfered seriously with the profits and with the gains of the traffic? And yet that drastic measure was brought in and kept upon the statute-book, and not a penny of compensation was given.

The Beer Bill was brought in in 1830. It was antagonized by the whole of the licensed victuallers' interest. You will see in the debates the petitions which were presented against it, and you will see that the most determined onset was made against the Beer Bill by the licensed victuallers and by the great brewers, because, they said, it threatened their entire trade; that their vested interests were to be injured; and that the families who depended upon that trade, that numbers of persons variously estimated at from 50,000 to 70,000 would be ruined by the measure; and the plea for compensation was put in. But the Beer Bill of

1830 was passed, and those vested interests were interfered with, and yet there was no mention of compensation; but in the debates these who were in favor of the Bill pressed the ground that, although these interests might be interfered with, the public had no right to be called upon to pay for any damage that might arise.

In 1854 the Forbes-Mackenzie Act was passed in the Parliament of Great Britain, which did away with the trade in intoxicating liquors in Scotland for every Sabbath day in the year. That had a damaging effect upon the traffic. It took 2,000,000 gallons off from the consumption of alcoholic spirits, and one-third or a little less of the whole of the aggregate of the traffic in that kind of liquors. It was a serious detriment to the traffic, and yet there was no compensation given.

We might cite the Irish Sunday-Closing Act, the Welsh Sunday-Closing Act; we might cite the fact that, upon the great estates in Great Britain, by prohibitory power vested in the landowner, these interests are interfered with and driven out, and the traffic to that extent curtailed. Looking over the history of liquor legislation in Great Britain, we find a constant series of prohibitory and restrictive measures, injuring the trade in every instance, without the principle of compensation being at all admitted.

#### NO PRECEDENT IN CANADA.

Suppose we come to Canada, and ask what has been the course of legislation here. The old license legislation, such as existed in the Province of Nova Scotia, for instance, which brought about virtually a prohibition in three-fourths or more of the counties in that province, which absolutely forbade the trade being carried on, yet gave no compensation, even though it was asked. In 1855, the Province of New Brunswick passed a prohibitory law,



which had no principle of compensation attached to it. In 1864, the Dunkin Act was passed in the old Parliament of Canada, and, although that was sufficiently elastic to be applied to every county and town in Quebec and Ontario, and so interfered materially with the traffic, no compensation was allowed. In 1878, the Canada Temperance Act was passed, both sides of the House agreeing to it, by which every county and city in Canada might entirely do away with the retail traffic, and so might do away with the wholesale traffic as well; and yet the legislators of that day, who may be considered to have been as honest and intelligent, or nearly so, as the legislators of to-day, did not attach the principle of compensation to the law. So, if we take the precedents in Canada in reference to the liquor legislation, we find nothing which goes to support the idea of compensation.

NO U. S. EXAMPLE.

If we pass over to the United States of America, the ground is still stronger. The State of Maine, in 1851, passed a prohibitory law. Breweries and distilleries—distilleries which had a capacity of more than one million gallons a year—were entirely swept away. There is not one there to-day; and yet the principle of compensation was not introduced or embodied in the law. Prohibitory laws have been passed in ten or twelve of the United States of America, and in no one of them has the principle of compensation been affirmed. In Kansas, in 1880, a prohibitory law was passed which immediately set itself to destroy thirty-nine breweries and two distilleries and 1,862 wholesale and retail liquor shops, and yet the principle of compensation was not attached to that law. In Iowa a prohibitory liquor law passed in 1882, by which 132 breweries, with a capital of \$2,000,000, and thirteen distilleries, with a corresponding large capital, were shut,

so far as the provisions of the law are concerned, and are being closed out in accordance with that law. Yet, Sir, there has been no compensation embodied in that law.

SHALL WE BEGIN IT ?

And so with all these precedents before us of laws, varying from the restriction of the liquor traffic, through local option, to complete prohibition, we find Anglo-Saxon legislators, presumably with as much intelligence as we have ourselves,—presumably with just as great a sense of what is honest and just,—we find them legislating upon this matter without introducing, in any single instance, the principle of compensation. I think it will require a very strong argument to induce this House, or any other Legislature in the Dominion of Canada, to be the first to break this long array, and to adopt the principle of compensation in any prohibitory measure which they may enact and complete.

A FALSE DOCTRINE.

It is a common argument that you must compensate the traffic because, it is said, it has been created by Government; Government has called it into being; Government has protected it and fostered it; and therefore Government has a duty to do, and that duty can only be paid by compensation whenever the Government takes away its protecting arm from the traffic. Sir, I think the whole history of this liquor traffic will contradict that statement of the case. I stand here to-day to affirm that the liquor traffic is not a creature of the Government; that it is not a pet of the Government, and never has been; that it came out of the ages when ignorance prevailed; that it came out alongside of other abuses which date from ancient times; that it fastened itself upon the country; that it grew strong before the people knew its character; and as soon as the people

began to understand its true character, and in proportion as they understood it, the struggle commenced, and went on, and grew greater, to overthrow the abuse which had grown to so much power and strength during the preceding years. And now, when victory will soon perch upon the banners of the temperance people, after these long years of struggle, the traffic comes up and says: "Why, you have sanctioned our existence; you have allowed us, under protest, it is true,—but that allowance is equivalent to a sanction. Now, if you want to get rid of us, the only manly and just way to do is to pay us what is involved in getting rid of the traffic.

THEY HAVE BEEN WARNED.

More than that, Sir,—the traffic has grown up despite persistent warning. There is no system of evil which the world has struggled against, that has had longer and more persistent warnings given to it of approaching dissolution than this liquor traffic. Fifty years ago, and more in this country, the first note of warning was raised, and every temperance meeting that has been held since has been a protest against it. Every resolution of a church synod has been a warning to it, and every resolution of a Legislature. I think a good many Legislatures have passed resolutions against it. I think the Legislature of Nova Scotia and the Legislatures of New Brunswick, Prince Edward Island, Ontario and Manitoba have all passed resolutions praying this Parliament to pass a complete prohibitory liquor law. Sir, all these things have been notices to quit, and the traffic should have taken them to heart, and should not have gone on in the face of all these repeated warnings.

THEY TOOK THE RISK.

If it has gone on, it has been upon this principle: Here is a man who comes up and says to himself, What business

shall I take? There is the grocer's business; there is the boot and shoe business; and there is the liquor traffic,—which shall I take? He sees that the two former are stated, and solid, and certain; that there has been no agitation with reference to them, no strong wave of public opinion condemning them,—while the liquor traffic exists by an uncertain tenure, and goes on in spite of the prayers of the people to Parliament to sweep that traffic away. And what does he say? He says: The gains in this seem to me to promise well. True, the risks are great, but I will take the risks for the sake of the gains. Now, then, if he has taken the risks for the sake of the gains, when the time comes for the risks to accumulate in loss, let him pocket the losses as well as the profits. He has taken the risks against the strong and repeated and continuous warnings that his tenure was not a certain tenure, and might at any day be disturbed.

#### THEY HAVE NO CLAIM.

In 1864, the warning was given to him by an Act put in the hands of the people, which might have shut up the liquor traffic in any country at any time the people chose. How many are engaged in the trade who have undertaken it before 1864? In 1878, that position was made doubly strong by the passing of the Canada Temperance Act. How many are in the licensed victuallers' trade to-day that were in it previous to 1878? All that have gone in since those warnings of 1864 and 1878 were given have gone in with the full knowledge of the risk and the uncertain tenure upon which the traffic rested, and if they have chosen to take the risk, they have no right to come here to-day and say: Because we have chosen to take the risk, we want you to compensate us when loss falls upon us.

#### A PUBLIC NUISANCE.

Now, the whole point between those prohibitionists who are in favor of compensation, and those others, be they pro-

hibitionists or not, who are not in favor of compensation, hinges entirely, it seems to me, on this: Is the private property which is invested in the liquor traffic, from first to last, invested in that which works to the public injury or to the public good? If you contend that the investment in the traffic is not being used to the injury of the public, then you have a basis or ground for demanding compensation; but if, as we hold, this investment is for the injury of the public, we have good ground for which to contend that the State has a right to inhibit that use of it, and pay no compensation therefor. And I think I can challenge the production of a single instance in which property has been taken away by legislation, or the use of it inhibited, where that use was for the public injury,—a single instance where such legislation has taken place in which any compensation whatever has been given by the Government or Parliament which passed the legislation.

NOT LIKE A USEFUL BUSINESS.

The fundamental principle, then, to be looked at is the difference in kind between this traffic and every other traffic. If this traffic were the same as the flour traffic, then, Sir, there would be a claim for compensation which no Parliament, no body of people could overlook. Let us take the miller. There is the farmer who raises the grain; there is the carrier who takes it to the mill; there is the miller who grinds it; and from the time the farmer puts his first ounce of labor on it till it comes out as bread on the table of the consumer, every bit of labor put upon it has added real, actual value to the thing, and the product is increased in value by the labor which has been put on it. And when the consumers get it, they get that which is food, from which they make brain and muscle, out of which they produce again larger quantities and greater results than is merely represented by the value of it. And, Sir, in

the train of this business there is no extraordinary disease, no extraordinary death, no extraordinary burdens of pauperism or crime that are entailed on the community.

#### A DESTRUCTIVE TRAFFIC.

But when we come to the liquor traffic there is a difference from first to last. From the time the farmer sows his grain until it is set before the consumer, I contend that every ounce of labor which is expended on it is labor which is wasted. It is labor which is worse than wasted, Sir. It is labor which is put on something which, in the end, is not only wasted, but is worse—is destructive. And so there is no parallel between the miller's business and the distiller's business, so far as the rationale of the two businesses is concerned. Then, what happens besides in this second business? Last year 2,384,424 bushels of grain were consumed in making the beer and alcoholic liquors consumed in this country. Can it be contended that the result, as it went into the hands of the consumers and was consumed, could at all be comparable for sustaining life and giving brain and muscle to the food which had been destroyed in order to make the substance itself?

#### WASTE OF LABOR AND MONEY.

More than that—the labor was drawn from other and productive fields in the making and distribution of this product. More than that—ten thousand waste-banks were set up in this country in which the people of this country deposited of their earnings \$36,000,000 or thereabout, and from which the depositors took no principal home, and they got no interest for their deposits. It is so much money taken out from the people, and they get nothing that helps, and much that does incalculable injury, in return for it.

#### LABOR LOST BY IDLENESS.

Not only that, Sir, but the labor is destroyed and idleness is produced as the direct result of this whole traffic. It

is contended that in Great Britain, and it was contended on the authority, and as the result of a Royal Commission to enquire into this matter, that one-sixth of the labor power of Great Britain was lost to the country because of the traffic in intoxicating liquors. That serves to show that a vast deal of labor is lost to the country because of the traffic. Now, I do not pretend to say how much it is in this country, but suppose we make a calculation which cannot be impugned on the ground of extravagance. Suppose that ten thousand drink-selling places in the course of a year take away the work of five thousand laborers or its equivalent. Suppose that the ten thousand places for the sale of intoxicating liquors take out of the productive labor of the country labor which would equal that of five thousand persons, and I think that is not an excessive estimate. Those persons' labor is certainly worth in each case \$400 per year, and the five thousand multiplied by \$400 makes \$2,000,000, which will serve to show, on this low basis of calculation, the productive labor power destroyed by this traffic in each year.

LOSS BY DRINK-CAUSED MORTALITY.

More than that—we know from vital statistics, from the results of researches which have been made by eminent scientific men and scientific bodies, that a great deal of life is sacrificed every year because of the traffic. Suppose we make the estimate that in the Dominion of Canada three thousand lives are sacrificed annually to this traffic, and that from these three thousand men ten years of prospective life is taken away from the country, which life they would have lived, and in which they would have labored had it not been for their being prematurely cut off as a result of the traffic. Those ten years' life of three thousand persons is equivalent to thirty thousand years' labor; and that, at the same value of \$400 per year as before, would make a

loss in labor-power of \$12,000,000 to this country each year. I am persuaded that any man may take these estimates, and though he may criticise them in many ways, he certainly will not have as the burden of his criticism that the estimate is too high. I present them merely to emphasize this fact, that the labor-power of the country has a serious drain put upon it as the result of this traffic.

#### LOSS BY DRINK CAUSED INSANITY AND CRIME.

More than that, Sir,—the burden of poverty and of crime which is laid upon the country, as a direct result of this traffic, is great. I wish to present just the barest outline of last year's statistics in Ontario alone with reference to that matter. I find that in the Province of Ontario last year there were committed to the common gaol 9,880 persons, with a cost of maintenance of \$44,783; that in the prisons there were 995, with a cost of maintenance of \$32,190; that in the Boys' Reformatory and Mercer House there were 321 and 303 respectively, with a cost of maintenance of \$26,120 and \$21,568 respectively, making, altogether, a large amount of money which was paid out for the maintenance of criminals of this class in the Province of Ontario alone. The report of the Bureau of Statistics in Massachusetts, after exhaustive researches, makes the calculation that 84 per cent. of the criminality is due directly or indirectly to the liquor traffic. Then, 84 per cent. of that cost of maintenance in Ontario amounts to \$105,515 every year, which, at a low estimate, the Province of Ontario pays out for the maintenance of that portion of its criminals in gaols, prisons and reformatories, which is found, as we may conclude after proper investigation, to be caused by the liquor traffic.

