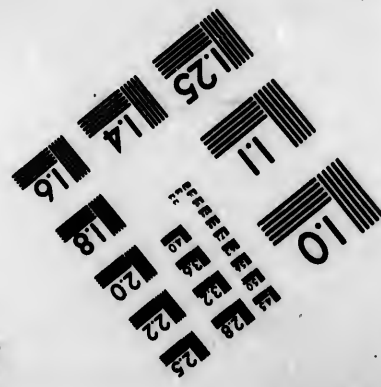
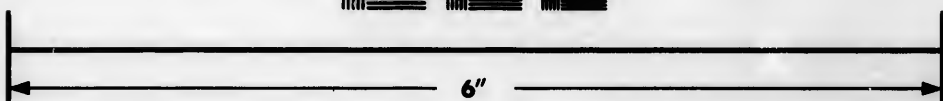
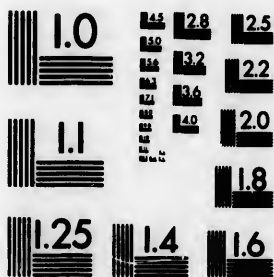


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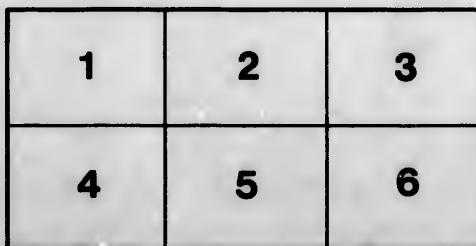
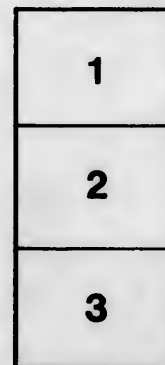
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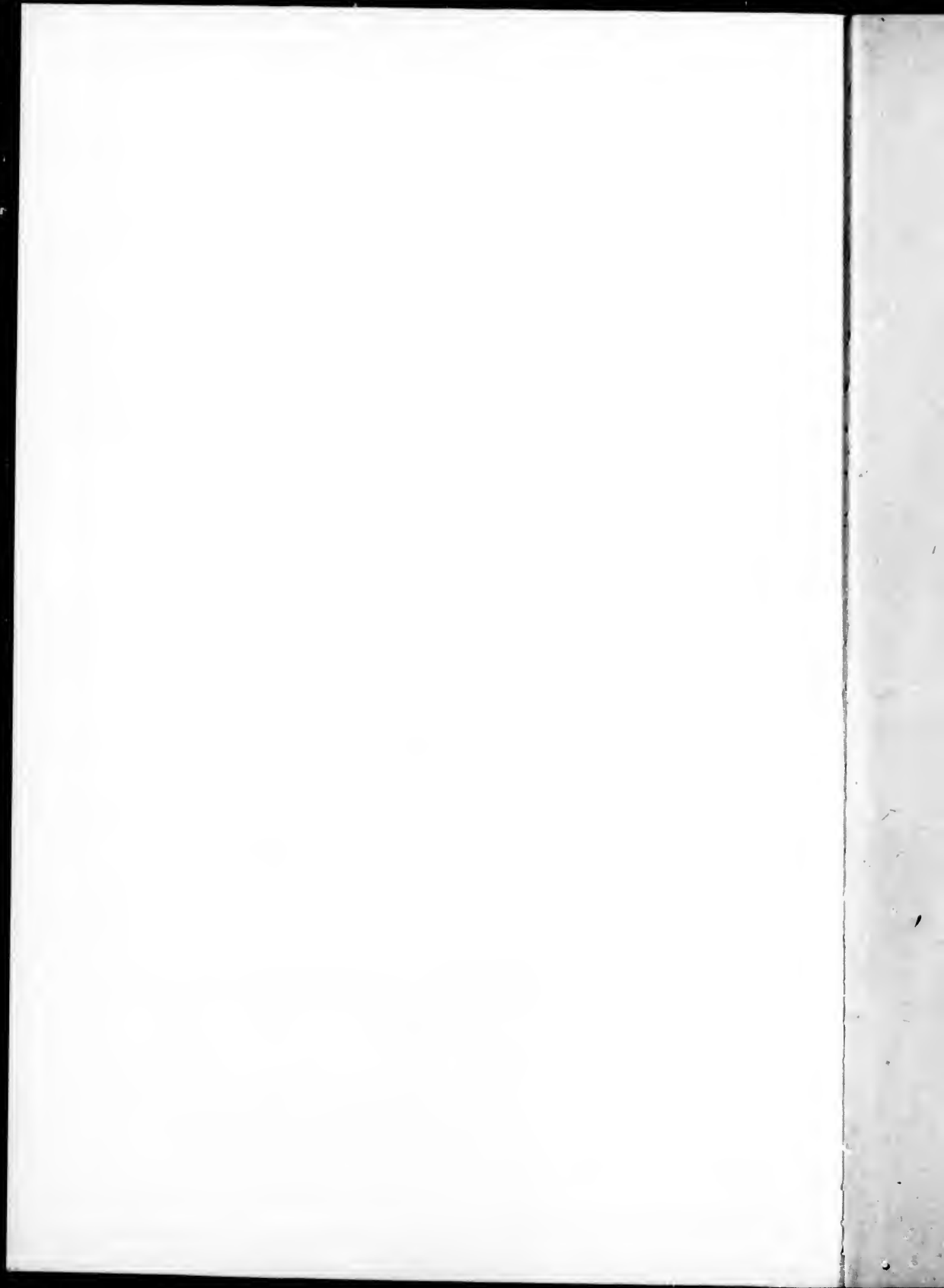
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MOWAT

