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Sessional Papers (No. 21.)

A. 1895

REPORT

OF THE

ROYAL COMMISSION

ON THE

LIQUOR TRAFFIC IN CANADA

3

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Liquor Traffic—Commissioners' Report.

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COMMISSION appointing SIR JOSEPH HICKSON *et al.*, Commissioners to investigate and report upon the question of Liquor Traffic in Canada. Dated, March 14, 1892. Recorded, March 23, 1892.

J. A. CATELLIER,
Deputy Registrar General of Canada.

STANLEY OF PRESTON,
CANADA.

[L.S.]

VICTORIA, *by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.*

ROBERT SEDGEWICK }
Deputy Minister of }
Justice, Canada. }

To Sir JOSEPH HICKSON, of the City of Montreal, in the Province of Quebec, Knight; Herbert S. McDonald, Esquire, Judge of the County Court of the United Counties of Leeds and Grenville, in the Province of Ontario; Edward F. Clarke, Esquire, of the City of Toronto, in said Province of Ontario, and a member of the Legislative Assembly of the said Province; George Auguste Gigault, of St. Césaire, in the Province of Quebec; and the Reverend Joseph McLeod, of the City of Fredericton, in the Province of New Brunswick, Doctor of Divinity, and to all whom the same may in any wise concern,
—GREETING:

WHEREAS it is deemed expedient to obtain for the information and consideration of Parliament the fullest and most reliable data possible respecting:—

1. The effect of the Liquor Traffic upon all interests affected by it in Canada;
2. The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic;
3. The results of these measures in each case;
4. The effect that the enactment of a Prohibitory Liquor Law in Canada would have in respect of social conditions, agricultural business, industrial and commercial interests, of the revenue, requirements of municipalities, provinces and of the Dominion, and also as to its capability of efficient enforcement;
5. All other information bearing upon the question of Prohibition;

AND WHEREAS it is expedient that a Commission be issued to competent persons for the purpose of obtaining such data and information;

AND WHEREAS it is in and by "The Revised Statutes of Canada," chapter 114, intituled "An Act respecting Inquiries concerning Public Matters," amongst other things in effect enacted, that whenever the Governor in Council deems it expedient to cause inquiry to be made into and concerning any matter connected with the good government of Canada or the conduct of any part of the public business thereof, and such inquiry is not regulated by any special law, the Governor in Council may by the Commission in the case confer upon the Commissioners or persons by whom such inquiry is to be conducted the power of summoning before them any witnesses, and of requiring them to give evidence on oath, orally or in