More than that, Sir—the asylums in Ontario had in them last year 2,890 inmates, and the cost of their maintenance was \$283,040. The Earl of Shaftesbury, who for a



long time served on the Commission of Lunacy in Great Britain, and who was, I think, for about twenty years, its chairman, gave as his opinion that three-fifths of the insanity of Great Britain was due directly or indirectly to the liquor traffic. I am assuming here but 50 per cent., showing in the case of Ontario the sum of \$136,520,

Adding that to the cost of the maintenance of criminals due to the liquor traffic gives \$242,035 as the cost of the maintenance of crime and insanity in Ontario paid for by the Ontario Government as the proportion of cost which is due to the liquor traffic. Sir, it cannot be said of any other traffic or business in the world that it is responsible for anything approaching that amount of crime, and for the burden of crime which is placed upon the different countries in the world for its maintenance, its watching, and its punishment.

More than that—in 1881, Sir, we find that the arrests in all the cities of Ontario footed up to 13,196; and of those the arrests for drunkenness and drunkenness and disorderly conduct alone numbered 6,926, giving 45 per cent. of the total criminality in the cities of Ontario in that year as being for drunkenness and drunkenness and disorderly conduct alone. You may go outside of that, and find that all the crimes which come from this as a proximate or indirect cause; but that is sufficient, and it will show you that the vast burden entailed upon our provinces and our cities for the watching and guarding and maintenance of criminals comes directly from this traffic, and it comes from no other traffic which we have in this country.

**THEREFORE NO LEGITIMATE CLAIM.**

It is upon that ground, Sir, that prohibitionists are able to contend that they have a right to stop the use of

property which is devoted to a purpose the ultimate outcome of which brings so many burdens and entails so great an expense on the community. The traffic is not a traffic of our creation. It has usurped control against the protest<sup>s</sup> of the people ; it has remained in spite of the warnings of the people ; it has fed and grown rich by the spoliation of the people. The property in it is not required or to be taken for public uses, and therefore should have no compensation. The property, as the ultimate outcome shows, is devoted to the injury of the body politic, and consequently the people and the Government have a right to curtail it, destroy it, and give it no compensation in return.

#### A PRACTICAL QUESTION.

Who is to pay this compensation ? I will put a practical question to my honorable friend, the mover of this resolution. Will he take with him the 130 brewers and distillers and go down to any county in this Dominion, call the hard working people together in assembly, and stand up before them on the platform, and looking into their faces, over which have passed years of experience, say to them : " Here am I and these poor brewers and distillers who want compensation ; you propose, now, not to allow them to brew or distil any more, and we propose, now that they have a capital of five, six or twelve million dollars, to call upon you, poor, hard-working people, to put your hands into your pockets and compensate them."

How many votes does my honorable friend suppose he would get from the hard-working men of this country in favor of such a proposition ? They would reply that all these men had acquired all they had accumulated in years past, had first passed through the hands of the working-men, had been wrested from the fruits of their hard toil ; they would say that there had been no tribute laid upon

this country so heavy as this which they paid out of their homes and their earnings ; they would reply that they did not propose to add to the burdens they had already borne this unnecessary burden to compensate men who are now rich, and whose riches had been accumulated by means of this traffic. They would say : " We forgive you the past ; we ask no restitution for injuries done us ; but leave us the future, and let us live happily and prosperously and become independent, without having this abuse from past ages, this slavery than which no slavery is so grinding, or so far-reaching in its effects, further perpetuated.

## TORONTO MEDICAL OPINION ON THE LIQUOR QUESTION.

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When the Canadian Royal Commission on the Liquor Traffic took evidence in Toronto a few weeks ago the secretary of the Dominion Alliance was one of the witnesses. He was asked by one of the Commissioners whether or not he had information as to the views of the medical profession on the liquor question. In reply the witness tendered copies of a number of statements made by physicians, in response to direct enquiries to them. It was decided by a majority of the Commissioners that this evidence would not be received. The witness asked permission to read the questions that had been asked, and state briefly in general terms, the character of the replies. This was also refused. There has been enquiry as to the nature of the evidence thus tendered, and with a hope that it may be of some use in the present prohibition controversy, the facts respecting it are herewith submitted.

A few years ago Mr. Spence prepared a set of four questions, framed for the purpose of securing a fair expression of the opinions of members of the medical profession, on important points upon which these gentlemen might be considered as qualified to speak with authority. The questions were the following :

1. Is total abstinence, in your opinion, compatible with the fullest degree of physical health ?

2. Do you consider that, generally speaking, the moderate drinking of intoxicating liquors is conducive to healthy, or that it is harmless, or that it is injurious?

3. Do you consider that, generally speaking, a total abstainer has any advantage over a moderate drinker in better chances of recovery in sickness or accident?

4. What do you think would be the effect, on public health, of universal abstinence from intoxicating liquor as a beverage?

There had been some public discussion as to the merits or demerits of strong drink from a dietetic standpoint. There had also been expressed diverse opinions as to the attitude of the medical profession generally towards moderate drinking. The questions quoted were designed to ascertain the views of the medical men of Toronto, who might fairly be considered as representative of their profession. As will be seen, these questions cover the ground of teetotalism versus moderation as desirable in every day life, viewed from the standpoint of sanitary science.

The questions were sent to every person classed as a physician in the Toronto directory for 1887, the latest issue at the time of the enquiry. The number was two hundred and seven (207). Some of these might have left the city subsequent to the compiling of the directory, one set of questions came back with the statement that the person to whom it was addressed had lately died, but on the whole the list was practically the list of duly licensed, regularly practising Toronto medical men.

Ninety-two (92) replies were received, many of the writers being representative men in the front rank of their profession in Toronto, nearly all of them of extensive practice and high reputation, many of them professors and examiners in our medical colleges. They voiced fairly the sentiment of the medical profession.

Two of the replies received had no names attached, but for the sake of completeness they are counted in with the

rest. They are from men who favored total abstinence. Those who prefer not accepting these may therefore deduct two from the majority figures in the following analysis and summary of the opinions expressed, made immediately after the enquiry :

“The first question is answered directly in the affirmative in eighty-three (83) cases, and of the remaining nine (9) answers there are but three (3) in which is expressed a definite opinion that total abstinence is not safe for most people. Several doctors are non-committal, but there are really only three (3) who condemn the practice of the total abstainer, and even they do so in a very hesitating fashion.

“The replies to the second query are, however, not so harmonious. Of the ninety-two (92) there are fifty-eight (58) who emphatically denounce all moderate drinking as bad, and among the remaining thirty-four (34) there is a startling diversity of opinion, only about ten (10) really endorsing habitual drinking on what is usually considered moderate lines. One gentleman would object to a half-ounce dose of alcohol, another would allow of one and a half ounces in 24 hours. One believes in an “occasional” drink, another would forbid it altogether except at meals. One would give “spirits,” another rejects everything but pure wine, while a third is in favor of “ale.” A careful perusal of all these opinions will be instructive, but will not throw any light on the vexed question as to what constitutes moderation, nor will it aid the man who rejects the unanimous advice of the fifty-seven, in making up his mind what rule he is to take as an alternative.

“More agreement characterizes the replies to question number three. Seventy-six (76) doctors are convinced that a total abstainer is a safer patient than is a moderate drinker. Of the others, two have evidently misunderstood the question, taking it to mean total abstinence while

under treatment, whereas it meant total abstinence as a habit before the sickness or accident named. There are eight (8) who clearly assert that a moderate-drinking patient has quite as good chance of recovery as a total abstainer. The others qualify their answers.

“When we come to examine the replies to the fourth question we find that eighty-two of the ninety-two (92) who reply, believe that universal abstinence would be a great public benefit; one (1) speaks indefinitely; two (2) decline to discuss the question; three (3) are afraid abstinence from drink would lead to indulgence in some other narcotic; four (4) are of opinion that no material gain or loss would result; and one (1) believes that teetotalism would be injurious to the general health of the community.

“We simply place the facts before our readers. Some of them will be impressed by the relative numbers who favor different views, some will give special consideration to the opinions of particular men or women, some will put most confidence in certain persons of wide reputation, and some will endeavor (we hardly see how) to make an average of the whole. It may be worth while calling attention to the fact that while no doubt some of those who believe general abstinence would do good, would oppose prohibitory legislation, yet the condition of society which prohibitionists seek to attain is commended by eighty-two of our experienced medical men and condemned by only one.”

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## PROFIT OR LOSS ?

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BY REV. W. A. M'KAY, D.D.

The vote on January 1st will mark an important epoch in the history of the temperance reformation in this province. It would be hard to over-estimate the importance of the present crisis. God's clock is striking the hour of opportunity, and I pray that the friends of God and humanity may be aroused to work as never before. That there is an overwhelming temperance sentiment in the community no intelligent observer can deny, but will that sentiment find expression at the ballot-box ?

If through apathy, indifference, or prejudice, we allow the vote to go against us, or secure only a small majority, it will be such a set-back as our cause has not received for many a year. For the next ten, or perhaps twenty, years the old cry of the "Country not prepared" will be repeated, cuckoo-like, and our mouths will be shut. If, on the other hand, the temperance people are now prepared, during this month of December to sacrifice time and means in behalf of their cause, then I feel confident we will secure such a majority as will give a tremendous forward impetus to our cause.

That majority will be so much capital which, like gold, we can use in a variety of ways. It will encourage all temperance workers, and cannot fail powerfully to influence our legislators. The provincial election will follow soon after, and a large majority will greatly help towards making prohibition the dominant question.



If the friends of temperance are wise, having secured their victory on January 1st, they will proceed on January 2nd to organize in order to bring out at the provincial elections men who will be thorough-going, earnest, and independent on this question. Let our watchword in this campaign be the words of the late Emperor of Germany to his soldiers, as they started on the great Franco-German war: "Forward in God's name, without fear or fatigue."

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## THE LICENSE LAW IS PROHIBITIVE.

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*To the Editor of The Vanguard:*

SIR, —I congratulate you on your convenient and useful publication, containing as it does so much information in so little space, and consider it what is wanted at the present time—giving facts without abuse.

On page 42 (5th line) the word "not" has been inserted in error. The clause should have been "in quantities of less than one quart." R. S. O. 1887, p. 2161.

The whole tendency of the Liquor License Act is prohibition—the "tavern" license prohibits the sale in larger quantities than one quart; the "shop" license prohibits the sale in quantities of less than three half-pints at each sale, and prohibits consumption on the licensed premises; the "wholesale" license prohibits the sale in quantities of less than five gallons (in case of lager four gallons) in casks or jugs, or one dozen bottles of at least three half-pints each, or two dozen bottles when half that size. The Act prohibits totally all sale except by a few licensees. It prohibits even these licensees from selling at certain times and from selling to certain people.

Thus Prohibition has now been for eighteen years on our statute books in Ontario. We are now, that the people have been for so many years educated in the principles of partial prohibition, asking for the total prohibition of manufacture, importation and sale of that which our Legislature has declared since 1875 ought to be prohibited.

Wishing your work every success, I am, dear sir, yours  
faithfully,

R. KIMBER JOHNS.

Gravenhurst, Nov. 24th, 1893.

## GREAT BRITAIN'S DRINK BILL.

The quantity of liquor consumed in the United Kingdom and the price paid therefor, for the fiscal year 1892, as set out some time ago in a letter to the London Times by Dr. Dawson Burns, is as follows :

LIQUORS CONSUMED.	QUANTITIES CONSUMED.	RETAIL COST.
	Gallons.	
British spirits (20s. per gal.)....	31,355,267	£31,355,267
Foreign and Colonial spirits (24s. per gal.).....	8,147,189	9,776,627
Total spirits.....	39,502,456	41,131,894
Beer (1s. 6d. per gal.).....	1,134,311,436	85,073,358
Wine (18s. per gal.).....	14,623,345	13,161,010
British wines, cider, etc. (esti- mated).....	15,000,000	1,500,000
		£140,866,262

The figures are of course, for sterling money. Dr. Burns tells us that in the year named, as compared with the year 1891 :—

“ There was an increased expenditure on British spirits of £611,058, but a decrease of £328,037 on foreign and colonial spirits, which reduced the increase on spirits to £283,011. On beer the decrease was £428,266, and on wine, £209,168, a collective decrease of £637,434; and deducting the net increase on spirits, there remains a net decrease on last year's expenditures as compared with that of 1891, of £354,413.

“The population of the United Kingdom was officially estimated for the middle of 1891 at 30,109,329, which gives an average expenditure per head on intoxicating liquors of £3 13s. 11d., as compared with £3 15s. in 1891, and £3 14s. 4d. in 1890.

Dividing the quantity of liquor consumed by the population just given, we find that the per capita consumption of liquor in England, Scotland and Ireland was 31·58 gallons.

Adding the British wine, cider, etc. in with the beer for 1892, we find the per capita of both to be 30·15 gallons. An estimate shows the per capita of imported wine consumed to be 3·8 gallons, and the per capita of spirits to be 1·04.

We have still later official statistics of the consumption of liquor and revenue derived therefrom, in a Parliamentary Return recently laid before the Imperial House of Commons, giving the details for the year ending March 31st, 1893. These figures show that excise was paid on 32,104,144 barrels of beer, and upon 31,392,844 gallons of spirits. There was also duty paid upon 7,874,758 gallons of imported spirits, upon 14,621,741 gallons of imported wine, and 39,855 barrels of imported beer and ale.

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## THE LIBERTY QUESTION.

BY SYDNEY FISHER.

Watching the progress of the Ontario plebiscite campaign, I notice that an organization has sprung up to oppose the temperance movement. Its promotors put forward the old plea of "personal liberty" as one of their principal arguments against prohibition. As this is a sophistry to which I have given some thought, I venture to submit a few reflections upon it. A strong interest in this campaign must be my excuse for entering on a fight in a province not my own. Every advocate of prohibition must recognize the vast influence on the prohibition cause all over Canada which the result of the coming vote will have.