AND

27
5366

GOOD GOVERNMENT

—THE—

LICENSE

QUESTION ;

FINANCIAL,

MUNICIPAL

AND SOCIAL.

TORY ATTACKS DISPOSED OF.

SEPTEMBER, 1882.

F

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Spec. Coll.

A22101

TO GEORGE WATTS FROM

SALE OF LIQUORS.

LICENSES.

THE "CROOKS ACT."

TORY MISREPRESENTATIONS DISPOSED OF.

In the first Session of 1874 the laws regulating the sale of intoxicating liquors had been consolidated; and in the Session of 1875-6, the Government made a further successful effort to grapple with some of the very difficult questions involved. The Act then passed placed the authority to grant licenses in the hands of three unpaid Commissioners for each locality. It limited the number of licenses to be issued in cities, towns and villages, and gave the Commissioners and Councils power to further limit the number. Power was also given to Municipal Councils and to the Commissioners to limit the number to be issued in rural municipalities.

The enforcement of the law was entrusted to a paid Inspector in each License District, also appointed by the Crown. Regulations as to the hours of sale, the qualification required from vendors, and the licensing fee, were also adopted, as well as provisions to secure, as far as possible, the conviction of offenders.

PUBLIC OPINION.

Prior to the introduction of the Act, the Government were, by influential delegations, by petitions, by the action of the leading temperance advocates, by temperance organizations—indeed, by the friends of temperance of every class and of all political complexions—constantly urged to take the issue of licenses and inspection under their own immediate control; and since its passage, and after a fair trial, it is safe to say that the Act, known as the "Crooks Act," has been almost universally approved by the leaders and friends of the temperance movement throughout the Province of every political opinion, and generally by those who, while not identified with any temperance organization, yet look to the Government to regulate and keep within due bounds the traffic in intoxicating liquors.

It was in obedience to the general wish that the Government accepted the duties and responsibilities which the new law imposed on them, and they would no doubt gladly be relieved of these if the public interest permitted and public sentiment would justify their doing so.

THE LICENSED VICTUALLERS' MEMORIAL.

Some of the provisions of the Act were suggested by the "Licensed Victuallers," through an influential deputation of their members, who waited on Attorney-General Mowat on the 6th of January, 1876, and presented an elaborate memorial upon the subject. The memorial stated, among other things, as follows:

"We are quite prepared to concede that the 'Liquor Question,' as it has been affectingly called, is becoming a question indeed. People are now beginning to allow that it is a question. They confess, and we affirm; that

it is a question which must be attended to ; that it is one which is growing and strengthening and deepening, and which cannot any longer be paltered with or avoided. People of all classes and all parties are beginning to see that something is needed to check the growing evils of intemperance, and something more on the one hand than mere conversation, and something else on the other hand than simple attempts at legislation, is required to meet and remedy this great social evil under which we are laboring. This is a truth which is now beginning to spread."

And again : "We are agreed in this, that the Act of the Ontario Legislature known as the 'Crooks Act' is, on the whole, a fair and just enactment, and if its provisions were strictly carried out and enforced (with some slight alterations, to which we shall hereafter refer), we think that intemperance would greatly decrease, and the public on the one hand and the tavern keepers on the other, would be generally satisfied."

The memorial further urged more rigorous inspection, and that not once but frequently during the year ; statutory provisions requiring better accommodation on the part of tavern keepers ; and that the character of the persons applying for a license should be fully considered before the application should be entertained. Further : "That the houses of parties selling without license should be closely watched, and the law strictly enforced." And after pointing out certain grave evils arising from unlicensed traffic, the memorial proceeds to say : "To counteract this, we think that Government Inspectors should be appointed. Experience has shown that such officers are far more efficient in suppressing such traffic and bringing the offenders to justice than the police force, which is required for the discharge of other duties."

This memorial was published at length in the Toronto daily papers of the 7th January, 1876, and is duly signed by the President and Secretary of the Licensed Victuallers' Association.