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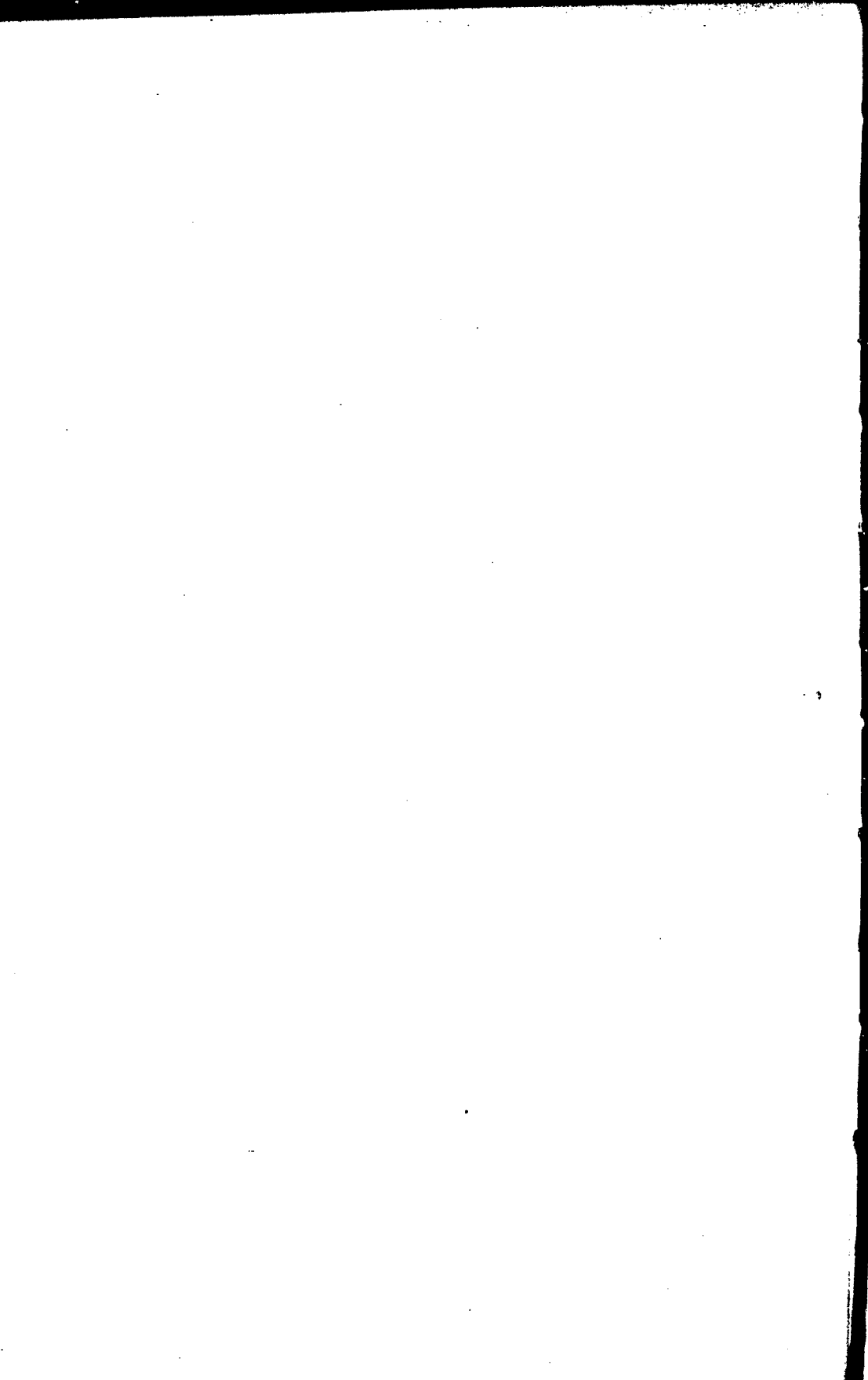
VOL. 5.—UNITED STATES.

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ERRATA.

On page 516, tenth line from top, instead of "are in vol. V.," &c., read "will be found on pp. 53-55 of this volume."

On page 530, eleventh line from top, instead of "App. No. 94," read "see p. 56 of this volume"; on 36th line from top, instead of "App. No. 98," read "see pp. 48-51 of this volume"; on twelfth line from foot, instead of "see volume 7," &c., read "see p. 51 of this volume."



writing, or on solemn affirmation, if they are persons entitled to affirm in civil matters, and to produce such documents and things as such Commissioners deem requisite to the full investigation of the matters into which they are appointed to examine;

AND WHEREAS it is expedient that inquiry under oath should be made into and concerning the matters and things hereinbefore mentioned and set out;

NOW KNOW YE that under and by virtue of all and every powers and power vested in Us in that behalf, and by and with the advice of OUR PRIVY COUNCIL for CANADA, WE, reposing trust and confidence in your loyalty, integrity and ability have nominated, constituted and appointed and do hereby nominate, constitute and appoint you the said SIR JOSEPH HICKSON, Knight, you the said Herbert S. McDonald, you the said Edward F. Clarke, you the said George Auguste Gigault, and you the said Joseph McLeod to be Our Commissioners for the purpose of obtaining the desired data respecting:—

1. The effects of the Liquor Traffic upon all interests affected by it in Canada;
2. The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic;
3. The results of these measures in each case;
4. The effect that the enactment of a Prohibitory Liquor Law in Canada would have in respect of social conditions, agricultural business, industrial and commercial interests, of the revenue requirements of Municipalities, Provinces and of the Dominion, and also as to its capability of efficient enforcement;
5. All other information bearing on the question of Prohibition.

AND under and by virtue of the powers vested in Us by the Statute lastly hereinbefore recited, We do hereby authorize and empower you, or any, or either of you, as such Commissioners or Commissioner to summon before you any witnesses, and to require them to give evidence on oath orally, or in writing, or on solemn affirmation, in case they are persons entitled to affirm in civil matters and to produce such documents and things as you OUR said Commissioners shall deem requisite to the full investigation and report of the matters into which you are hereby appointed to inquire and report.

To have, hold, exercise and enjoy the said office, place and trust unto you the said Sir JOSEPH HICKSON, Knight; you the said HERBERT S. McDONALD; you the said EDWARD F. CLARKE, you the said GEORGE AUGUSTE GIGAULT and you the said Reverend JOSEPH McLEOD, together with the rights, powers, privileges and emoluments unto the said office, place and trust of right and by law appertaining during pleasure.