It is proper to assume that many of these gentlemen are sincere in their contention, and that they really have a jealous regard for liberty. It is to these that I wish to address myself. To the distiller and brewer, who pose as champions of liberty and appeal for their right to establish a source of evil in our midst, I have nothing to say. To the licensed victualler whose money is made by tempting the ignorant and unwary to indulgence in his wares, but who assumes to champion the rights of the masses, I have nothing to say. To the poor drunkard, slave to his appetite, who demands liberty to degrade himself, to impoverish his family, abuse his wife and taint his offspring with diseased appetite, and who winds up with inflicting himself and his

pauper family on the community for support, I have nothing to say. No argument would affect their reason. No appeal would affect their heart. We must simply meet their greed, their selfishness and their depravity with the strong arm of the protecting law which we invoke to defend the majority of the community.

To the respectable, reasonable and law abiding citizen I think a good case can be made why he should support prohibition. The gentlemen who are so jealous for their own personal liberty and that of their friends, in the use of intoxicating liquor would be also eager to congratulate themselves on being citizens of a highly civilized community. But what is the most essential difference between civilization and barbarism? What is the most notable distinction between the citizen of cultivated Canada of to-day and the denizen of the untouched wilderness of Canada discovered by Jacques Cartier? The latter was the untrammelled individual free to indulge his passions, his lusts and his appetites in a lawless savagedom; the former is a unit restrained by law, in a community of men and women bound together by mutual interests in which the common good controls its individual members.

The essence of the civilization in which we live to-day is that the individual must give up a part of his individual liberty for the sake of the common good. Nearly all our laws are the outcome of this dogma. The higher and more complex the civilization the greater is the interference with individual liberty. Things that two hundred years ago were allowed as a matter of course, are now forbidden equally as a matter of course. Why? Not because they are in themselves necessarily immoral or improper, but because in the advance in our civilization they have been found to be injurious and dangerous to the life of the community. That fine old precept "*Salus populi suprema lex,*"—the

safety of the people is the supreme law, is practically accepted as the governing rule in legislation, and whenever the welfare of the community requires it, the liberty of the individual must bow to the necessity.

Before the days of Jenner small-pox ravaged unchecked all countries of the world, civilized or savage. Within the last few decades laws have been passed in almost all civilized countries, certainly in all Anglo-Saxon communities, those which are most jealous of the liberty of the citizen, compelling vaccination to guard the health of the public at large. The individual must submit himself and his children to inoculation, so that a possible danger may be averted.

Formerly gambling was a common and public amusement which the law took no notice of. To-day we forbid it under severe penalties, and even on the continent of Europe, in countries which are considered far behind us in moral refinement, the gorgeous palaces of Hamburg, Baden, etc., are purged by law of the evil influences of the Roulette table.

The individual's control over his own life is now interfered with, and the would-be suicide is arrested, confined and punished for his attempt.

In days gone by the public highway was diverted from the direct and most convenient course because of an individual's right in certain landed property. Now, when interest in rapid transportation has become universal, our laws decree that the railroad companies may expropriate the very home of anyone.

The individual has to give way for the simple convenience of the community. Much more should he give way where the safety of the public is concerned. "These cases cited are examples of the operation of a universal law—a law acknowledged through centuries in the growth of civilization,

more and more definitely applied with the advance of that civilization.

It might be argued that as far as the liquor traffic is concerned, this question is already decided in Canada, for we have both Dominion and Provincial laws prohibiting absolutely the liquor traffic. The Dunkin Act of 1884 embodied the principle of prohibition. The Scott Act of 1878, the McCarthy Act of 1884, and the present license laws of the different provinces, all provide for absolute prohibition of liquor-selling under certain conditions. Surely if we have the right to prohibit one man in one place from selling liquor, we have an equal right to prohibit his fellow citizen in some other locality. Surely if we can forbid a man's buying liquor at a certain hour or on a certain day we can do so at another hour and on another day.

We interfere with the liberty of the individual in decreeing that only holders of licenses shall sell liquor. We interfere with the licensee's liberty when we restrict his business to certain places, days and hours. We authorize a wife and mother to interfere with the liberty of the liquor seller on behalf of her family by forbidding him to sell to the drunkard husband. Surely we have a right to interfere with his liberty on behalf of the public welfare.

We might easily contend that it is too late in the discussion for this objection to be brought up. We may, however, establish our authority for such legislation from other instances. We have at the present day many laws analogous to the prohibition of liquor selling which interfere with the liberty of the individual in just the same way. These are accepted and deferred to by the very persons who are using the "liberty" argument in the present case. I will instance a few.

The law against carrying concealed fire-arms, which has attached to it the name of one of the greatest jurists and

most enlightened statesmen of Canada, Edward Blake, is one. The carrying of a revolver in one's pocket is in itself quite innocent, but because it is acknowledged that such practice leads to crime, and endangers law-abiding citizens, therefore our parliament, without protest, empowered the government to declare it unlawful.

The export of certain kinds of game is absolutely prohibited, the law arousing no protest, and yet this interference with the individual liberty was not even for the protection of our citizens from danger or vice, but simply to increase the pleasure of a certain class of sporting men and to benefit a comparatively small number who make some money out of sport. Yet every citizen is absolutely forbidden to send a deer out of the country even as a present to a friend on the other side the border.

In many large cities certain trades are forbidden and certain actions made illegal. For instance, within the city of Montreal no citizen is allowed to keep pigs. Why should the individual liberty of her citizens be interfered with? No one will pretend that swine cannot be kept so that they will not in any way be offensive. Their pens can be kept perfectly clean, and neither unsightly or bad smelling. Yet because it has been found as a matter of common practice that most pig-pens are dirty, foul-smelling, and likely to produce disease, the municipal by-laws decree that no one shall keep swine within the city limits. No protest comes from the liberty-loving elector who is shocked when we ask that he should not have liberty to use liquor. I do not know of any more perfectly analogous instance than this.

I am willing to admit that liquor may be used without any harm to the community, just as pigs may be kept without any offence, but I assert most positively that, just as in common practice keeping pigs creates an offensive stench and filth which endanger the public health in crowded cities



so in common practice drinking liquor is abused and leads to disease, vice and crime. Why is it that the one law is acquiesced in without protest, while the other is opposed with those appeals to our love of liberty? The only answer I can find is, that these gentlemen fighting prohibition do not care to keep pigs, while they do care to drink. It is very much a case of whose ox is gored. The one law interferes with someone else's liberty, the other interferes with their own.

I grant quite readily that many of these gentlemen are very estimable citizens who never, or very seldom, are under the influence of drink, not at all worthy of the name of "drunkard," men who feel strong in their own ability to use, and never abuse, the right to drink liquor. I have no doubt that many of them will never go to extremes and will never disgrace themselves and their families by debauchery, vice or crime. But my experience of life, my personal knowledge of men, teaches me to anticipate that a pretty large percentage of them will glide down little by little, step by step, year by year, from their present respectable moderation to the point where they will take regularly several glasses every day, to the still further point where, if accident deprives them of their "nips," they will be out of sorts and unable to do their accustomed work, to a later stage when they will be the abject slaves of their former servant, and their new master will have humbled them in the dust, taken away all that is worth living for, all respect and honor among their fellow citizens, all love and affection at home, and all that self-control of which they were so jealous in their days of proud moderation. Many of those who object to having their liberty interfered with by law, yield it blindly to the service of a degrading appetite. This experience is so universal that each of us has only to look around his own little circle of intimates to find examples,

and may consider himself fortunate if he has to travel outside of his own household to find them.

Many of these advocates of individual liberty do not realize how much that advocacy is due to the desire for self-indulgence. No doubt many of them perform services to the commonwealth which are much more serious than the little sacrifice which doing without liquor would be. Where the sacrifice is thus small, we urge it for the public good. Where the sacrifice is great the liquor has evidently obtained such a hold upon the individual that his danger is greater than he imagines, and he needs the protection of prohibition.

It is then a duty for all right-thinking citizens to make this sacrifice to aid their fellows or to save themselves. Let them follow Archbishop Whateley, great philosopher and logician as well as noble Christian, who said, "I will gladly curtail my liberty if thereby I can restrain another's license." It seems to me extraordinary that good men, ready to give of their substance for charity's sake, ready to do their duty to the community, can hesitate for one moment to cast in their lot against this traffic, which they must know to be the greatest hindrance to all charity, the greatest producer of all poverty, the greatest incitement to all vice and crime, which we have among us. It can only be from want of thoughtful enquiry on their part and not from any deliberate determination to aid the evil. And yet the aid of such men is the strength of the liquor traffic to-day. Without their countenance that traffic would stand stripped of its cloak of respectability, hideous in its power for evil, soon to be overwhelmed by the indignation of the righteous elements in the land.

Mr. Gladstone gives us the maxim that "it is the duty of Government to make all that is right, easy, all that is wrong, difficult, for its people." In a self-governing country,

the people are the government and should act on this precept. It is the duty of each citizen of a self-governing country, to do his part in making all that is right, easy, all that is wrong, difficult. There is nothing else in our civilization that is such a hindrance to right, such a producer of wrong as is the liquor traffic. I do not rest this statement on my own dictum; nor will I quote those whose names have been particularly connected with the temperance cause. Seekers after the truth have only to consult the records of poverty and crime to find that, more than to any one other cause, is it traceable to drink. Those who have to deal with the poor in our cities will agree that the drink habit is the origin of most of the destitution in our midst. Our police authorities report that saloons are the fruitful origin of most of the vice and crime that they have to contend with. In these youth takes its first steps to the brothel, the gambling hell, the gaol. Great statesmen in the mother land, a drunken land unfortunately, have repeatedly stated that the liquor traffic is the greatest stumbling block to England's prosperity.

Men who have been foremost in those great battles where personal liberty was won for our fathers and for us, have both admitted the principle for which I contend and borne testimony against the disastrous evil of this traffic. John Stuart Mill, the great radical political economist, says: "The liberty of man must end, however profitable to himself, when it becomes fatal or ruinous to another." Richard Cobden gives this testimony: "Every day's experience tends more and more to confirm me in the opinion that the temperance cause lies at the foundation of all social and political reform." His colleague and friend, John Bright, says: "Every benevolent institution utters the same complaint. A monster obstacle is in our way. Strong drink, by whatever name the demon is styled, in whatso

ever way it presents itself, this prevents our success." These were men who did much for liberty, but saw that true liberty could never be the reward of a drunken people.

This appreciation of the evil of drink in England is no new thing. Lecky, the historian, writes of the years about 1724 as "the most memorable of the Hanoverian period more memorable than any of our discoveries, wars or deaths of kings, simply because gin-drinking then commenced to infect the masses of the people and spread with the virulence of an epidemic." Speaking of the gin act Lord Chesterfield, in the House of Lords, said of the publicans, "Let us crush these artists in human slaughter who have reconciled their country to sickness and ruin, and spread over the pitfalls of debauchery such a bait as cannot be resisted."

From that time to this the worst effects possible have resulted from the drinking habit in that crowded land. The evils there are greater in degree than here, simply because there are more people and more facilities. The evils have increased there from year to year, until to-day we have the great agitation led by Sir Wilfred Lawson, Canon Farrar and others who value liberty, but condemn license. It is our duty in Canada to see that no opportunity is given liquor to rule and enslave us, as it has enslaved England. Let us strangle the monster now before it ruins our fair country.

Some may say that prohibition will not accomplish what is aimed at. It may be that we will not be able to abolish all drinking. If we cannot by act of parliament completely succeed, at all events, as says Canon Farrar, "We can by act of parliament to a very great extent make people sober. We can do so by decreasing the intemperance of the present and by minimizing the intemperance of the future; we shall try to mend this generation, we

shall rescue the next. We shall do so positively by striving to remedy the mischief of the past, and we shall do so negatively by refusing to perpetuate temptation in the future."

Each of us who supports prohibition will know that responsibility for the evils of drink is not on his shoulders; that by his vote and his self-restraint he has done his duty to the public, in trying to remove from his country a hindrance to good and an incitement to evil.

I have sufficient confidence in the patriotism of Canadians to count surely on an overwhelming majority for Prohibition next month in Ontario. That will afford the best possible encouragement for that general Dominion plebiscite which we may look for at no distant day. May not this voting be taken as a part of the wider balloting proposed?

KNOWLTON, P.Q., November, 1893.

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## THE UNITED STATES' DRINK BILL.

The annual statement prepared by the Bureau of Statistics under the direction of the Secretary of the Treasury of the United States, shows the liquor consumption of that country for the year ending June 30th, 1892, to have been as follows:—

	Gallons.
Domestic spirits .....	97,148,447
Imported spirits .....	1,179,671
Domestic wines.....	23,033,493
Imported wines.....	5,434,367
Domestic malt liquors.....	984,515,414
Imported malt liquors .....	2,980,809
<b>Total .....</b>	<b>1,114,292,201</b>
Per capita of spirits .....	1.50
Per capita of wines .....	.44
Per capita of malt liquors .....	15.10
<b>Per capita of all liquors.....</b>	<b>17.04</b>

The Handbook of Prohibition Facts in calculating the cost to the consumers of alcoholic beverages takes the quantity of spirits, adds twenty-five per cent. to bring the same to retail strength, and reckons the retail price at \$6 per gallon. Beer is counted to retail at about an average of 60 cents per gallon, and wine at \$2 per gallon. Applying these figures to the quantity given above, we find the drink bill of the United States to be:

For distilled spirits.....	\$737,460,885.00
For malt liquors .....	592,497,733.80
For wines .....	56,935,720.00
<b>Total for all liquors .....</b>	<b>\$1,386,894,338.80</b>

## THE DRINK BILL OF CHRISTENDOM.

In THE VANGUARD for November was a complete statement of the amount of liquor consumed per capita in the Dominion of Canada. In the present issue will be found the latest available figures for the United Kingdom and the United States. These figures are used in the subjoined tables. The other figures given below are taken from Mulhall's Dictionary of Statistics, edition of 1892. The amounts, however, are probably taken for less recent years. The compiler does not state the years for which they are reckoned. The work named is recognized as a standard authority.