PUBLIC SATISFACTION WITH THE ACT.

That the Act itself gave general satisfaction is further evidenced by the fact that in the summer of 1877 petitions signed by over 5,000 of the citizens of Toronto, including all or nearly all the hotel keepers and other licensed victuallers, licensed grocers and brewers of the city, were presented to the City Council, in which, referring to the License Law, it was deliberately stated that "the Crooks Act has been the most successful measure so far adopted."

HOW THE ACT WORKS.

The healthy influence so far exercised by the Act is shown by the following illustrations of the working of the Act :

Number of licenses (Tavern, shop, &c.,) issued in 1874, under former Acts.....	6,185
Number issued in 1876, under the "Crooks Act".....	3,936
" " in 1877.....	3,676
" " 1878.....	3,715
" " 1879.....	4,020
" " 1880.....	4,049
" " 1881.....	4,119

—(See License Report, 1881, page 17).

Number of Tavern Licenses issued in Toronto in 1875, with a population of 70,000	299
Reduced under Crooks Act in 1881, with a population of 86,455, to.....	204

—(See License Report, 1881, page 16).

THE MEASURE AN ECONOMICAL ONE.

Reckless charges as to the expense of enforcing the Act have occasionally been made by the Opposition, but the following figures show them to be without foundation :

1876-7.

Actual expenses of the License Commissioners for the Province, and salaries of the Inspectors, for the license year 1876-7\$46,097 01
From this sum should be deducted the fines collected for the year, and which are by law to be applied towards these expenses..... 27,910 49

Leaving the actual cost for above service at, but.....\$18,186 52

—(See License Report, 1878, page 58-9.)

Or average cost for the year for each License District or Riding of, only 213 96
Or average cost for the year for each Municipality in the Province of, only..... 35 95
Similar expenses for the Province in the year 1877-8..... 46,547 39
Deduct fines collected..... 24,142 54

Leaving actual cost for the Province.....\$22,404 85

—(See License Report, 1878, page 58-9.)

Or average cost for each Riding or License District of, but..... 263 58
Or for each Municipality in the Province of, but..... 35 95

1878-9.

Actual expenses of the License Commissioners for the Province, and salaries of the Inspectors, for the license year 1878-9.....\$45,717 53
From this sum should be deducted the fines collected for the year, and which are by law to be applied towards these expenses..... 20,036 24

Leaving the actual cost for above service at, but.....\$25,681 29

Or average cost for the year for each License District or Riding of, but..... 302 13
Or average cost for the year for each Municipality in the Province of, but..... 41 08

—(See License Report, 1879, page 62-3.)

1879-80.

Similar expenses for the Province in the year 1879-80.....\$46,417 58
Deduct fines collected..... 18,613 60

Leaving actual cost for the Province.....\$27,803 98

Or average cost for each License District or Riding of, but..... 327 10
Or for each Municipality in the Province of, but..... 44 48

—(See License Report, 1880, page 46-7.)

1880-81.

Similar expenses for the Province in the year 1880-1.....\$46,449 96
Deduct fines collected..... 18,937 00

Leaving actual cost for the Province.....\$27,512 96

Or average cost for each License District or Riding of, but..... 323 68
Or for each Municipality in the Province of, but..... 44 02

—(See License Report, 1881, page 74-5.)

It will have been seen that the slight increase in the net expense between the years 1876-7 and 1880-1, inclusive, is not owing to a perceptible increase in the cost of enforcing the law, but to a reduction in the amount of fines collected. It would be impossible to have a more economically administered efficient License Law.

MORE MONEY RECEIVED BY MUNICIPALITIES.

The statement has been recklessly made that the Government have taken from the municipalities the fees which the latter received, and were entitled to under the old Act. The statement is false in every particular. The municipalities are entitled to and receive more under the present Act, having regard to the number of licenses issued, than under the old Act. The Government was entitled under the old Act (see Act of 1874, sections 22 and 23), to a proportion of the fee—a proportion as great within a fraction as that to which it is entitled under the present Act.

While the municipalities receive much more than under the old Act, the amount to which the Government is entitled is but a small fraction more than under the old Act.

The following table shows (1) The number of licenses issued in the province from 1876-7 to 1880-81 inclusive, of all kinds; (2) The amounts the municipalities would have received under the old Act; (3) The amounts actually received by them under the present Act; (4) The balance in favor of the municipalities under the present Act; (5) The amount the Government would have been entitled to under the old Act and under the present Act respectively.