AND We do appoint you the said Sir JOSEPH HICKSON to be the Chairman of Our said Commissioners.

AND We do hereby require and direct you to report to Our President of Our Privy Council for Canada the result of your investigation together with the evidence taken before you and any opinion or remarks you may see fit to make thereon, and any recommendation in respect thereof.

IN TESTIMONY WHEREOF, We have caused these OUR LETTERS to be made Patent, and the Great Seal of Canada to be hereunto affixed. WITNESS, Our Right Trusty and Well-Beloved THE RIGHT HONOURABLE SIR FREDERICK ARTHUR STANLEY, Baron Stanley of Preston, in the County of Lancaster in the Peerage of the United Kingdom, Knight Grand Cross of Our Most Honourable Order of the Bath, Governor General of Canada.

At Our Government House, in Our City of Ottawa, this fourteenth day of March, in the year of Our Lord one thousand eight hundred and ninety-two, and in the Fifty-fifth year of Our Reign.

By Command,

L. A. CATELLIER,

Under Secretary of State.

Liquor Traffic—Commissioners' Report.

*To His Excellency the Right Honourable Sir John Campbell-Hamilton Gordon,
Earl of Aberdeen, &c., &c., &c., P.C., LL.D., B.A., &c., &c., &c., Governor
General of Canada, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY:

The Commissioners appointed by the Royal Commission, dated the 14th March, 1892, to obtain evidence in regard to the liquor traffic, presented on the 4th June, 1894, an interim report, with the evidence taken in the Provinces of Nova Scotia, New Brunswick, Prince Edward Island and Quebec.

They have now to present their final report, with the evidence taken in the Provinces of Ontario, Manitoba, British Columbia, and the North-west Territories, and that collected in the States of California, Kansas, Iowa, Minnesota, Maine, Massachusetts, Nebraska and Illinois, which were visited by members of the Commission.

The inquiries of the Commissioners have extended over a much longer period than they anticipated would be necessary when they commenced their investigation, the result, in a very large measure, of the almost entire absence of general systematized data or information in regard to the traffic and the interests affected by it. They found themselves in the position of having to communicate by correspondence with the provincial and municipal authorities throughout the provinces of the Dominion, and with a very large number of persons outside the Dominion. Much of the information at first obtained was either fragmentary or was found to be inaccurate or unreliable.

In the Provinces of New Brunswick or Nova Scotia, no license fees are collected by the Provincial Governments, with the exception of some small amounts for licenses to vendors of liquor for medical purposes, and apparently no regular returns have been made of the licenses issued and the amounts collected by the municipalities for license fees, or for fines inflicted for breaches of the liquor laws.

The Scott Act was in force over the whole of Prince Edward Island for a period of ten years. In Charlottetown, after it was repealed in 1891, there was practically free sale up to 1894, when the Act was again voted upon and carried by a small majority.

In Quebec the licenses are issued by the Government, but the municipalities are allowed to collect certain sums in addition to the fees charged, and of these collections no returns have been made to the Provincial Government.

In Ontario a well understood and efficient administration system is in force, and there is collected in central offices in Toronto full information as to the number of licenses issued, the amounts received by the province and the municipalities respectively, therefor, and also the amounts collected for fines for breaches of the law.

In Manitoba where the system is much the same as in Ontario, it has not been found practicable to obtain a return of the number of licenses issued prior to 1888, nor of the amounts received by the municipalities as fees prior to 1889.

The North-west Territories have been under exceptional legislation, and much valuable information in regard to the traffic therein has been reported from year to year through the Department of the Interior.

In British Columbia certain licenses are issued by the Provincial Government, and the fees for them are collected and paid into the Provincial Treasury; but there are other licenses issued by the municipalities of which no returns are made to the Government.

After renewed attempts, both by direct communication and through the provincial authorities, it has only been possible to obtain partial returns of the number of licenses issued by the municipalities and of the amounts collected by them, and it

has proved altogether impracticable to obtain statements of the expenditure incurred by the Provincial Governments and Municipalities in connection with matters which may, and by some are claimed to, have direct relation to the liquor traffic.

The reply of the Hon. Mr. Blair, Prime Minister of New Brunswick, to the request of the Commission for information, was:—"The Government in New Brunswick does not receive anything by way of license from the liquor traffic. All licenses granted under the New Brunswick Liquor License Act issue from the municipalities, and license fees are payable to them. * * * We are not supplied with information as to the number of prisoners committed to jail, nor of the poor receiving relief, nor as to the number of homes and almshouses for the poor, nor cost of maintaining jails, nor cost of maintaining prisoners in jails, nor the number committed for drunkenness, nor the cost per head for maintaining them."