### CONSUMPTION OF LIQUOR.

	Millions of Gallons.				Gallons per Inhab.				
	Wine	Beer and Cider	Spirits	Total	Wine	Beer and Cider	Spirits	Total	
Canada.....		17	3	20 $\frac{1}{2}$	.10	3.50	.70	4.30	
United States	28 $\frac{1}{2}$	987	98	1113	.44	15.10	1.50	17.04	
Utd. Kingd'm	15	1149	39	1204	.38	30.15	1.04	31.57	
France.....	750	410	40	1200	19.0	11.0	1.9	31.9	
Germany....	120	880	60	1060	2.5	18.0	1.3	21.8	
Russia.....	40	80	91	211	0.5	0.9	1.0	2.4	
Austria.....	200	250	30	480	5.2	6.5	1.6	13.3	
Spain.....	260	5	5	270	16.5	1.0	0.4	17.9	
Italy.....	480	30	13	523	15.0	0.3	0.3	15.6	
Portugal....	6	1	1	8	12.7	0.2	0.2	13.1	
Sweden....	2	30	20	52	0.4	6.2	4.2	10.8	
Norway.....	1	10	7	18	0.4	5.0	3.5	8.9	
Denmark....	1	25	8	34	0.5	12.5	4.0	17.0	
Holland.....	3	40	12	55	0.7	8.8	2.6	12.1	

## CONSUMPTION OF LIQUOR—(Continued.)

	Millions of Gallons				Gallons per Inhab.				
	Wine	Beer and Cider	Spirits	Total	Wine	Beer and Cider	Spirits	Total	
Belgium.....	4	170	10	184	0·7	28·5	1·6	30·8	
Switzerland..	30	10	5	45	10·0	3·3	1·7	15·0	
Roumania....	16	10	4	30	3·0	1·8	1·0	5·8	
Servia.....	10	4	2	16	5·0	2·0	1·0	8·0	
Australia....	2	40	3	45	·06	12·0	1·0	13·06	
Total	1968½	4148	451	6567½	5·0	8·8	1·1		

By taking figures that will fairly represent the cost to the consumer of the liquor when retailed, an approximate estimate may be made of the total amount of money spent for the great quantity of drink represented in the above calculation.



## WHAT THE LIQUOR TRAFFIC COSTS THE COUNTRY.

In THE VANGUARD for November was printed an article entitled "Canada's Liquor Revenue and Drink Bill," setting out a carefully, and certainly not at all exaggerated, estimate of the direct outlay of the Dominion for liquor in the fiscal year 1892. It amounts to at least \$31,774,804.80. The present article presents an estimate of the indirect cost—the loss to the country from that traffic, otherwise than through the direct payment for liquor, which when consumed, leaves the community in no way advantaged. If money is paid for clothing, food, or other commodities, the purchaser is supposed to have value for his outlay. Both buyer and seller respectively possess wealth formerly held by the other, slightly increased by the exchange if the transaction was legitimate. The liquor-seller when he has done business possesses the wealth formerly held by his customer, but the customer-consumer has nothing. The community is poorer to the full extent of the investment. The annual outlay for liquor therefore represents so much direct loss.

It is more difficult to calculate what the community is deprived of in other ways than by the purchasing transaction. Everybody admits that, as carried on now, the traffic is an impoverisher. Few have any idea of the extent to which the country suffers from this cause.

### POVERTY, INSANITY, AND CRIME.

Many estimates have been made of the proportion of pauperism, lunacy, and crime which are fairly attributable

to intemperance. The estimates of public officials vary. All are agreed that the percentage is very high. The present Premier of Ontario said some time ago that "An enormous proportion, probably three-fourths of the vice which prevails at the present day, of the crime which they had to contend with, of the lunacy, the idiocy, the poverty, and the misery of every kind was owing to the foul evil of intemperance." It is true that when charitable and reformatory institutions are in operation an increase in their work does not always mean a corresponding increase of outlay. The expenditure for housing, maintaining and guarding fifty prisoners is not double the cost of dealing with twenty-five. It will not be going too far, however, to assume that one-half of our country's present outlay upon asylums, hospitals, prisons, houses of refuge, and such institutions is directly chargeable to strong drink. On this basis an estimate is submitted.

It is impossible to obtain statistics relating to the matters mentioned for the whole Dominion. There are very few Provinces in which complete returns are available. The reports published by the Government of the Province of Ontario are the fullest and most accurate obtainable. Perhaps the fairest plan of calculation is to take the available figures for Ontario, as representing the cost for that Province's population, and assume that the outlay for the whole Dominion is proportionate. The population of Ontario at the last census was 2,114,321. The population of the Dominion was 4,833,239. On the plan indicated we shall obtain results sufficiently accurate for all practical purposes.

The public accounts for the Province of Ontario for the year 1892 show the last year's cost of Administration of Justice to be . . . . . \$391,689.80.

The latest complete available figures for county expenditures are those for the year 1887. They show an an-

nual outlay for Administration of Justice in excess of what these counties received from the Provincial Government for the same purpose of . . . . . \$270,534.62.

The same year the city municipalities paid out under the same head, which included police expenses \$348,668.91.

The town and village municipalities paid . . . \$58,843.79.

The Province paid for keeping up the Central Prison, in excess of the revenue derived, a net sum of . . . \$66,714.31.

For maintenance of the Boys' Reformatory at Penetanguishene . . . . . \$37,332.13

And for the Andrew Mercer Reformatory a net sum of . . . . . \$24,357.27.

The expenses above detailed are not all strictly speaking the result of crime. Administration of Justice includes a great deal of law expenses that do not pertain to criminal business, but even civil litigation is often caused indirectly by drink, and on the whole it is very safe to say that the liquor traffic is responsible for one-half of all the above detailed outlay.

The asylums of the Province in 1892 cost for maintenance over receipts, the net sum of . . . . . \$474,206.21.

The Provincial prisons and asylums of the Province had cost on capital account for buildings, equipment, etc., up to the end of 1892 a sum of over \$4,400,000. This is, of course, exclusive of the cost of the county jails and court houses all over the land. Interest on this great investment might be taken into consideration in this estimate, but it might be argued on the other hand that these investments existed and the investment would remain even if the liquor traffic were stopped. We have a right, however, to put into our calculation the money spent on these buildings, etc., during the year, outside the amounts mentioned above paid for maintenance; we shall lose the interest on that money for all time to come. This outlay amounts to . . . . . \$253,076.90.

The Province paid in 1892 for hospitals and charities .....\$151,574.67.

In the last reported year the counties paid for support of poor and charities.....\$43,891.12.

The cities paid.....\$84,794.34.

The towns and villages paid.....\$37,912.44.

These sums we know to have been actually paid in this Province as a yearly outlay caused by insanity, poverty, crime and disease. They are really only a part of the amount so expended. No separate figures are available for police and poor expenses of townships, which often amount to a good deal. They are reckoned in the returns under the heading "Miscellaneous Outlay." No figures are available showing the vast amount expended in private charity. No figures are compiled for capital outlay by counties, cities, towns and villages, on poorhouses, hospitals, lockups, jails, etc.

The expenditures above detailed, added together, give us the enormous sum of.....\$2,243,596.51.

Assuming that the rest of the Dominion paid in the same ratio for its population, the outlay for the whole country would be.....\$5,128,756.77.

To this must be added the outlay upon five penitentiaries maintained by the Dominion Government, to which are committed persons sentenced for long terms. These penitentiaries cost in 1891, after deducting the revenue derived from prison labor, etc.....\$359,002.00, making a total expenditure under the heading we have been considering, of.....\$5,487,758.77.

One-half of this which we have assumed as the amount chargeable to the drink traffic is.....\$2,743,879.38.

#### LOSS OF LABOR.

Our country loses to a vast extent through the loss of labor caused by intemperance and the liquor traffic. The

result of a careful inquiry by a Royal Commission in Great Britain was an estimate that one-sixth of the wealth producing power of the country was lost in this way. Canada probably suffers less. Her people are more sober. Some persons might think that one-half the proportion named was high. Let our loss be taken at one-twentieth. Surely this is a very conservative estimate. If we consider the idleness of men drunken, of men sick, or in jail and hospital and asylum, and out of employment through drink, or idle because of the drinking of others, it will be conceded that this is a very conservative estimate to say that one-twentieth of the working power of our working population is lost in this way.

The figures set out in The Census Bulletin No. 10, lately issued by the Dominion Department of Agriculture, give us some important data from which we may estimate what workers are worth to the country, from the standpoint of wealth production. The manufacturing industries of Canada in 1891 gave employment to 367,865 persons. The value of the product of these industries was \$475,445,705. If from this is deducted the cost of raw material and cost of heat and power used, there is left a balance of \$219,462,486 as an augmentation of the wealth of the country. Of this there was paid for wages \$99,762,441, an average of \$271.20 per worker, and there was left a net balance of \$119,700,045, an average addition to the country's actual wealth of \$325.39 per worker.

Some classes of our toilers earn more and others earn less than those employed in manufacturing. The manufacturing class may fairly be taken as an average of the whole community.

Statements compiled from the Ontario bureau of statistics show that the average living expense of such a class of workers is \$90 per capita. Thus we find that—roughly

speaking—on an average, one worker supports three persons, earning as wages and spending about \$270 per annum and adding to the wealth of the country about \$325. In other words the average toiler produces results worth \$595, appropriates for maintenance \$270, and enriches the community by the remaining \$325.

These facts would also tend to show that about one-third of our population belongs to the producing, or rather the earning class. This means that we have about 1,600,000 workers.\*

If one-twentieth of our working power is lost, the loss is equal to what 80,000 workers would add to the wealth of the country if steadily employed. The non-workers and their dependents are somehow fed and clothed, so that their maintenance is also a lessening of the annual wealth increment. The cost of that maintenance is probably below the average, though the drinker is a waster. Let it be estimated at one-third less, then there is a loss at the rate of at least \$325 plus \$180 per year for every worker who is idle because of drink. The total labor lost has been shown to equal the work of 80,000 persons. The country loses yearly from this cause at least \$500 multiplied by 80,000, making the tremendous sum of . . . . . \$40,000,000.

It must be borne in mind that those whose labor is lost by drink-caused idleness, are nearly all men, and their earning power is therefore above the average. It may be asked: Would there be work for all our working power if all that power was available? The simple answer is: Universal sobriety and increased wealth would mean increased demand for labor products. There would be more labor needed, a better market for all goods, and an increase

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\* The Census Bulletin No. 18, verifies this estimate, showing an enumeration of persons of all occupations of 1,659,355.

in the prosperity of the community that now suffers because of the failure of its members to produce, and their subsequent inability to purchase. Under-consumption weakens markets and impairs values. The actual loss is away beyond what has been indicated.

#### LOSS BY DEATH.

Every year the liquor traffic carries off a number of our people. There is no way of ascertaining exactly how many. In the House of Commons in 1885, Hon. Mr. Foster argued out this question, assuming that only "3,000 lives are sacrificed annually" to the liquor traffic, and that by the death of each of these 3,000 "ten years of prospective life is taken away from the country." This mortality of workers is equal to a loss of 30,000 year's labor, and estimating the wealth producing power of a man at only \$325 per year, we lose \$9,750,000 by this awful annual destruction. The estimate is low. It includes not merely men who died through violence, men who died through exposure, men who died of disease of different forms contracted or intensified by intemperance, it includes all the men whose working lives average ten years less than they would if all were strict teetotalers. Life insurance statistics show our figures to be very, very moderate.

#### LOSS BY MISDIRECTED EFFORT.

We lose the labor of every man whose time is misspent in making, handling or selling strong drink, and who, if not thus employed would probably be a real wealth producer. Our brewers and distillers employ 2,243 workers. Ontario had last year 3,414 license holders. If we assume that two licensed establishments employ three persons in liquor selling, and that in the rest of the Dominion there are as many licenses as in Ontario, we will have 10,242 persons thus employed. This gives us a total

of 12,485 persons whose work is worse than wasted. When the drink-making-selling-and-consuming transaction is completed, there is not an atom of wealth produced as the result. These men have been maintained, and not at a low average rate either. If their efforts had been expended in wealth-producing occupations, backed up by the \$15,000,000 capital now invested in liquor manufacturing, and the additional capital invested in the liquor selling business, they could hardly have averaged less than \$600 worth of results, so that our country, by mis-employing these 12,485 persons, lost at least.....\$7,491,000.

Probably more than two million bushels of Canadian-produced grain was destroyed in making liquor. At the low average price of 50c. per bushel there was thus a loss of at least.....\$1,000,000.