YEAR.	No. of Tavern and Shop Licenses.	Number of Wholesale Licenses.	TOTAL.	Amounts that would have been paid to Municipalities under former Act.	Amounts that were actually paid under present Act.	Difference under present Act in favor of the Municipalities.	Amounts that would have been paid to Government under former Act.	Amounts that were actually paid to the Government under present Act.
				\$ c.	\$ c.	\$ c.	\$ c.	\$ c.
1876-7	3763	147	3910	104,740 00	130,568 98			
	Add excess imposed	over by Municipal	Statutory fees By-law...		136,218 11			
					275,787 04	171,047 04	75,800 00	70,539 81
1877-8	3551	67	3618	92,330 00	249,257 55	156,927 55	74,060 00	74,910 55
1878-9	3634	52	3686	93,400 00	220,902 52	136,502 52	74,390 00	72,313 05
1879-80	3956	42	3998	100,095 00	209,647 28	169,552 28	70,625 00	37,198 19
1880-81	3987	40	4027	100,550 00	273,467 38	172,917 38	79,950 00	89,207 14
				401,115 00	1,293,061 77	806,946 77	383,875 00	403,224 74

IN CITIES.

Applying the same principle to the chief cities of the Province, we shall have the following illustration, being a comparative statement show-

* This table includes etc's.

ing the number of licenses issued therein during the license years of 1877-8 to 1880-81, inclusive, and the amounts that would have been paid to them and the Government respectively under the old system prior to 1876 upon the same number of licenses, and the amounts that were actually paid to them and the Government respectively, not taking into consideration any excess over the statutory duties imposed by municipal by-laws for either period.

CITY.	YEAR.	Tavern and Shop Licenses.	Wholesale.	Total.	Amts. that would have been paid to the municipalities under the old sys- tem.	Amounts that were actually paid to the municipalities under present law	Difference in favor of the present Li- cense Act.	Amts. that would have been paid to the Government under the old sys- tem.	Amounts that were actually paid to the Government under present law
TORONTO ...	1877-78	232 26	308	\$3,400 00	\$17,002 17	\$3,542 17	\$3,350 00	\$9,254 20	
	1878-79	273 20	293	8,190 00	16,084 22	8,794 22	7,825 00	8,465 61	
	1879-80	298 19	812	8,700 00	19,351 07	10,561 07	8,275 00	9,675 53	
	1880-81	298 18	316	8,040 00	20,025 93	11,085 93	8,350 00	10,012 90	
Totals ..	.....	.....	.....	\$34,380 00	\$73,363 39	\$38,983 39	\$32,800 00	\$37,408 30
HAMILTON ..	1877-78	123 7	130	\$3,690 00	\$3,240 74	\$4,550 74	\$3,425 00	\$4,120 07	
	1878-79	132 7	130	3,900 00	8,860 06	4,906 06	3,650 00	4,633 07	
	1879-80	129 8	137	3,870 00	9,153 35	5,233 35	3,625 00	4,577 68	
	1880-81	131 7	138	3,980 00	9,245 14	5,315 14	3,625 00	4,622 57	
Totals ..	.....	.....	.....	\$15,450 00	\$35,505 28	\$20,655 28	\$14,325 00	\$17,954 29
OTTAWA	1877-78	163 2	105	\$4,890 00	\$9,321 02	\$4,431 02	\$4,175 00	\$4,600 52	
	1878-79	150 ..	150	4,500 00	9,068 39	4,558 39	3,750 00	4,479 19	
	1879-80	144 ..	144	4,320 00	9,027 17	4,707 17	3,600 00	4,513 58	
	1880-81	147 ..	147	4,410 00	9,224 79	4,814 79	3,675 00	4,612 39	
Totals ..	.....	.....	.....	\$19,120 00	\$36,031 37	\$18,511 37	\$15,200 00	\$18,285 68
LONDON	1877-78	93 1	94	\$2,790 00	\$6,107 04	\$3,317 04	\$2,375 00	\$2,909 78	
	1878-79	96 1	96	2,850 00	6,016 06	3,166 06	2,425 00	3,282 12	
	1879-80	93 2	95	2,790 00	5,849 21	3,059 21	2,425 00	2,929 61	
	1880-81	72 2	74	2,160 00	5,310 58	3,150 58	1,900 00	2,655 29	
Totals ..	.....	.....	.....	\$10,590 00	\$23,282 89	\$12,692 88	\$9,125 00	\$11,866 78
KINGSTON ..	1877-78	82 3	85	\$2,460 00	\$5,637 02	\$3,177 02	\$2,200 00	\$2,781 00	
	1878-79	82 3	85	2,460 00	5,346 98	2,880 98	2,200 00	2,635 99	
	1879-80	82 3	85	2,460 00	5,256 23	2,796 23	2,200 00	2,623 12	
	1880-81	82 3	85	2,460 00	5,332 45	2,872 45	2,200 00	2,666 23	
Totals ..	.....	.....	.....	\$9,840 00	\$21,572 68	\$11,712 68	\$8,800 00	\$10,711 33