The Provincial Government of Nova Scotia does not get any returns, and in that respect is in exactly the same position as the Government of New Brunswick. The Government of British Columbia does not secure returns of the number of licenses issued or of the amounts collected by municipalities either as fees or fines.

Such information as has been obtained by communication with the municipal authorities will be referred to hereinafter.

The sittings of the Commissioners have been attended by representatives of the temperance organizations of the Dominion; very many of them by the Secretary of the Dominion Alliance, Mr. Spence; oft-times, simultaneously, by Mr. Spence and representatives of the Provincial organizations, who also attended in his absence. Mr. Louis P. Kribs, of Toronto, attended the great majority of the sittings of the Commission in the interests of those engaged in the liquor traffic. Both Mr. Spence and Mr. Kribs gave evidence before the Commission, which deserves the consideration of all interested in the subject under investigation. They present the question from directly opposite standpoints.

The first clause of the Commission under which the undersigned have been acting, instructs them to inquire and report upon

"THE EFFECTS OF THE LIQUOR TRAFFIC ON ALL INTERESTS AFFECTED BY IT IN CANADA."

A literal compliance with the terms of this clause of the instructions to the Commissioners, the undersigned have found to be impracticable. The interests are so varied, numerous and extensive, and the data available so limited and imperfect, that they find themselves unable to do more than refer to the most prominent of these interests, and to supply such information in regard to them as they have been able, after every reasonable effort on their part, to collect.

Inquiries into the effects of the liquor traffic upon the communities where it is carried on have been met everywhere by an almost entire absence of systematized statistics and information. The advocates of particular systems of dealing with the traffic have sought only, apparently, for facts which would tell in support of their particular views, and, although there is an abundance of literature, really reliable statistics from which safe general conclusions can be drawn, either do not exist, or, existing, are so scattered as to be unavailable. This matter formed a subject for discussion at the International Conference on Alcohol, held at the Hague in the summer of 1893. The following is an extract from the report of the proceedings, kindly procured by Sir Charles Tupper, Bart., for the use of this Commission:—

"Mr. Berner, of Christiania, said:—All those who have made a special study of the subject for which congress is called will have felt keenly the total want of reliable statistics as to the extent and result of intemperance in various respects. The statistics and information given ought to be derived from more reliable sources. Perhaps the temperance friends in the different countries ought to appoint a committee for each country to gather such information. I have no doubt but that the Norwegian authorized companies would contribute towards the expenses of such

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a measure. But I have thought that the authority to be applied to upon this subject should be the International Statistical Congress, which is to be held next month in Chicago. I therefore beg to move that we send a memorial from this congress to the Statistical Congress of Chicago about gathering information. I admit that it would be desirable if we could point out a detailed plan for the statistical work wanted by us and our temperance friends; but as the matter stands, I shall leave this to the Statistical Congress. I beg to move:—"The present congress asks its president to send a memorial to the International Statistical Congress, to be held next month in Chicago, to consider the question of obtaining international statistics as to the total production and consumption of intoxicating liquors (brandy, wine and beer), their taxation, prices of production and sale, number of drink shops, number of those arrested for drunkenness, extent of crime and sickness, etc., caused by alcoholic liquors, and the social causes and effects of intemperance."

There has just recently been laid before the British Parliament, printed, and circulated, a despatch from the British Minister at Washington to the Right Honourable the Earl of Rosebery, dated January 15, 1894, enclosing a report from Mr. Michael Herbert to Sir Julian Pauncefote on the liquor traffic legislation in the United States since 1889. Mr. Herbert's report is mainly founded on information supplied by Her Majesty's consuls. He remarks in the very first page:—"I have found it very difficult to obtain reliable or properly classified statistics in regard to the working of the liquor laws in the various States of the Union, and those with which I have been furnished are drawn up in an entirely different manner in each state, and are consequently useless for purposes of comparison or insertion in this report. I have, therefore, in the absence of any statistical proof of their effect, confined myself in a great measure to describing the provisions of the liquor laws enacted since 1889."