The close inquirer will say that many other lines of waste are still untouched. This article does not propose to exhaust the inquiry. It simply follows out lines of investigation already gone into by such careful financiers as our present Provincial Minister of Education, our present Dominion Finance Minister and others. The figures quoted from official returns are accurate. The estimates and deductions are below rather than above the actual losses they represent ; totalled they are as follows :

Loss from outlay caused by pauperism, insanity, disease and crime resulting from the liquor traffic.....	\$2,743,879
Loss of time through idleness caused by drink.....	40,000,000
Loss through shortening of 3,000 lives..	9,750,000
Loss through labor misdirected in the liquor traffic.....	7,491,000
Loss through grain destroyed.....	1,000,000

Sum of above losses.....	\$60,984,879
Amount paid for liquor.....	31,774,805

Total.....	\$92,759,684
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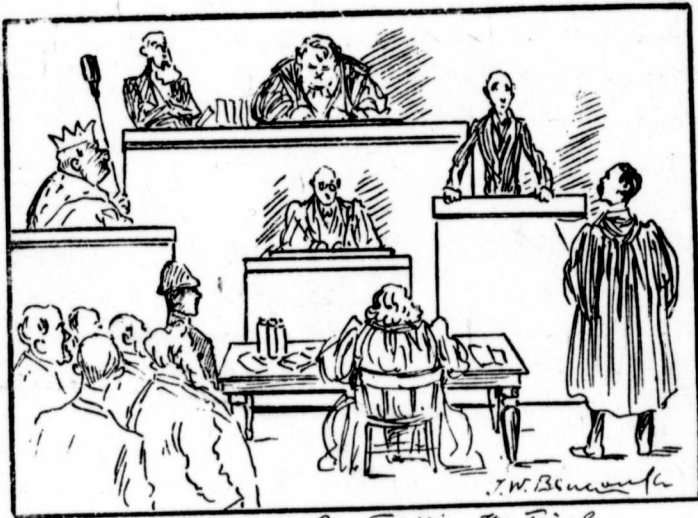


Against all this we have a Dominion Revenue of \$7,119,327.42. Making the high estimate that in other provinces as much local revenue is derived proportionately from the traffic as in Ontario, we have municipal and provincial revenues of about.....\$1,138,974.82.

This gives us an outlay on account of the drink traffic of.....\$92,759,684  
a total revenue of..... 8,258,302  
and a net loss of.....\$84,501,382

No figures could convey, no money values could give, any representation of the awful burden of degradation, wretchedness, sin and shame entailed upon our country by the terrible curse for which our suffering citizens pay so tremendous a price. Is there either a philanthropist or a business man, in the whole Dominion, who, looking at the facts, will dare attempt a vindication of the fearfully ruinous liquor business?

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*The Queen vs. Grog Traffic. The Trial*

## THE QUEEN vs. GROG TRAFFIC.

BY J. W. BENGOUGH.

### DRAMATIS PERSONAE.

MR. JUSTICE COMMONSENSE, *Judge.*  
 ATTORNEY-GEN. HARDFAX, *Counsel for the Prosecution.*  
 MR. SHIELDDRUM, *Counsel for the Defence.*  
 GROG TRAFFIC, *Prisoner at the Bar.*  
 MR. COMMONWEALTH, *Clerk of the Court.*  
 JURY, *The People.*  
 MR. CARRYOUT, *Sheriff.*  
 WITNESSES, *Constables, etc., etc.*

The Chief Constable—Order!

Mr. Commonwealth—The next case, my lord, is that of the Queen versus Grog Traffic.

Mr. Justice Commonsense—What is the charge?

Mr. C.—Murder, and general destruction of Her Majesty's subjects.

Justice C.—Bring in the prisoner.

*(Grog Traffic is brought in by two constables and placed in the dock.)*

Justice C. — Empanel the jury.

Chief Constable—  
The panel is complete, my lord, and the ladies and gentlemen of the jury are in their places before the Court.

Mr. Clerk Commonwealth (stepping forward and addressing the audience)—

Ladies and gentlemen of the jury, the evidence you shall hear you shall well and truly try and a true deliverance make between our Sovereign Lady the Queen and the prisoner at the bar, you shall have in charge and a true verdict render according to the evidence.

Justice P.—Is the prisoner defended?

Mr. Shieldrum—Yes, my lord, I appear for the prisoner.

Justice P.—And you, Mr. Attorney-General, prosecute, I presume?

Attorney-General H.—Yes, my lord.

Justice P.—Read the indictment.

Constable—Prisoner at the bar, stand up.

Mr. Clerk Commonwealth (reads)—The prisoner at the bar, Grog Traffic, stands indicted as follows: The grand jurors of our Sovereign Lady the Queen, upon their know-



*Bringing in the Prisoner*

ledge and experience, present—1. That, as a trade, duly authorized and admitted into the circle of legitimate businesses, he has, after ample experience, proved an injurious nuisance, without any compensating qualities. 2. That he has been and is the chief cause of disorder, crime, disease, insanity and death in the community. 3. That the revenue which he pays to the Public Treasury does not by any means compensate for the evil which his work inflicts upon the people. 4. That experience and reason unite in declaring that he is utterly out of place in the category of trade and commerce, and that the good of mankind demands his total suppression. 5. That his work, at its very best, is merely the gratifying of an artificial and demoralizing appetite, while its incidental and constant results are the creation of drunkards and paupers. 6. That all laws designed to control and regulate him have proved inadequate; that he is a natural born rebel, in open enmity to the laws of both God and man.

What you say, prisoner at the bar, are you guilty or not guilty?

Grog Traffic—Not guilty.

Mr. Clerk C.—Are you ready for your trial?

Grog Traffic—Yes.

Mr. Clerk C.—Upon this indictment as read the prisoner is arraigned; upon this arraignment he pleads “not guilty,” and announces that he is ready for his trial.

Mr. Atty.-Gen. Hardfax — Ladies and gentlemen of the jury, I think I can safely say that I never approached the performance of my official duty



*A Justice Commission*

with a lighter heart than I do on the present occasion. That duty requires me to secure, if possible, at your hands, the conviction of the prisoner at the bar, and having a knowledge of the evidence which will be placed before you, I anticipate that result with delight, for it will be a visitation of long delayed justice upon the vilest, cruelest and most desperate criminal of all the ages. There is no crime in all the long black catalogue of human wrongdoing that he has not been the guilty cause of; there is no phase of suffering, no species of anguish which has ever wrung the human soul that cannot be traced directly or indirectly to his agency; his footsteps may be traced through all the glorious and hopeful achievements of our civilization in the horrors and tears and blood which deface our labors and humiliate our hearts. These are strong words, but in the presence of the sober truth they seem pale and weak. It will be my duty to place that truth before you. Out of the mouths of witnesses, friendly and unfriendly to the monster who is here upon trial, I hope to convince you that the strongest language is inadequate to a just description of the character of the liquor traffic. That evidence I will endeavor to arrange in systematic form for the sake of clearness. I will present it under the heads of (1) Historical, (2) Statistical, (3) Political, (4) Moral, and (5) Religious. Bespeaking your earnest attention to the statements of the witnesses, and asking only a verdict in accordance with the evidence, I will at once proceed to the discharge of my duty in the case.

Call the first witness, Mr. Human History.

Crier—Human History!

*(The witness comes forward and takes his place in the witness box.)*

## HISTORIC EVIDENCE.



Atty.-Gen.—Mr. History, what is your business?

Mr. History—I keep a record of the doings of mankind, the general course of movements among nations.

Atty. - Gen. — Do you know the prisoner?

Mr. H.—Yes, sir, I have long been familiar with him.

Atty.-Gen.—What is his character?

Mr. H.—I should say decidedly bad.

Atty.-Gen.—Do you know of any redeeming feature in it?

Mr. H. (hesitating, thoughtfully)—No, sir, I cannot think of any.

Atty.-Gen.—How long have you known him?

Mr. H.—I may say since his birth.

Atty.-Gen.—Will you give the jury a brief statement of his career, as you view it from your standpoint?

Mr. H.—He was admitted to the ranks of trade and commerce on this continent about 100 years ago. For some considerable time he was a partner in the general store of the country along with hardware, dry goods and groceries, and had as his friends and patrons the best as well as the worst classes of the community. Deacons of the church were his managers, and ministers and members his staunch supporters. All classes used liquor, and seemed strangely blind to its demoralizing effects. At length, however, the eyes of some became opened, and their hearts and consciences touched by these results. A total abstinence movement, known as the Washingtonian, sprang up, and public attention began to be called to the evils of

liquor drinking. But for a long time this movement took no legal direction. Then at length the law stepped in and undertook to regulate and control the prisoner at the bar. License laws were enacted. This had the result of putting a limit to the number of grog shops, but otherwise did not affect the results. There were still more than enough grog shops, and the ravages of drink upon the community were evident on every hand. At that time, for example, the State of Maine was in a state of demoralization. Its farms were poverty-stricken and neglected, farm buildings in ruins, and its people for the most part in rags and poverty. It was ranked as the poorest and most shiftless State in the Union. It is now relatively the richest and most prosperous.

Atty.-Gen.—How do you account for that ?

Mr. H.—Easily. The liquor traffic was outlawed in Maine some thirty years ago, which has had no legal business of the sort since then. The prisoner was ejected and warned off the territory. Meanwhile in other places the barroom, as we now have it, succeeded the shop sale of liquor. The results became so manifest as to lead to this separation, but the evil was not diminished to speak of.

Atty.-Gen.—Your deliberate opinion is that license has proved a failure ?

Mr. H.—If you mean as a relief from the prisoner's evil work, yet ; a complete failure. So long as liquor is manufactured, imported, and sold under legal protection, the license system must fail to cure the evil.

Atty.-Gen.—You are, of course, speaking of low license.

Mr. H.—My observation is that high license is no better. In Chicago, Omaha and other places it has been tried, and curiously enough there are a greater number of drinking saloons in some of those cities than there were under low

license. The price of the privilege of selling has no bearing whatever on the character and effects of the liquor sold.

Atty.-Gen.—That seems reasonable enough. Have you anything to add to the license system?

Mr. H.—My conclusion from the facts is that license has two inevitable effects. 1st. It blunts the public conscience by bringing in the revenue idea, and 2nd, it leads to the building up of a powerful and unscrupulous political force known as the liquor vote.

Atty.-Gen.—Have you any information to submit on the latter point?

Mr. H.—I can tell you that the liquor oligarchy of the United States is at this moment so organized through local and national brewers' associations and distillers' associations that the chief executive officer of the liquor interest can almost by the turn of his hand throw nearly a million votes in any election.

Atty.-Gen.—Which means that the saloon absolutely rules the United States Government?

Mr. H.—That's precisely what it means. And the same thing is proportionately true to a certain extent of this Dominion.

Atty.-Gen.—Providing that we must have the license system, what is your opinion as to the proper license fee?

Mr. H.—License is always and everywhere a failure. But if I must answer your question, I should say that the price ought to be fixed in accordance with business principles—if the people are to go in as partners they ought not to conduct their business at a loss.

Atty.-Gen.—Please explain.

Mr. H.—Well, statistics show that the direct and indirect annual cost of the traffic in Canada is not less than \$84,000,000. This sum ought to be divided by the num-



ber of licenses granted, say 7,000, which would make the license fee about \$12,000.

Atty.-Gen.—That will do.

Mr. Shieldrum—One moment, Mr. History. You referred to the State of Maine. Do you not know that prohibition has proved a failure there?

Mr. H.—It is true that liquor is still to be found in some of the larger cities, but the traffic is not the same thing that it is in any Canadian city. Moreover, in the rural districts bar-rooms are absolutely unknown, and there are probably thousands of men of 30 years of age who have never seen a saloon or tasted liquor.

Mr. S.—May not the law be repealed as the Scott Act was in many places in this country?

Mr. H.—No, sir. After due trial as a statute law, prohibition was made a part of the State constitution by a vote of the people, and by a majority of over 47,000.

Mr. S.—Do you not know as a fact that the finest and best nations of the world have always been drinking nations?

Mr. H.—It is true that alcohol has been freely used by northern races, but those nations have been great in spite of drink and not because of it.

Mr. S.—That will do.

(*Mr. H. steps down.*)

STATISTICAL EVIDENCE.

Atty.-Gen.—Call the next witness.

Crier—Mr. National Statistics!

(*Mr. Stat. goes into the box.*)

Atty.-Gen.—Mr. Statistics, I want to get a few figurative remarks from you, but although figurative they must not be fanciful.

Mr. Stat.—All right, sir. I will speak by the book.

Atty.-Gen.—What book?

Mr. Stat.—The blue book. The official returns of the Dominion Government.

Atty.-Gen.—I want to get some enlightenment from you on an important point. There are some people in Canada who regard the prisoner as, on the whole, notwithstanding his evil doings, a desirable resident in our midst. They say (1) He contributes usefully to the revenue, and (2) He is a great employer of labor. What is your opinion?

Mr. Stat.—He does contribute largely to the revenue, but all he contributes and a great deal more is first taken from the people, and then has to be applied to counteracting his ill-doings; it is also true that he employs labor, but he employs less of it in proportion to capital invested than any other manufacturer in the country, while what he produces is not goods, but evils.



*Mr. Stat. Sticks.*

Atty.-Gen.—Now, Mr. Statistics, let us have some figures. How many gallons of wine, beer and spirits are annually drank in Canada?

Mr. Stat.—In 1892 the number was 21,256,922.

Atty.-Gen.—What was the cost to the consumers in money?

Mr. Stat.—\$31,774,804.80.

Atty.-Gen.—Are these figures reliable?

Mr. Stat.—The quantities are based on the official Government reports; the cost is as given by the present Finance Minister in a careful estimate to our public some time ago.

Atty.-Gen.—What is the population of Canada?

Mr. Stat.—By the census of 1891, 4,833,239.

Atty-Gen.—I suppose it would be safe to say that three-fourths of them are practically total abstainers, which would leave about 1,200,000 as the number of users of drink ?

Mr. Stat.—Yes. It means 20 gallons per head for the drinking population.

Atty-Gen.—Now, to use round numbers, say the cost of the liquor is \$30,000,000 ; can you give us any idea of what this means as a burden ?

Mr. Stat.—It would mean a barrel and a half of good flour for every man, woman, and child in the Dominion, or nearly eight barrels for every family. If conveyed in teams, these barrels of flour would reach from Ottawa to the Pacific ocean.

Atty-Gen.—You say the actual cost of the liquor consumed every year in Canada is \$31,774,804. That may be called item No. 1 in the cost of the prisoner at the bar. Now, what proportion of the cost of prisons, reformatories, asylums, alms houses, administration of justice, police, etc., is due to the prisoner ?

Mr. Stat.—Fully three-fourths, to be very moderate.