A careful examination of these figures will show that, without taking into consideration the excess over the statutory dues which municipalities have the right to impose by By-law, and after deducting all expenses of enforcing the Act, including the salaries of the Inspectors, etc., these municipalities have been paid, out of the license funds every year since the Crooks Act came into force, more than double the amount they would have received under the old Act from the same number of licenses. If we add to these figures the excesses over the statutory fees which were imposed by their municipal By-laws, and which were paid out of the license funds to the treasurers of the cities, we shall have the following :

CITY.	YEAR.	Total am't that would have been paid to City Treasurer under the old system.	Total am't paid to City Treas. including the excesses imposed by city by-laws.	Difference in favor of the present Act.
Toronto	1877-8-9-80	\$34,380 00	\$130,790 00	\$96,350 06
Hamilton.....	" "	15,450 00	64,817 79	49,367 79
Ottawa	" "	18,120 00	51,506 37	33,386 37
London.....	" "	10,500 00	30,689 57	19,999 57
Kingston	" "	9,840 00	35,772 68	25,932 68
		\$88,380 00	\$313,416 47	\$225,036 47

Showing a grand total in favor of the present Act of \$225,036.47 actually paid to the five cities mentioned during the years 1877-8-9 and 1880 over and above the statutory fees which would have been paid to them under the old Act.

IN THE EIGHT VACANT CONSTITUENCIES.

The following statement, relating to the electoral divisions of East Simcoe, South Bruce, North Renfrew, South Waterloo, Glengarry, West Hastings, South Essex, and Muskoka, compiled from the License Reports from the year 1876-7 (the first report under the Crooks Act) to 1880-1, inclusive, shows (1) The number of licenses issued during that period in each electoral division; (2) The amount the municipalities would have received under the old law; (3) The amount they actually received under the present law; (4) The difference in favor of the municipalities under the present law.

Electoral Division.	Year.	Total No. of Tavern and Shop Licenses issued.	Amount that would have been paid to municipalities under old Act.	Amount actually paid to municipalities under present Act.	Difference in favor of municipalities under present Act.
East Simcoe.....	1876-7 to 1880-81 inclusive	198	\$3,590 00	\$9,708 01	\$6,118 01
South Bruce.....	" " "	272	4,820 00	14,129 37	9,302 57
North Renfrew....	" " "	150	3,670 00	8,481 61	4,811 61
South Waterloo....	" " "	250	4,850 00	12,361 38	7,512 38
Glengarry.....	" " "	174	2,600 00	5,841 65	3,239 65
West Hastings....	" " "	218	8,530 00	25,713 51	18,183 51
South Essex.....	" " "	127	1,905 00	5,573 94	3,768 94
Muskoka.....	" " "	159	1,575 00	3,728 86	2,153 86

THE "POLITICAL EFFECT" CHARGES FALSE FROM EVERY POINT OF VIEW

The License Report for 1880 deals with the false charge that the Act had been used by the Government and Commissioners for political purposes. Accusations of that character having been made by certain party newspapers, a circular was issued from the License Department requesting the Inspector in each division to make a return showing the names of Reformers and Conservatives respectively to whom licenses had been granted and refused.

The following statement, extracted from the Report (*see License Report, 1881, page 62*) conclusively disposes of this charge, and shows not only that there has been no discrimination against Conservatives, but that they have had the best of it from every point of view :

Tavern licenses issued to Conservatives for 1880..... 2,186
To Reformers..... 839

or nearly three to one in favor of Conservatives.

Percentage of Conservative applicants refused..... 9
Percentage of Reform applicants refused..... 13

	Number of Applicants for Licenses.	Number Granted.	Number Refused.
REFORMERS :			
Tavern.....	902	839	123
Shop.....	283	245	38
Six months.....	10	7	3
Wholesale.....	11	11	....
Total.....	1,206	1,102	164
CONSERVATIVES :			
Tavern.....	2,408	2,186	222
Shop.....	527	470	51
Six months.....	15	14	1
Wholesale.....	28	28	....
Total.....	2,978	2,704	274
NON-POLITICAL (Women, etc.) :			
Tavern.....	274	217	57
Shop.....	41	31	10
Six months.....	4	4	....
Wholesale.....	....	....	....
Total.....	319	252	67

Upon reference to the table it will be seen that of 1,266 applications from Reformers, 1,102 were granted and 164 refused; of 2,978 applications from Conservatives, 2,704 were granted and 274 refused; and of 319 applications from persons belonging to neither political party (chiefly women), 252 were granted and 67 refused. The grants to Reformers were thus about 87 per cent. of their applications; to Conservatives, nearly 91 per cent.; and to non-politicians, 79 per cent. To carry the comparison further, of the total number of these applicants for licenses, about 28 per cent. were Reformers; 65 per cent. Conservatives, and 7 per cent. non-politicians. The percentages of the total number of Conservatives, Reformers and non-politicians respectively, to whom licenses were granted or refused, may be tabulated thus:

PERSONS RECEIVING LICENSES.	PERCENTAGE GRANTED.	PERCENTAGE OF REFUSALS.
Conservatives.....	67	9
Reformers.....	27	13
Non-politicians.....	6	21

The following table exhibits these statistics in a complete and concise form—(see *License Report, 1880, page viii.*):

CLASS.	No. of applicants for licenses.	No. of licenses granted.	Proportion of ap- plications from each class to total No. of ap- plications—per centage.	Proportion of li- censes in each class to total No. of licenses —per centage.	Proportion of the applicants from each class granted—per- centage.
Reformers.....	1,260	1,102	27.74	27.10	87.04
Conservatives.....	2,978	2,704	65.26	66.68	90.80
Non-politicians.....	319	252	7.00	6.21	79.00
	4,563	4,058	100.00	100.00	.....

As these accusations had also been made during the year 1876, the Inspectors were required at the close of that year to make similar returns with the following result—(see *License Report, 1876, page 6*):

Total No. of tavern licenses GRANTED to Reformers.....		852
" " " Conservatives.....	2,017	
" shop licenses Reformers.....		264
" " " Conservatives.....	511	
" wholesale Reformers.....		30
" " " Conservatives.....	90	

Total	2,618 1,146
--------------------	--------------------

Total No. of Reformers	REFUSED	tavern	licenses	316
“	Conservatives	“	“	758
“	Reformers	shop	“	82
“	Conservatives	“	“	103
“	Reformers	wholesale	“	2
“	Conservatives	“	“	8

Total	869	380
--------------------	------------	------------

	Reformers.	Conservatives.
The percentage of the total number of applicants for licenses was therefore.....	30.45	69.56
The percentage of the total number of licenses granted was.....	30.44	69.55
The proportion of their respective applications granted to each was.....	75.10	75.08

By comparing these figures with the returns of 1880-81, the percentage will be as follows for the two years :

	1876-7.		1880-81.	
	Reformers.	Conservatives.	Reformers.	Conservatives.
1. Percentage of total number of applicants for license.....	30.45	69.55	23.83	70.17
2. Percentage of total number of licenses granted.....	30.44	69.55	28.95	71.05
3. Proportion of their respective applications granted to each class.....	75.10	75.08	87.05	90.80

The practical result, therefore, is that in 1876 one-twentieth of one per cent. more of the applications of Reformers was more favorably considered than were those of Conservatives, but this was changed in 1880-81 to a percentage of three per cent. and three quarters in favor of the applications of Conservatives.*

TORY MISREPRESENTATIONS.

The Tory organs, with endless repetitions, recklessly and absurdly charge the increase of drunkenness, vagrancy and crime against the Mowat Government and the Crooks Act. Why not charge it against Sir John A. Macdonald and his Government? Sir John has been in power for the last four years. His Government alone deals with the laws relating to crimes, and almost exclusively with those relating to vagrancy. The Ontario Legislature cannot pass a single measure relating to crime or even criminal procedure.

If any Government, therefore, is to be held responsible for the increase of crime, it is the Government at Ottawa, and not that at Toronto. Strange, is it not, that the Conservative leader is thus wounded in the house of his friends, it having remained for his chief organ to point out his delinquency.

VAGRANCY.

It is patent to everybody that the increase in vagrancy from 1869 to 1877 was due very largely, if not wholly, to causes beyond the control of the Government either at Ottawa or Toronto.

The chief causes of vagrancy were, amongst others, the following :

1. "Hard times" in Canada and the United States.
2. Many thousands of men being out of employment, who at other times were earning a living by steady work, but being so out of work and destitute, went "on the tramp."

3. The influx of thousands of tramps from the United States, they being driven from that country by hard times and the severity of the laws against "tramps and vagrants," and by fear of the prison and workhouse.

Vagrancy is found by experience to be influenced greatly by the labor market, which in turn is largely controlled by good and bad times. Vagrancy has been on the decline since 1877. The Reports show the commitments to prison of vagrants in 1877, during bad times, to have been 3,888 (see *Report of Inspector of Prisons for 1879, page 63*), whereas they had decreased in 1881, during good times, to 1,587 (see *Report for 1881, page 133*). The Inspector of Prisons' Report for 1877 is up to the 30th of

* The return for 1876 did not include the number of refusals.

September of that year. At that time the Crooks Act had been in force seventeen months. In 1881 it had been in force five years and a half. The decrease between '77 and '81 was 145 per cent. If the Crooks Act is to be charged with the increase, then it must by the same rule obtain the benefit of the decrease !!