The report on the traffic in Pennsylvania contains the following paragraph:—"In view of the entire absence of statistics, and the contradictory experience of officials, evidencing apparently different effects in different cities, it would seem hardly possible to form a conclusive opinion of the working and effects of the Act (The Brooks High License Act) in the State of Pennsylvania." Again, after quoting the nationality of those who carry on the saloon business in the city of Philadelphia, the report states:—"Other cities in the State of Pennsylvania have no statistical or other records from which any information on this subject can be gathered, although the Mayor of Harrisburg states that his 'personal experience in dealing with criminals justifies the assertion that high license has a tendency to increase the number of drunkards.' While the Mayor of Reading, on the other hand, says, 'As the chief executive of this city, there appears to be a decided improvement under the operation of the present Act, known as the Brooks High License.'"

In the report from Michigan it is stated as the opinion of the Mayor of Kalamazoo that "the high license excludes from the liquor business many of the worst semi-criminal class who would otherwise open low places, and who would be to control. My experience has been that the greater number of places at which intoxicating liquors are sold, the greater number who drink." The report then says: "It appears impossible to obtain statistics, either for that city or the state, which would prove the accuracy of the foregoing opinion."

Of Ohio it is stated "that there is no system for the collection of statistics in Ohio which would show the practical working and effect of the above law—(An Act providing against the evils resulting from the traffic in intoxicating liquors)."

Practically the same observation is made in regard to the State of Kentucky.

These reports corroborate the statements made in communications received from the governors of several of the States of the Union by this Commission, and what is said therein is to a very large extent true in regard to the traffic in the Dominion.

It is, perhaps, desirable, before attempting to examine into the effect of the liquor traffic in Canada, to endeavour to realize the extent of it, and, as far as practicable, the changes which have taken place in the character and volume thereof.

The following are the quantities of spirits and beer made in Canada between 1880 and 1893, both years included, and the quantity of spirits remaining on hand:—

Year.	SPIRITS.		BEER AND ALE.
	Gallons made.	Quantity remaining on hand.	Gallons made.
1880	2,996,986	1,719,737 43	9,201,213
1881	3,048,146	1,370,206 29	9,931,176
1882	4,028,847	1,642,577 22	12,036,979
1883	4,281,209	1,841,123 05	12,757,444
1884	4,297,576	2,201,034 27	13,098,700
1885	3,579,333	1,242,196 82	12,071,752
1886	4,355,736	2,832,474 25	13,282,261
1887	5,119,596	4,563,977 12	14,786,285
1888	5,514,590	7,423,207 70	15,944,002
1889	5,847,509	9,048,182 30	16,363,349
1890	5,091,476	11,099,179 17	17,196,115
1891	4,397,596	12,415,785 98	18,069,303
1892	3,498,231	12,836,079 48	16,946,245
1893	3,856,954	13,502,813 57	17,175,336

In 1886, an Act was passed (cap. 34), which provided that, on and after the 1st of July, 1887, no spirits, subject to excise, should be entered for consumption which had not been manufactured for at least twelve months, and after the 1st of July, 1890, no such spirits should be entered for consumption which had not been manufactured for at least two years. There were some exceptions made in regard to spirits required for manufacturing purposes, and power was given to the Department of Inland Revenue to permit the removal for consumption, under regulations of the Governor General in Council, of one-third part of the yearly product of any licensee whose license was granted after the 20th day of March, 1885, and who was still the holder thereof on the 20th March, 1888, at any time after being warehoused, during the two years next following the date of the issue of such license. (51 Vic., cap. 16, sections 4 & 5.)

Taking malt liquors at an average of 30 cents per gallon, and spirits at an average of 60 cents per gallon, and the average quantities manufactured in the five years 1889 to 1893, and estimating the value of animals fed and sold, and the refuse products sold, as being about \$800,000, the total output per annum would represent:—

	Gallons.	Value.
Whiskey.....	4,538,000 @ 60c	\$2,722,800
Beer and Ale.....	17,150,000 @ 30c	5,145,000
*Cattle fed and sold and grains and slop sold.....		800,000
		<u>\$6,667,800</u>

Figures obtained from the census returns for 1891 give the value of the product of distilleries as \$2,200,000, and of breweries as \$5,732,000.

The principal materials used in the manufacture of liquors are the product of the farm. They consist of Indian corn, barley, rye, wheat, oats, buckwheat, hops, apple and pear pomace, grape pomace, and ground grapes to a limited extent. A carefully prepared estimate of the value of these raw materials based in nearly every instance upon the average quantities used, as nearly as they could be ascer-

*The representative of the distilleries and brewers estimated that the cattle fed and sold, and the grains and slop sold, amounted to \$800,000, and \$720,000, \$1,520,000, but these figures include profits on cattle fed outside the distilleries and breweries, partly on the grains and slop sold, which profits do not belong to the output of these establishments.