Atty-Gen.—And what is the sum total of these expenses as far as they can be ascertained ?

Mr. Stat.—Over \$5,000,000.

Atty-Gen.—There are indirect damages not tabulated in the accounts, such as time lost through drunkenness, etc., etc. About what sum would represent these ?

Mr. Stat.—I would say nearly twice as much as the direct cost of the liquor, say \$60,000,000.

Atty-Gen.—Then the whole cost of the prisoner to the people of Canada annually, is about \$93,000,000 ?

Mr. Stat.—Yes, sir.

Atty-Gen.—Now, what was the total contributed in 1892

to the national revenue by the prisoner, for license fees, excise and customs duties, etc., etc.

Mr. Stat.—\$7,119,327.42.

Atty-Gen.—And how much do all the provinces and municipalities get from licenses ?

Mr. Stat.—Ontario gets \$600,000, say from the whole Dominion nearly \$1,500,000.

Atty.-Gen.—Then the entire revenue derived by the country from the liquor traffic is less than \$9,000,000 ?

Mr. Stat.—Yes, sir, considerably less.

Atty. Gen. — Leaving a balance of dead loss on the transaction of \$84,000,000 ?

Mr. Stat.—That is the financial loss. The moral loss cannot be put into figures.

Atty.-Gen.—Quite so. But it disposes pretty effectually of the claim that the prisoner is a desirable citizen from a point of view. Now, let us see how he stands as a “great employer of labor.” Take five of the leading industries and compare with him.

Mr. Stat.—The comparison taken from the figures of the late census is as follows :

Manufacturing industry.	Capital invested.	Persons employed.
Cotton . . . . .	\$13,208,121	7,433
Agri. implements, etc. . . . .	8,528,535	3,935
Woolens . . . . .	9,365,158	8,125
Boots, etc. . . . .	9,671,120	17,318
Furniture . . . . .	6,061,485	7,142
Brewing and distilling. . . . .	15,368,953	2,395

Atty.-Gen.—If the prisoner were put out of existence, is there room in Canada for the employment of his 15 millions of capital in the lines you have mentioned ?

Mr. Stat.—In those five lines above we imported last year \$11,669,167 worth of products. And there are many other lines open to investment. Moreover, with the removal of drunkenness the people would be better able to support manufacturers.

Atty.-Gen.—That will do. I think it thoroughly exposes the delusion that the prisoner is a paying investment for the people in any sense.

Mr. Shieldrum.—Do the figures you have given embrace the men employed indirectly as well as directly by the prisoner?

Mr. Stat.—Only those employed directly as in all the other cases.

Mr. S.—That will do.

Atty.-Gen.—Call the next witness.

EXPERT EVIDENCE.

Crier—Mr. Option!

(*Mr. Option takes his place in the box.*)

Atty.-Gen.—Mr. Option, you are a politician by profession, I believe?

Mr. O.—Yes, sir. I should prefer to say a statesman.

Atty.-Gen.—Very well. You have had to do with the prisoner at the bar?

Mr. O.—I have done my best to suppress him.

Atty.-Gen.—I want to learn from you, Mr. Option, your opinion as to the possibility of doing that very thing. What has been your experience?

Mr. O.—I believe it is certainly possible to destroy Grog Traffic by a law extending over the whole Dominion, and prohibiting the importation and sale of liquor. I mean that such a law would be capable of as thorough enforcement as any other law.

Atty.-Gen.—How did the Scott Act work?

Mr. O.—Very well, considering everything.

Atty.-Gen.—Considering what, for example?



Mr. O.—Well, considering there were license counties round the Scott Act ones; that the inspectors in many cases were opposed to the law and winked at its violation; and that the Governments of the provinces were not sufficiently in earnest about it, while the Dominion Government flatly refused to grant some much needed amendments to the Act. A Dominion prohibition law, with a good solid vote behind it, would be a horse of quite another color.

Atty.-Gen.—Did the prisoner show any disposition to observe the law in Scott Act counties?

Mr. O.—On the contrary, we have the testimony of Messrs. O'Keefe, Davies and Sewell, the well-known brewers, that they made a specialty of selling liquor in Scott Act counties, resorting to every sort or trick to that end.

Mr. Shieldrum.—Do you not regard such laws as the Scott Act as an infringement upon personal liberty?

Mr. O.—No more than any other laws for the suppression of evils or nuisances.

Mr. S.—But surely a man has a right to drink a glass of beer if he wishes to?

Mr. O.—And has he not a right to read the New York Police Gazette, if he pleases?

Mr. S.—That vile paper is prohibited because it corrupts the public morals.

Mr. O.—A law prohibiting the liquor traffic rests on the same basis. It has nothing to do with the individual taste for a glass of beer; it strikes at the public institution called the bar-room.

Mr. S.—That will do.

POLITICAL EVIDENCE.

Atty.-Gen.—Call Mr. Premier.

Crier—Mr. Premier!

(*Witness takes the stand.*)

Atty.-Gen.—Just one question, Mr. Premier. Assum-

ing, of course, that in your capacity of head of the government you have the good of the people at heart; that you are aware of the terrible evils created by the prisoner; and that you are personally a decent man. I take it that you are (theoretically at least) in favor of prohibition?

Mr. P.—I am.

Atty.-Gen.—Then will you kindly tell us why you have not given the country a prohibition law?

Mr. P.—I can readily explain. Up to the present I have been convinced that the prisoner at the bar controls and polls more votes than his opponents. That is the whole story.



Mr. Premier

PRACTICAL EVIDENCE.

Atty.-Gen.—That will do. Call Mr. Philantrope.

Crier—Mr. Philantrope!

(*Witness comes forward.*)

Atty.-Gen.—Mr. Philantrope, you are engaged in social reform work in the cities and towns of the country, I believe?

Mr. Phil.—I am.

Atty.-Gen.—Do you know the prisoner?

Mr. Phil.—Only too well. But for him my work would be almost unnecessary.

Atty.-Gen.—You seem to have a very positive opinion as to his bad character. Will you please give us the grounds for your aversion to him?

Mr. Phil.—I cannot possibly hope in mere words to express the whole truth as to his horrible work in society.

He does absolutely no good whatever—something which it would be untrue to say of most evil institutions. As to the harm he does—he commits nearly all the murders and other crimes of violence that are committed in the world ; he sends thousands of souls to ruin every year in this Dominion of Canada ; he breeds strife, hatred, poverty and woe in thousands of homes that would otherwise be happy,—in short, as Gladstone has said, he is the cause of more disaster to the human race than war, famine and pestilence combined.



*Mrs Philantropie*

Atty.-Gen.—That will do.

Mr. S.—You say, M. Philantropie, that the prisoner does no good whatever. Is he not sometimes useful in cases of sickness ?

Mr. Phil.—In the opinion of some medical men alcohol has medicinal uses. But alcohol and grog traffic are not identical.

Mr. S.—You will at least admit that the prisoner gives his votaries a jolly feeling—makes them laugh and sing ?

Mr. Phil.—Yes ; he ought to get credit for that, with a fair discount for the subsequent reaction and headache.

Mr. S.—That will do.

Atty.-Gen.—Call Mrs. Heavyheart.

Crier—Mrs. Heavyheart !

*(Witness comes forward.)*

Atty.-Gen.—Mrs. Heavyheart, you are a wife and the mother of a family ?



Mrs. H.—I am.

Atty.-Gen.—Is your home a happy one?

Mrs. H.—Oh, sir, no! It once was, but my husband took to drink, and now it is all dark and dreary. He used to love me and the children, but now he only loves the liquor. Our home is a home no longer. The man who swore to cherish and protect me, now brutally ill-treats me. The children are afraid of him, and we are in the depths of poverty and unhappiness.



*Mrs. Heavyheart*

Atty.-Gen.—That will do. Call Jennie Heavyheart.

Crier—Jennie Heavyheart!

*(Witness, a little girl, comes forward.)*

Atty.-Gen.—Do you love your pa, my dear?

Jennie—Yes, sir, sometimes.

Atty.-Gen.—Not always?

Jennie—Most times I'm afraid of him and hide when he comes, 'cause he beats me.

Atty.-Gen.—Why does he beat you?

Jennie—It's not my pa that beats me, it is the drink he gets at the saloon.

Atty.-Gen.—That will do, dear. Call Mr. Editor.

PRESS TESTIMONY.

Crier—Mr. Editor!

*(Witness goes into the box.)*

Atty.-Gen.—Mr. Editor, you are engaged in conducting a public journal, are you not?

Mr. E.—I am.



*Jennie*

Atty.-Gen.—Have you had occasion to notice the career of the prisoner of the bar?

Mr. E.—I have. I may say at once he furnishes more material for the Associated Press and the local reporters than any other single institution on earth.

Atty.-Gen.—What is the nature of this material?

Mr. E.—Almost exclusively horrors. Either crimes or more or less atrocity, or some species of political or social rascality. We never hear any good of him.

Atty.-Gen.—Have you at hand any specimens of the matter you allude to?

Mr. E.—Yes, sir; here are a few clippings, all taken from a single issue of a Toronto weekly journal.

Atty.-Gen.—My lord, we wish to put these clippings in as an exhibit in the case.

Justice P.—You may read them to the jury.

Atty.-Gen. (reads.)—

#### A RUINED LIFE.

Drink led astray the son of one of Montreal's best physicians, and on Saturday last the young man was sentenced to five years in the penitentiary.

#### A WRETCHED END.

An unfortunate man who has a brother in the House of Commons was frozen to death in a miserable shanty in Winnipeg on Tuesday night while in a state of intoxication.

#### IN SELF DEFENCE.

Another rum murder is reported from Mattawa. On Sunday night Thomas Boatin, in a fit of intoxication, persisted in entering the house of Mrs. Cyrile Laroque. She fired at him with a revolver, the ball taking effect in his side. He died the following day.

#### FROZEN WHILE DRUNK.

R. N. Bibbs was frozen to death near Madison Monday while under the influence of liquor.

**MURDERED IN A SALOON.**

Monday evening of last week John Mack, who was under the influence of liquor, shot and instantly killed Frank Bawl in a liquor shop on State street, Chicago.

**A WHISKEY MURDER.**

On the night of the election at which whiskey won in Atlanta, the howling drunken mob stoned a young man, Charnell Hightower. He has since died of his injuries.

**SMOTHERED WHILE DRUNK.**

The New York Herald reports the death of Daniel Crowley. A fire broke out in the room in which he was lying drunk. He was suffocated before he could be aroused.

**MORE WHISKEY WORK.**

Mrs. Patrick Brennan, of Buffalo, celebrated Christmas Day by filling up with whiskey. She and her husband indulged in a fight and her dead body was afterwards found on the doorstep. She had a black eye and her skull was crushed.

**BROKEN LEGS AND BOTTLES.**

Joseph Neville lay on the Michigan Central track near West Branch with two bottles of whiskey. A train tossed him from the track with both legs broken and his body and head so badly bruised that he is almost certain to die.

**KILLED THE BABY.**

On the night of December 28th John North, of Philadelphia, went home drunk, quarreled with his wife and attempted to strike her. The blow fell on the head of their three months' old baby, crushing its skull. It died almost instantly.

**RESULTS OF NEW YEAR'S DRINKING.**

A young man named William Hanna was making New Year's calls in New York. On Greenwich avenue he met five others who were all drunk. A quarrel sprang up, in which Hanna was knocked down and killed. A couple of days later his mother died of heart disease.

**SHOT WHILE DRUNK.**

The Lever says that one New Year's night Louis Butler, a young man of Wausau, Wis., got into a quarrel with Louis Schlicht, the bar-keeper of the Northern saloon, because the latter refused him and his party drinks. Schlicht drew a revolver and shot Butler dead.

**POISONED.**

A terrible crime is reported from Nebraska. A young man named Buttsfield, Palmira, brought home some whiskey

to his parents. Both father and mother died suddenly, and their son has been arrested for putting poison in the liquor supplied to them.

MORE OF THE SAME.

Similar reports come to us from every part of the continent. The sacred festival seems to have been made an occasion for riotous drinking. Our own fair City of Toronto was disgraced as it has not been disgraced for a long time. Tuesday's daily papers were full of dispatches regarding revolting scenes and crimes. The Voice states that in high license Chicago, during the twenty-four hours ending at 6 o'clock on Sunday night, four persons were reported stabbed, one shot dead and a policeman and alderman nearly pummelled out of existence. All these affrays originated in saloons.

GREAT BRITAIN'S WHISKEY RECORD.

The United Kingdom Alliance News for December 31 contains a list of casualties recorded as a result of intemperance during the preceding week. In the terrible catalogue we find:—The sudden death in a cellar of a drunken shoemaker, the fatal fall down a cellar of a drunken woman, a case of manslaughter in which a drunken carter was the offender, a case of shooting by an intoxicated man in which another was wounded, the stabbing of a father by his son when both were drunk, a brutal street fight in which a constable was seriously injured, the burning to death of a drunken woman at the wake of her deceased husband, the death of a woman from delirium tremens, the killing of an intoxicated tailor who fell down-stairs, a case of sudden decease from heart disease accelerated by drink, a robbery from a clergyman by a drunken servant, the murder of a mother by her intemperate son, the killing of a drunken man on a railway track by a passing train, the death of a man who fell in a fit while in a savage state of drunken excitement, the trial of an omnibus conductor for assaulting two women while he was drunk, and two trials of the most brutal and disgusting cases of wife-beating.

That will do, Mr. Editor.

Mr. S.—One moment. If you are as firmly convinced of the vile character and work of the prisoner, how do you account for the friendliness of the press toward him?

Mr. E.—He has a great deal of political influence, and many papers are silent in the interests of their parties. Besides he is a considerable advertiser, and it wouldn't do to offend him. Moreover, the press is the mirror of public opinion, and the public thus far have tolerated him,

Atty.-Gen.—That will do, Mr. Editor. Call the next witness.