Perhaps the supporters of this new theory will explain how it came to pass that in the Eastern States, where they had no Crooks Act, but in several of which prohibition prevailed, the country was five years ago overrun with tramps and vagrants, while at the present time the decrease has been quite as great as in Ontario !

COMMITTALS FOR DRUNKENNESS.

The charge, that to the Crooks Act is due increased drunkenness, is equally false. The accusation is as follows :

"Licenses issued in 1876, the first year under the Crooks Act 3,938
 "Licenses issued in 1880 4,049

"Increase in four years..... 111"

Therefore, according to the chief organ, increase in drunkenness is the result of the Crooks Act, which permitted an increase in four years of 111 licenses. The very slight increase of 111 licenses in four years may be accounted for by the large increase of population during that period, the Act itself having regard to population as the basis of the issue. The *Mail*, in its issue of the 13th of September, 1882, in quoting the above figures, says : "Could proof more damning than this be demanded at once of the increase of licenses, of the partisan character of the working of the law, and of the increase of drunkenness to which we called attention?"

The *Mail*, therefore, boldly charges increase of drunkenness as a consequence of an increase of 111 licenses within four years; that is, between 1876 and 1880.

What is the result of this admission? Simply this, that if the issue of 111 additional licenses increases drunkenness, a diminution of the number of licenses must cause a corresponding decrease in drunkenness. The figures are as follows :

Licenses (tavern, shop, &c.), issued in 1874 under the old Act 6,185
 " " " issued in 1880, under Crooks Act..... 4,049

Decrease..... 2,136

Percentage of decrease, 53 per cent.

The question becomes a very simple one, and may be put as a proposition in the rule of three, namely : If the issue of 111 more licenses causes an increase of drunkenness, by how much more will a decrease of 2,136 licenses lessen drunkenness? Judged by the rule thus laid down by our opponents, the decrease by the non-issue of the 2,136 will be more than 19 times greater than the increase caused by the issue of the additional 111 in four years, of which the organ in hypocritical tones affects to complain. If the *Mail's* standard is at all reliable, drunkenness in Ontario in 1880, with an increased population of 120,000, was one-third less than in 1874 under the old Act, with a much smaller population.

The facts are clear, and the statistics abundantly establish, not only that the Crooks Act, after it had been fairly put in force and had begun to be recognized as not merely a temporary law, did actually check the increasing number of committals for drunkenness, and from 1877—the first full year

after the Crooks Act came into force—down to 1881, the number has very greatly decreased.

The figures are as follows :

	Committals.
1877.....	4,082
1878.....	3,785
1879.....	3,581
1880.....	3,795
1881.....	3,328

Between 1877 and 1881, therefore, under the Crooks Act, the decrease was no less than 704, or 21 per cent.

On the other hand, under the old law, between 1869 and 1875, the committals for drunkenness increased from 1,793 to 3,363, a total increase during that period of 1,570, or 87 per cent., a considerable increase taking place every year, with but one exception.*

So that we find under the old Act a constant increase between 1869 and 1875, amounting to no less than 1,570, or 87 per cent., while under the Crooks Act, from its first full year (1877) down to 1881, we find as constant a decrease, amounting in all to no less than 704 cases, or 21 per cent. If, however, we take into account the increase of population between 1877 and 1881, both inclusive, according to the last census about 150,000, or 11 per cent. of the entire population of the Province, the decrease would be no less than 306 additional, or a total decrease between 1877 and 1881 of 910, as against an actual increase under the old law of 1,570 between 1869 and 1875.

Increase under the old law..... 87 per cent.

Decrease under Crooks Act..... 21 “

Or, taking into account increase in population, a decrease of 306 “

To expect prohibition under a license law is a contradiction of terms. Licenses and license laws imply commerce in liquor of one sort or another. No license law that has ever been framed is able absolutely to prevent all drunkenness. The most that can be expected from it is that it shall regulate the trade; that it shall cause the observance of law and the maintenance of order and decency; that it shall surround the public with such safeguards as are possible under a license system, and shall limit the sale to the legitimate requirements of the public. In these respects it is claimed for the Crooks Act that it has been a great promoter of temperance as well as of order and decency, and that it has largely limited the sale of liquor.

The Provincial Legislature is not authorized by its constitution to pass a prohibitory measure; that power rests solely with the Dominion Parliament. The Ontario Legislature in the Crooks Act and the amendments thereto, have gone to the very verge of their authority—even perhaps beyond it on some points, as some of the Courts have held. It is not as a prohibitory law that the supporters of the Crooks Act claim for it its marked success, but as a restrictive law, as a license law administered under a license system—the only system within the constitutional power of the Provincial Legislature to adopt. That it has accomplished much in the right direction is beyond question. The foregoing data show with a positiveness which neither abuse nor misrepresentation can successfully controvert:

1st. That the Act has reduced the number of licensed drinking places in the Province by no less than 53 per cent.