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tained, in the five years ended 1893, shows that they yielded to the producers about \$1,888,765 per annum, to which has to be added the amount paid to farmers for cattle for feeding and for hay used in feeding them, probably \$434,000, and a further amount paid for provender for horses employed in doing cartage, etc., of say \$60,000, making a total of \$2,382,765.

The feeding of cattle in connection with brewing and distilling establishments has reached large dimensions. The returns obtained by the Statistical Bureau, and supplied to this Commission, from six establishments, show that, combined, they had purchased 7,531 cattle, at a cost of \$264,170; 410 hogs, at a cost of \$2,050, making a total of \$266,220 paid in one year for animals for feeding purposes. The returns also show that these animals had consumed 9,896 tons of hay, which estimated at a cost of \$10 per ton, would be equal to \$98,960. The two sums make \$365,180. The returns obtained do not embrace all the establishments in the country, and it is probable that this branch of the business of brewers and distillers affords a market for farm products, equal to quite \$434,000 a year. It may be stated that the amount realized from the sale of the cattle and hogs already mentioned was returned at \$516,940; and if the product of all the establishments is included, the amount is probably over \$600,000 per annum, apart from the amount received for grains and slop sold.

The growing of hops is an important agricultural industry, as it, to a greater extent than any other pursuit affected by the liquor traffic, leads to the employment of labour. One gentleman who gave evidence before the Commission (page 946, vol. 4.), farming about 150 acres of land, producing barley, and in part, hops, stated that, in the picking season, he had at times as many as ninety pickers per day employed.

Deducting from the preceding total, \$2,382,765, the value of Indian corn, hops and malt imported, the remainder would represent the sum of \$1,596,343, which is a reasonable estimate of the interest of the agricultural classes of the Dominion in the materials made use of annually in, and in connection with, the manufacture of spirituous and malt liquors in Canada.

In addition to the materials just referred to, there is a large amount of fuel used in distilleries and breweries. An exact statement of the total quantity so used, and the proportion of Canadian and foreign coal, it has not been practicable to obtain. Looking at the consumption in some of the larger establishments which have made returns, the Commissioners think that it is probable that the domestic fuel consumed annually is of the value of about \$41,000, and imported, \$129,000 exclusive of duty.

There is a large business carried on in the making of barrels for use in breweries and distilleries, and there is also a large trade in bottles, corks, capsules, etc., which are incidental to the brewing and distilling business. Heavy expenditure is incurred for advertising, show cards, and printing, repairs, blacksmith's work, ice, water supply, gas, taxes, insurance and sundries. The following statements has been compiled from information supplied by the representative of distillers and brewers, when giving evidence before the Commission. The figures represent estimated annual expenditure for:

Casks, bottles, cases.....	\$206,455
Capsules, corks, etc.....	76,186
Printing, advertising, show cards, etc.....	79,897
Insurance.....	151,685
Gas, taxes, and water supply.....	123,118
Repairs and blacksmith's work.....	47,005
Ice.....	36,757
Sundries.....	121,992
	\$843,095

The Commissioners have had no means of checking these items of expenditure. They believe them to have been put forward in good faith, but, in some cases, it is not entirely clear that an accurate distinction has been made between what should be considered as stock in trade, and annual expenditure for supplies. Analyzing the items as well as the information obtained will permit, the amount may be classified as:—

For domestic or Canadian supplies and services.....	\$719,846
For imported supplies.....	123,249
	<hr/>
	\$843,095

Then, a large sum is paid for transportation charges on raw material and the products of breweries and distilleries. The items are scattered through so many channels, and in such great detail, that an accurate estimate can hardly be made. The representatives of the brewers and distillers, in his evidence, put down the amount at \$371,178; but certain items were included for the transportation of cattle fed with the grains and slop of the distilleries and breweries after leaving these establishments, which the Commissioners think should not be included, whilst on the other hand no account has been taken apparently of the charges for transportation of the supplies of the retail dealers from the wholesale establishments. The total charges are probably not less than \$450,000 per annum, apart from the charges on imported spirits, wine and beer, and the amount paid for the retail supplies, distributed throughout the country.