RELIGIOUS EVIDENCE.

Crier—Rev. Dr. Scripture!

(*Rev. Dr. Scripture takes the stand.*)

Atty.-Gen.—Dr. Scripture, what is your business?

Dr. S.—I am a Christian teacher. My work is expounding the word of God as given in the Scriptures of the old and new testaments.

Atty.-Gen.—What is the teaching of the Word as it concerns the prisoner at the bar?

Dr. S.—I have no hesitation in saying that the prisoner and his work are under the plain condemnation of God. The chief and inseparable result of the Grog Traffic is the making of drunkards, and “no drunkards shall inherit the kingdom of heaven.”

Atty.-Gen.—But does not God’s word countenance the drinking of wine?

Dr. S.—It does not, to my understanding, teach that the drinking of wine is in itself a sin. It sometimes refers

to wine as that which “cheers the heart,” etc., in other places wine is described as a “mocker,” which at the last “stingeth like an adder.” It is a disputed point among biblical scholars as to whether these descriptions do or do not apply to intoxicating and non-intoxicating wines respectively.

Atty.-Gen.—Assuming that the wine commended by Scripture in the passages you refer to is intoxicating wine, would

that in your opinion justify the business of the prisoner at the bar?



*Rev. Dr. Scripture*

Dr. S.—I think not, decidedly. There is no sort of analogy between the domestic life of ancient people in the east and the saloon system of the present day.

Atty.-Gen.—What do you regard as the scriptural view of the modern saloon system ?

Dr. S.—I think it is eminently the work of the devil, one of the chief forces of the kingdom of darkness. In its spirit and tendency it may be called the sum and substance of sin. The Word of God condemns it in almost every passage.

Mr. Shieldrum—Dr. Scripture, is it not in accordance with God's plan, according to the Bible, that man shall grow in spiritual power by virtue of overcoming temptation ?

Dr. S.—That seems to me to be true.

Mr. Shieldrum—Then would it be justifiable to remove the liquor traffic and thus interfere with the divine plan ?

Dr. S.—The liquor traffic is not of God's making. It is our bounden duty to remove all temptation over which we have control. We are expressly prohibited from doing evil that good may come.

Mr. Shieldrum—I have no further questions.

Atty.-Gen.—Thank you, Dr. Scripture, you may step down. Call Mother Church.

Crier—Mother Church !

*(Mother Church goes into the witness box.)*

Atty.-Gen.—Mother Church, the institution with which your name is associated is composed of divisions known as denominations, I believe ?

Mother Church—Yes, sir.

Atty.-Gen.—You have declared through these various churches your opinion of the prisoner at the bar—your testimony as to his character ?

Mother Church—Yes, sir, frequently.

Atty.-Gen.—Have you at hand any such deliverances ?

Mother Church—Here are a few in the shape of resolutions passed by Christian bodies in convention assembled, and statements of prominent divines.

(*Witness hands in a roll of paper.*)

Atty.-Gen.—My lord, we wish to have these documents fyled as an exhibit in the case.

Mr. Justice Commonsense—The evidence must be admitted. You may read it to the jury.

Atty.-Gen.—My lord, I will read a few extracts from this great array of deliverances.

POPE LEO XIII.

“It is well known to us how ruinous, how deplorable is the injury both to faith and to morals that is to be feared from intemperance in drink. Nor can we sufficiently praise the prelates of the United States who recently in the Plenary Council of Baltimore, with weightiest words, condemned this abuse, declaring it to be a perpetual incentive to sin and a fruitful root of all evils, plunging the families of the intemperate into the direct ruin, and drawing numberless souls down to everlasting perdition.”

CARDINAL MANNING.

“I impeach the liquor traffic of high crimes and misdemeanors against the commonwealth. . . . It is mere mockery to ask us to put down drunkenness by moral and religious means, when the Legislature facilitates the multiplication of incitements to intemperance on every side. You might as well call upon me as the captain of a sinking ship, and say: ‘Why don’t you pump the water out?’ when you are scuttling the ship in every direction. If you will cut off the supply of temptation I will be bound by the help of God to convert drunkards; but until you have taken off this perpetual supply of intoxicating drink we never can cultivate the fields.”

ARCHBISHOP IRELAND.

“The slimy serpent lives, and through all ranks of society it trails its poison-laden lengths, distilling in all directions its pestilential breathings. Who is there who has not sorrowed over its ravages? Let me speak as a Catholic. . . . Intemperance to-day is doing the Holy Church harm beyond the power of pen to describe, and unless we crush it out Catholicity can make but slow advance in America.”

## DIOCESE OF MONTREAL, CHURCH OF ENGLAND.

"The council (of the C.E.T.S. endorsed by synod) has noticed with great satisfaction the efforts that have been made during the year past to lessen the number of places in Montreal and elsewhere where liquor is sold; and it fervently hopes that ere long the traffic as at present carried on—so terrible a temptation as it is to many, so ruinous to the souls and bodies of hundreds of thousands of men and women for whom the Son of God shed His blood—will be swept from among us by the suffrages of a sober and religious people."

## GENERAL CONFERENCE, METHODIST CHURCH.

That the liquor traffic of to-day is the greatest stumbling block in the church's progress, is fraught with untold evils to humanity, and spreads desolation over the length and breadth of our fair Dominion.

That we declare the complete and immediate legal prohibition of the manufacture, importation and sale of alcoholic liquors for beverage purposes to be the duty of the Civil Government.

## GENERAL ASSEMBLY, PRESBYTERIAN CHURCH.

"That this Assembly declares its unqualified condemnation of the saloon, or dram shop, as a centre of most degrading influences, and a source of great danger to the Church and country, and its conviction that the license system has been proved insufficient to effectually remove the terrible evils of the drink traffic, and that, so far as legislation is concerned, nothing short of Prohibition, rigidly enforced by the proper authorities, should ever be accepted as final, or satisfactory."

## BAPTIST CONVENTION OF ONTARIO AND QUEBEC.

"That we earnestly recommend pastors and members of churches to use every endeavor to secure such an expression of opinion at the coming plebiscite, as will induce those in authority to advance at once to prohibitive legislation in respect to intoxicating liquors."

## CONFERENCE, FREE METHODIST CHURCH.

"We are fully convinced that the rum power is one of the greatest evils in the world at the present time, and we believe that every Christian should arise and do all in his power to destroy this gigantic foe."

Thank you, Mother Church, that will do. That is the case for the crown, my lord.

## THE DEFENCE.

Mr. Shieldrum—Call Mr. Brewer.



Crier—Mr. Brewer!

(*Mr. Brewer takes the stand.*)

Mr. Shieldrum—Mr. Brewer, do you know the prisoner?

Mr. B.—I do, very well indeed.

Mr. S.—What have you to say as to his character?

Mr. B.—He is by no means a bad fellow if he is treated reasonably. I do not think he does half the harm he is blamed for. On the contrary, I am of opinion that, so far as he deals out beer, he is doing a positively good work for the health of the community.

Mr. S.—That will do.

Atty.-Gen.—What business are you engaged in, Mr. Brewer?

Mr. B.—I am a maker of beer.

Atty.-Gen.—Exactly. That's all I wanted to know.

Mr. Shieldrum—Call Professor Myth.

Crier—Professor Myth! (*Prof. Myth comes forward.*)

Mr. S.—Professor Myth, do you know the prisoner?

Prof. M.—I have not much personal knowledge of him, but from what I have heard I regard him as practically a necessity to the community.

Mr. S.—Upon what grounds?

Prof. M.—The taste for alcohol cannot be eradicated from human nature, and since it cannot be removed it should be regulated.

Mr. S.—How would you regulate it?

Prof. M.—By encouraging the use of beer and light wines.



*Mr. Brewer*



*Professor Myth*

Atty.-Gen.—Are you not aware that these so-called lighter drinks lead in many cases to stronger, and so to drunkenness?

Prof. M.—I don't see why people can't exercise self-control in the matter. I find no difficulty in doing it myself.

Atty.-Gen.—But then you find no difficulty either in writing masterly English. Why can't others do the same?

Prof. M.—I suppose they could if they tried.

Atty.-Gen.—You are a believer in christianity?

Prof. M.—Yes; I trust a rational one.

Atty.-Gen.—What do you say to the divine ideal of self-denial in things allowable for the sake of the weaker brother?

Prof. M.—I do not care to discuss the details of any religious system.

Mr. Shieldrum—That will do, Professor. That is the case for the defence, my lord.

#### ADDRESS OF COUNSEL.

Mr. Shieldrum. — Ladies and gentlemen of the jury,—I will detain you but a few moments in dealing with the evidence to which you have listened so patiently. I wish, however, to remind you of the obligation you are under to disabuse your minds of all prejudice against the prisoner at the bar. I am well aware that such a prejudice exists, and that it seems from day to day to be growing stronger. What there is to justify such a feel-



*W. Shieldrum*

ing you are to discover if you can in the evidence you have heard. I do not think you can find any justification in the evidence. It only goes to show that the business carried on by the prisoner at the bar is liable, like any other business, to be abused. It goes to prove that liquor, like many other good things, may be used to excess.

As to the character of the prisoner, which is really the issue before you, what is the evidence? You have heard from Mr. Brewer that he is "not a bad fellow when treated properly." Could anything be more conclusive than this? Then we have Professor Myth, a witness of the highest possible respectability, as well as a writer of the most perfect English, who testifies that, in his opinion, the prisoner is a necessity to the community. That one consideration ought to settle it, for no sensible man or woman would think of abolishing a necessity.

In conclusion I would urge upon you the solemn responsibility you must now assume. It is a question of life or death to the prisoner at the bar. If your verdict is against him, it means that he must be executed, and that at the earliest possible moment. If, on the other hand, as I trust and believe, your verdict is for acquittal, it means that he will be restored to the bosom of the society he has so long adorned, to go on his way doing the useful, helpful and beneficent work he has so long done for an ungrateful and thankless humanity.

Atty-Gen. Hardfax.—Ladies and gentlemen of the jury, —I can well afford to follow the example of my learned friend in the matter of brevity. He was brief because there was so little that even his learning and acumen could find in the evidence to favor his client; I may be brief because comment is unnecessary upon the overwhelming and conclusive story which the evidence tells against the prisoner at the bar. My learned friend talks of a public prejudice



*alt. Gen. Hardfax*

against the prisoner. There is a prejudice, and I thank God he is right in saying that prejudice is growing, for it is abundantly justified. The evidence you have heard establishes my contention that Grog Traffic is not only a cumberer of the ground, but a cumberer whose enormous bulk is the centre of influences which are in deadly opposition to the best interests of civilization.

I have presented to you as I promised a systematic array of evidence not exhaustive, by any means, but touching the five aspects in which the prisoner may be considered. From Mr. History you learned that the prisoner from his birth has been constantly growing in evil power. From Mr. Statis Sticks, you got clear light upon the false pretence that he is even financially a paying investment to the community. Mr. Option made it perfectly plain that no political plan short of absolute prohibition is able to cope with this evil. From Mr. Philantrope and Mrs. Heavyheart you got a glimpse into the depths of human misery the prisoner causes, and lastly, the witnesses for Religion demonstrated that the prisoner is at enmity with God as well as man. I need not add a word to this cumulative array. Deliver your verdict in accordance with the evidence (giving all due consideration to the trivial defence set up) and I will confidently look forward to the pronouncement of the words—in this case fraught with joy and hope to the country—"Guilty as charged!"

#### THE JUDGE'S CHARGE.

Mr. Justice Commonsense.—Ladies and gentlemen of the jury,—I must commend you for the patience and serious-

ness with which you have listened to this case, which, as has been said, is one of very great importance. The evidence for the prosecution has been arranged in such a way as to enable you to take what I may call a bird's eye view of the character and career of the prisoner. The intention of the prosecution has been to display that character under five aspects, viz. : That the prisoner, Grog Traffic, is (1) Of evil disposition and nature ; (2) Costly to the community ; (3) Unmanageable by ordinary legal restraints ; (4) Hurtful to humanity ; and (5) Inimical to man's spiritual interests. It is for you to say how far these contentions have been established by the various witnesses.

For the defence it has been contended that the evil results, which are admitted, are the fault of the individual rather than of the traffic, and that the prisoner has a necessary and useful place in the community. I cannot say that the evidence for the defence has greatly impressed me, but the decision rests with you.

I shall expect YOUR VERDICT ON THE FIRST OF JANUARY to be the result of an intelligent and conscientious consideration of the evidence, and I leave the matter in your hands, confidently assured that you will do no less than justice.

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NOTE.—The foregoing will be found very appropriate for presentation at prohibition meetings. The necessary appliances for carrying this out may be few and simple. An empty barrel with a door in the rear will serve for an appropriate dock. The illustrations given will suggest nearly everything else that is required. Those who take part may read passages too long to be committed to memory. Variation from the text may sometimes be more effective than adherence to it. The article covers a good deal of prohibition argument ground, and contains much of the information that it is desirable to place before the public at the present juncture.

## RECORD OF EVENTS.

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### THE PLEBISCITE CONVENTION.

The great convention which was the starting point of the active part of the plebiscite campaign, was held in the city of Toronto on October 3rd and 4th last. It was not originally intended as a part of the plebiscite movement, but in face of the impending vote it took on the character named. This fact made it great both in numbers and interest.

The meeting was opened in the forenoon in the Temperance Hall on Temperance street. It at once became manifest that that building was altogether too small, and an adjournment was made to the Horticultural Pavilion, where the other sessions were held. Throughout the meeting was characterized with earnestness and harmony. It was presided over with great tact and skill by R. J. Fleming, Esq., Mayor of Toronto. Associated with him as vice-chairmen were Hon. A. Vidal, Hon G. W. Ross, Hon. J. C. Aikins, Rev. W. Kettlewell, Mrs. M. S. Fawcett and Mrs. May Thornley. Messrs. W. H. Bewell, W. H. Cahill, and Elgin Schoff acted as joint Secretaries.