* The years 1869 to 1875, inclusive, and 1877 to 1881, inclusive, are given, and the year 1876 omitted because the Crooks Act was not put in operation by the issue of licenses until May, 1876, and that year is therefore a broken year, and was partly under one system and partly under the other.

2nd. That it has done much to arrest and permanently stay the therefore constantly increasing tide of drunkenness, which had increased between 1869 and 1875 no less than 87 per cent.

3rd. That it has, in conjunction with better times and fewer licenses, caused an actual decrease in the number of committals for drunkenness; turning an increase of 87 per cent. between 1869 and 1875 into a decrease of 21 per cent. between 1879 and 1881; or, taking into account the increased population, into a decrease of 30½ per cent. during this latter period.

A TORY COMPLIMENT TO THE LEADING PRINCIPLE OF THE CROOKS ACT.

One of the greatest tributes that could be paid to the Act was that of the Tory Convention, in that, while professing a desire to place the issue of licenses in the hands of the Municipal Councils, they were compelled by force of public opinion to leave untouched the clause of the Act limiting the number of licenses.

Depend upon it, the two must stand or fall together. If the issue goes back into the hands of the Clerks of Councils, it will doubtless go accompanied by free trade in licenses, and the country would again be overrun with houses carried on for the purpose of liquor-selling alone—grogeries, pure and simple. The interests of every class are opposed to this.

Reverting to the old system would be a reactionary movement, and a severe blow to the cause of temperance. Temperance people of all classes and of all shades of political opinion denounce the proposition.

Municipal Councils, compelled to go back to the public annually for election, would object to being placed under compulsion to refuse many applicants, while granting licenses to others. Under the old system they were not called upon to discriminate. Indeed, the Clerk did the whole business, and the Council was not consulted at all. No one was refused a license who could pay the fee, and the work of granting the license was not that of the Council, but that of the Clerk.*

The respectable hotel-keeper would not go back to the old system under which the unlicensed grogery competed against him at every corner. He knows he is better off under the present system, and he is not prepared to destroy the respectability of his business for the sake of putting Mr. Meredith in office.

A TORY TRIBUTE TO THE EFFECTIVENESS OF THE ACT.

The *Mail* newspaper, in its issue of the 5th September, 1882, contains an interview with a city ex-unlicensed liquor-seller, and we give the following quotation from the article as an unwilling tribute by that organ to some of the work accomplished by the Crooks Act:

"PAST AND GONE.—'THE OLD HOME AIN'T WHAT IT USED TO BE!'—AN UNLICENSED WHISKEY-SELLER'S LAMENT."

"Breaking up unlicensed houses was a source of great loss not only to the keepers of these places, but also to a number of so-called 'sports,' who regularly went down to the Police Court, in case of a raid on the houses by the police, and swore that they were the *bona fide* owners, thereby, for a consideration, getting themselves imprisoned, while the

* In England licenses are granted not by the Municipal Councils but by Justices of the Peace.

In New York and most of the other States of the Union, they are not issued by the Municipal Councils, but by commissioners chosen for that purpose.

In Quebec the Act of 1878 provides that licenses shall be issued by the License Inspectors (who are appointed by the Government), except in the city of Montreal. The same Act provides that in Montreal all tavern licenses shall be issued by a board of three or more commissioners appointed by the Government.

"owners retained their liberty and continued their unlicensed traffic.
 "Many of these houses never sold liquor except when the regularly li-
 "censed hotels were closed, namely, from seven o'clock on Saturday night
 "until Monday morning. Their profits, however, during that time were
 "sufficient to enable them to spend the rest of the week in riotous living,
 "and a great many of the assaults and cases of drunkenness daily brought
 "before the Police Magistrate were attributable to this source. A few of
 "the old houses still sell on the sly, but the danger of frequenters' names,
 "as well as those of the proprietors, appearing in the daily papers, has had
 "the effect of spoiling the trade. In speaking about the profits to be made
 "now from the unlicensed sale of liquor, an old dealer said, 'I would
 "sooner go out and break stones than try to make a living selling liquor
 "without a license. Why, if one is caught, look at the heavy fine, or
 "the alternative of bread and water at the gaol.'"
 The evidence is of value, as coming from an enemy to the Act.

A GREAT SUCCESS.

Upon the whole, it may be asserted without fear of successful contra-
 diction, that the measure is admitted by all—except those who are striving
 to infuse party politics into the question, and who seek only political
 advantage in their discussion of it—to have proved a great success, and to
 have met with the approval alike of the friends of the cause of temper-
 ance and the respectable dealer. While on the one hand it protects the
 respectable dealer against mere grogeries, licensed and unlicensed, it ex-
 tends to the great public a protection not less effectual against the de-
 moralizing practices of the illicit dealer.