The census returns of 1891 showed that there were employed in connection with distilleries 404 persons; in connection with breweries, 1865; in malt houses, 45. If to these is added an estimate for those employed in the making of barrels, etc., used in breweries and distilleries, of, say, 60, the total number employed will be found to be 2,374. These figures probably include the office staff and officials, but exclude those engaged in feeding and shipping cattle.

In the same census returns, the amount paid for wages in breweries, distilleries and malt houses, was stated to be \$1,164,046. If to this is added, say, \$30,000, for the wages of those employed in the making of barrels, etc., outside these establishments, the total is \$1,194,046.

The foregoing statistics do not take into account those employed in the making of cider. The census returns of 1891 gave the following figures in regard to this business,—

Capital invested.....	\$136,795
Wages paid.....	47,129
Value of products.....	186,835
Number of industries.....	175
Number of employes.....	321

The preceding statistics do not include the persons engaged in the making of native wines, the figures in regard to which, given in the census returns of 1891, were,—

Capital.....	\$396,475
Wages paid.....	37,955
Value of product... ..	249,489
Number of industries.....	41
Number of employes.....	150

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Accepting the preceding figures as approximately correct, we reach this result. There is paid by brewers and distillers annually:—

For raw material, the product of the farm.....	\$2,382,765
For wages.....	1,194,046
For fuel	170,000
For transportation.....	450,000
For casks, bottles, cases, etc.....	206,455
For capsules, corks, etc.....	76,186
For printing, advertising, show cards, etc.....	79,897
For repairs, blacksmith's work, etc.....	47,005
For insurance.....	151,685
For gas, taxes, water supply, etc.....	123,118
For ice.....	36,757
For sundries.....	121,992
	\$5,039,906

Of this sum of \$5,039,906, it is estimated that there is paid about \$1,038,671 for imported materials, leaving \$4,001,235 as the sum paid for Canadian products, wages, etc.

The undersigned desire to repeat that many of these figures are estimated. Every care has been taken in their preparation and they are believed to convey a reasonably accurate idea of the extent of the various interests to which they refer.

There are (in addition to the home manufacture,) imported wines, spirits and malt liquors, which, on an average of five years, amount to

1,089,663 gallons spirits
391,397 " malt liquors
520,258 " wines,

and the entered value of which is \$1,736,897. This is exclusive of duty. The freight, insurance and charges will amount to an additional sum of \$165,000. The \$1,736,897, is sent out of Canada to pay for imported liquors. On the other hand, employment is given to a small number of persons who handle them after they are imported, and there are a certain number of wholesale houses a part of whose profits is derived therefrom.

The following figures showing the capital invested in brewing and distilling establishments have been obtained from the census returns of 1891.

Distilleries:—	
Nova Scotia	\$ 190,000
Ontario.....	6,864,000
	\$ 7,054,000
Breweries:—	
British Columbia.....	\$ 236,380
Manitoba	277,300
New Brunswick.....	114,000
New Scotia.....	569,557
Ontario.....	5,305,805
Prince Edward Island.....	12,000
Quebec.....	1,796,411
	8,311,453
Malt-houses:—	
Ontario.....	\$ 220,000
Quebec.....	3,500
	223,500
Total.....	\$ 15,638,953

It is probable that, in addition to the foregoing, a considerable amount of money is required to carry the large stocks of liquor which have been kept on hand, in compliance with the law, and to cover credits given by the manufacturers to the vendors, which the evidence taken by the Commission shows is also a large amount. (Q. 12,173a—12,177a.)

Of the capital invested in buildings which are used for the purposes of hotels and retail liquor selling establishments, and in fixtures and appliances used in carrying on that business, it is only possible to form approximate estimates. An accurate statement of the value of estate occupied by those engaged in the liquor trade throughout the Dominion, and of the fittings and appliances, could only be obtained by census being taken under Government supervision. A reference to the statements put before the Commission shows the value put upon these by those representing the business.

In Appendix No 2, Vol. I of the evidence, will be found a statement put before the Commissioners by the Licensed Victuallers' Association of the city of Halifax. From this statement the following figures are extracted:—

Value of hotel property.....	\$	698,100	
Value of shop property.....		366,760	
Value of wholesale property.....		375,000	
			\$ 1,439,860

This valuation includes the estimated total value of the buildings in which liquors are sold, (Q. 2348—2349) only a comparatively small portion of which in some instances is occupied for the sale of liquors.