A valuable report setting out the prohibition work of the past year, the history of the plebiscite movement, and the present position of the cause, was submitted to the meeting by the Executive Committee of the Ontario Branch of the

Dominion Alliance. The report was received and read to the convention.

Early in the convention committees were appointed upon (a) Campaign Work, (b) Resolutions; (c) Finance; (d) Permanent organization.

While the convention waited at intervals for reports from these committees, rousing speeches were made by prohibitionists from every part of the country, so many that space would not allow the naming of all, and so earnest and good that it would be invidious to make selections of the names of any speakers. Great mass-meetings on the evenings of both days of the convention crowded the great Pavilion to its utmost capacity. The speeches of the convention were interspersed with rousing prohibition songs led by well-known vocalists.

The number of delegates reported by the Credential Committee was 1,114.

For two days the delegates deliberated. The first report received was from the Committee on the Conduct of the Campaign. Its proposals, which were unanimously adopted, were the formation of an Executive Committee to have general charge of work, the engaging of a permanent secretary to devote his time to the pushing forward of that work till the 1st of January, and the sending out by this Executive of circulars of instruction and other needful literature. Later on another report of the same Committee, which was also adopted, named organizers for the different cities, counties or electoral districts of the Province.

The report of the Committee on Permanent Organization consisted simply of the following recommendation, which was adopted:

Your Committee deem it inexpedient that any permanent organization should be formed at present, but recommend

that the Union Committee which called this convention should have authority to call it together again should they judge it expedient after the plebiscite in January, when the question of permanent organization may be considered.

The report of the Committee on Resolutions was also endorsed without dissent. It was in the following terms :

That the Convention rejoices that a considerable number of the women of Ontario are given the privilege of voting on the coming plebiscite, and takes this opportunity of placing itself on record as favorable to the extension of the franchise to women for municipal and parliamentary purposes.

That we desire to express our satisfaction that the Educational Department of this Province has prepared, and authorized for use in the public schools, a text-book on "Physiology and Temperance."

That, whereas the leading politicians of both political parties have expressed themselves as in favor of the legal suppression of the traffic in intoxicating liquors when the country is ready for it, and whereas an opportunity is to be afforded the electorate of this Province on January 1, 1894, to express their desire for the immediate suppression by law of the liquor traffic ; therefore, resolved that in order that no Government or Legislature may have any further excuse for refusing to pass a prohibitory liquor law, that this Convention calls upon every qualified voter to lay aside every personal and party consideration, rally to the polls, and roll up a decisive and overwhelming majority in favor of the total prohibition of the legalized traffic.

During the second afternoon the Convention went into finance raising, and amounts aggregating upwards of \$1,500 were promised towards a campaign fund.

The Committee to have charge of the campaign was constituted of the following persons :

J. J. Maclaren, Q.C., W. W. Buchanan, W. H. Howland, Rev. Dr. Potts, F. W. Watkins, Rev. W. Kettlewell, Rev. J. C. Madill, Joseph B. Brooks, Mrs. J. R. Cavers, F. W. Daley, Mrs. McDonell, Thomas Urquhart, Thomas Morris, jr., Rev. W. A. McKay, William Duffy, Rev. Dr. A. Sutherland, Hon. S. H. Blake, Rev. A. M. Phillips, George A. Cox, Rev. W. Frizzell, Rev. P. C. Parker, Chester A. Massey, D. J. Ferguson, John Cameron, Hon. A. Vidal, Joseph Gibson, R. J. Fleming, W. H. Orr, F. S. Spence, G. F. Marter, M.P.P., Joseph Tait, M.P.P., E. Schoff, R. W. Dillon, Mrs.



Fawcett, Rev. T. W. Campbell. To the names of those appointed at the Convention were subsequently added the following: Mrs. H. S. Rockwell, H. O'Hara, J. H. Flagg, E. Coatsworth, J. N. McKendry, Mrs. A. O. Rutherford, Mrs. J. Forster, W. H. Bewell, T. Lawless, W. H. Cahill, Dr. C. V. Emory.

#### THE CAMPAIGN.

Following up the great convention the Plebiscite Executive met and organized for action. Dr. J. J. Maclaren, Q.C., was elected Chairman; F. S. Spence, Secretary, and E. Coatsworth, Jr., M.P., Treasurer.

Correspondence was immediately entered into with workers in every part of the province, giving them suggestions for methods of organization and work.

The committee resolved to furnish workers with what might be termed the official literature necessary to give them information relating to the contest. The Ontario Branch of the Dominion Alliance had already circulated a large edition of the Plebiscite Act, and bulletins giving information about voters' lists and other matters. The Plebiscite Executive prepared and sent out in great quantities three other documents. No. 1 consisted of suggestions to workers of plans for organization. No. 2 is a synopsis of the Act with information of its objects and probable results. No. 3 gives a full history of the action leading up to and including the enactment by the Legislature of the Plebiscite measure. A less general circulation has been given to some other documents intended for the special information of poll-workers and others co-operating in various lines of effort.

The general plan of organization agreed upon was the formation of a Central Committee for every county or riding in the province, made up in part of officers from the working organizations of the different municipalities in-

cluded in the district for which the Central Committee was formed. This plan secures local work and general co-operation. It has been found very effective. The province has been organized for immediate work more generally and effectively than ever before, and to an extent that is remarkable when the shortness of the time in which it has been effected has been considered.

There is a vast amount of work done at the headquarters of the Central Provincial Committee, which Committee meets from week to week. Every temperance order, and nearly every temperance organization in the province is co-operating in the campaign with earnestness and enthusiasm. The present prospects are that there will be an immense vote polled and a substantial majority recorded in favor of total prohibition.

#### ONTARIO W. C. T. U. CONVENTION.

The white-ribboners of Ontario held their annual meeting at Chatham, commencing on Tuesday, October 31st, with the president, Mrs. J. R. Cavers, of Galt, in the chair. As usual, the attendance was large, the financial report encouraging, and the record of work done simply marvelous in view of the means available for its accomplishment. Different meetings held in connection with the convention were well attended and inspiring.

Those who know what a vast field the different departments of W.C.T.U. work covers, will readily understand the impossibility of giving a synopsis of the proceedings in our limited space. Interesting reports and resolutions declared (a) In favor of more rigid enforcement of total abstinence on the part of employees by railway companies; (b) for earnest effort by women voters to make the plebiscite a success; (c) regret that the Ontario Legislature had not

yet dealt with the question of woman suffrage ; (d) for systematic vigorous action on the part of W.C.T.U. workers to make the plebiscite campaign a complete success.

The officers elected for the year were :

President.—Mrs. May Thornley, 843 Dundas St., London.

1st Vice-President.—Mrs. A. O. Rutherford, 16 Sussex Ave, Toronto.

Recording Secretary.—Miss. Cossford, Toronto.

Corresponding Secretary.—Mrs. G. Wiley, Richmond Hill.

Treasurer.—Miss Jennie McArthur, Cornwall.

QUEBEC W. C. T. U.

Convention met at Danville also in October, and held a session full of interest and profit. The Quebec ladies protested strongly against sabbath desecration, legalized lotteries, permitted gambling, bad advertising, and the canteen system in volunteer camps. Warm appreciation was expressed of the work done by ladies of Broome during the Scott Act contest. Women were urged to take part as far as was permitted in municipal and school elections, and a declaration was made in favor of a prohibition plebiscite for the Province of Quebec. The following were elected officers for the ensuing year :

Honorary President.—Mrs. Middleton, Coaticoke.

President.—Mrs. (Rev.) J. G. Sanderson, Danville.

Vice-President-at-large.—Mrs. S. W. Foster, Knowlton.

Corresponding Sec'y.—Mrs. R. W. McLachlan, 55 St. Monique Street, Montreal.

Recording Secretary.—Miss S. E. Bliss, Compton.

Treasurer.—Mrs. Seth P. Leet, 36 Albina St., Montreal.

MARITIME W. C. T. U.

At Truro, Nova Scotia, the Maritime lady workers held their Convention, beginning October 20th. In the absence of Mrs. Archibald, Mrs. Johnson, vice-president for Prince

Edward Island, occupied the chair. All that has been said about Ontario and Québec may be said of the Maritime white ribbon workers. Their resolutions, among other declarations, denounced the slaughter of bird life that is carried on for the ornamentation of American women, declares that no person should teach, preach or practice medicine or hold any public office who uses strong drink, expresses hearty sympathy with all efforts for the enactment of laws against Sabbath desecration, commended the *Woman's Journal*, and asked for advanced legislation in regard to a number of matters. The principal officers for 1893 are :

President—Mrs. Archibald, Cow Bay, Cape Breton.

Vice-President for N. B.—Mrs. Turnbull, St. John.

Vice-President for N. S.—Mrs. Woodbury, Dartmouth.

Vice-President for P. E. I.—Mrs. (Dr.) R. Johnson, Charlottetown.

Corresponding Secretary—Mrs. Atkinson, Moncton, N. B.

Recording Secretary—Miss Sarah Robinson, 14 Hurd's Lane, Halifax, N. S.

Treasurer—Miss Jane Lockhart, St. John, N. B.

Auditor—Mrs. Macfarlane, St. John, N. B.

#### ONTARIO ALLIANCE, ANNUAL MEETING.

When the arrangements were made for the great Union Convention the Executive Committee of the Ontario branch of the Dominion Alliance agreed to ask the Convention to resolve itself into the annual meeting of the Alliance branch. The Convention therefore adjourned in the forenoon of the second day to allow of the transaction of the necessary business of the Annual Alliance Meeting, which was only held for a short time to allow of the election of officers and some other action. In the absence of W. H. Howland, the President, Hon. A. Vidal, Vice-President, presided. The reports of the Executive Committee and

the Finance Committee were adopted. The latter showed an expenditure for the year of \$1,668.04 and a balance of \$301.21 on hand.

Officers for the ensuing year were elected as follows :

President—W. H. Howland.

Vice-Presidents—Hon. J. C. Aikins, Hon. Senator Vidal, Hon. G. W. Ross, Mr. Maclaren, George A. Cox, Mrs. McDonell and the chief officers of each temperance organization in the Province.

Secretary—F. S. Spence.

Treasurer—R. J. Fleming.

Executive Committee—Rev. W. A. Hunter, H. O'Hara, Rev. Dr. Parker, Rev. Dr. Dewart, W. H. Orr, Rev. A. M. Phillips, James Dobson, Rev. W. Frizzell, J. B. Hay, W. W. Buchanan, E. J. Davis, M.P.P., G. F. Marter, M.P.P., J. A. Middleton, J. H. Land, Miss E. Wills, Rev. C. Duff, Rev. G. Washington, Mrs. Vance, Mrs. May Thornly, Hon. S. H. Blake, E. Schoff, Jos. Gibson, Mrs. Thomas Seldon, Rev. Dr. Potts and Mrs. Forster.

The part of the constitution providing for the membership of the Alliance was amended so as to allow every temperance and religious body to have representatives at Alliance meetings.

The meeting then adjourned.

#### OTHER EVENTS.

The pressure on our space prevents us doing more than merely mentioning the late interesting session of the Grand Division of the Sons of Temperance. It was large and enthusiastic. Nearly all the old officers were re-elected, Bro. J. B. Brooks, G.W.P., still occupying the leading position, which he has filled so well.

We are also compelled to omit our intended synopsis of the great National and International Conventions of the W.C.T.U. held at Chicago, and the annual meeting of the

United Kingdom Alliance, all of which meetings, taking place in October, together with those to which we have referred, show that month to have been one of remarkable activity and progress in temperance and prohibition work.

THE VANGUARD.

Perhaps it might not be out of place to speak of the publication of the first number of the Vanguard as one of the events of the month of November. If it is to be judged by the very kind notices regarding it which have been published, it must be considered as not having failed in its plan and object. Many letters expressing strong commendation have been received by the editor, as well as flattering press notices from every part of the country. There has been, indeed, only one exception to the general and strong expressions of approval and compliment that have been extended to both editor and publication by the press of Canada and the advocates of moral reform. A very large number of these must be our apology to many friends for asking them to accept this statement as a recognition of their kindness.

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**W. H. HOWLAND.**

Just as the last pages of the VANGUARD are going to press the sorrowful news has been received of the death of W. H. Howland, President of the Ontario Branch of the Dominion Alliance, one of the most esteemed, best beloved, most earnest and effective advocates of the prohibition cause in the Dominion. This sudden and sad bereavement will be keenly felt, not only by our late brother's relatives, who

have the sincere sympathy of many thousands of Canadian citizens, but by all workers in every branch of moral reform, for there is hardly any line of philanthropic work which has not been benefited by his wise counsel and liberal support.

For about ten years Mr. Howland has held the position of recognized leader of the prohibition forces of this province. Earnest, judicious, and full of good nature, his kind and skillful management has smoothed over many a difficulty, made many a convention a success, and contributed largely to the union and harmony that have been so beneficial to our cause. His tongue, his pen, his purse were always at our command. It will be hard to fill his place. The consolation remains to us that he did his full share of the duty that every opportunity laid upon us, and in years to come our country will reap the reward of his efforts.

It is not needful that we should add to the many histories that are being written of the life, the earthly part of which has just been brought to a close. The press of Canada will tell at length the story of the public service, the private beneficence, the monuments that stand to our late leader's memory in many charitable institutions. More enduring still will be the remembrance of his goodness that will never die out of the many lives to which his association was a rich benediction. May his example be an inspiration to those who still carry on the fight for the cause that was so near to his heart.

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