The fixtures and plant used were valued at:—

In hotels.....	\$	89,250	
In liquor shops.....		146,730	
			\$ 235,980

The statement of the value of stock on hand was:—

In wholesale houses.....	\$	200,000	
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The number of persons employed was put down as being:—

In hotels.....	240		
In liquor shops.....	207		
In wholesale houses.....	75		
			522

The amount paid in wages put down as being:—

In hotels.....	\$	83,610	
In liquor shops.....		113,364	
In wholesale houses.....		38,250	
			\$ 235,224

These statistics do not deal with either the manufacturing establishments or the soda water trade.

The hotel and liquor shop properties, it was estimated, would depreciate in value in event of a general prohibitory law being enacted:

The hotels to the extent of.....	\$295,680
The liquor shops to the extent of.....	175,540
	<u>\$471,220</u>

The loss of wages, it was stated, would be just the amount now paid. There are payments also for municipal taxes, put down at \$16,628 per annum, including what are paid on the manufacturing establishments, which were estimated to be of the value of \$408,500.

The valuations of property here given, including, as they do, the gross value of real estate in the hotels, liquor shops and wholesale houses, are hardly a guide to the actual value of properties which are used exclusively for the vending of liquors. Only a very small portion of an hotel is used as a bar or for the storage of liquor,

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whilst there are a couple of hotels put down as being of the aggregate value of \$375,000. Of course, it may be contended that it is the liquor trade which gives the value to these establishments.

The returns made by establishments engaged in the trade in Halifax give the following results as regards employees:—

Class.	Number.	Number of Employees.	Average.
Hotels.....	24	207	8.6
Shops.....	44	149	3.4
Wholesale shops.....	6	45	7.5
Total.....	74	401	

These returns indicate that there were in the city of Halifax 74 establishments engaged in the liquor traffic, employing 401 persons, most of whom, it is claimed, would be thrown out of employment if a prohibitory law were enacted. The number put down as being employed by hotels must include, the Commissioners believe, some who are not strictly employed in selling liquor or attending to the liquor business.

Many other statements were laid before the Commission setting forth the value of the property occupied by those engaged in the wholesale and retail liquor trade in certain places, the value of their equipment, the number of employees who would be thrown out of employment, if the traffic should be put an end to by legislative enactment, and the general depreciation of property and stock which would follow. They will be found either in the Evidence or as Appendices thereto. They are, of course, the statements of those who are deeply interested, but who are, perhaps, in a better position than any others to express opinion.

In the evidence of Mr. Kribs (pp. 1208-1211, vol. iv. pt. 2) will be found a summary of very many of these statements, which may conveniently be recapitulated here.

SUMMARY.

Name of City or Town.	Value of Property.	Estimated Depreciation.	Value of Plant, Stock and Fixtures.	No. of Persons employed.	Wages.
	\$	\$	\$		\$
Montreal.....	13,078,075	5,448,725	3,709,819	4,851	1,437,882
Toronto.....	5,869,873	2,472,898	2,209,867	1,978	697,842
Halifax.....	1,464,860	483,470	478,980	350	245,152
St. John.....	729,485	297,172	378,416	355	166,280
Ottawa.....	1,292,000	543,650	284,425	488	134,630
Hamilton.....	637,850	287,400	297,000	372	91,040
London.....	581,000	283,200	161,300	349	85,440
Guelph.....	178,200	86,100	40,650	151	31,412
Windsor.....	462,000	242,500	69,200	251	55,652
Woodstock.....	194,000	115,000	22,350	106	17,708
Berlin.....	167,000	96,000	25,100	65	18,876
Walkerton (no shops).....	66,500	37,500	3,800	44	8,014
Waterloo (no shops).....	111,000	71,200	4,000	47	8,040
Total.....	24,771,843	10,464,815	7,686,907	9,607	2,997,368

In the preceding figures soda-water manufacturers, coopers and cork-making establishments are included, the Commissioners not having the necessary information to enable them to eliminate the capital and expenditure of these from the total of

the returns put in all cases. It is claimed that a stoppage of the liquor traffic would practically put an end to these establishments. The Commissioners do not adopt that view. At the same time, they believe the manufacture of soda-water would be materially aided if the sale of liquor was put an end to.

Some idea may be formed of the extent of these trades from the following statistics taken from the evidence.

SODA-WATER MANUFACTURERS.

	Property.	Depreciation.	Value of Plant.	Persons employed.	Wages
	\$	\$	\$		\$
Montreal.....	72,500	26,333	77,604	91	30,701
Toronto.....	23,100	7,050	40,000	37	14,650
Halifax.....	24,500	12,250	26,300	24	9,928

COOPERS.

Montreal.....	13,500	10,000		19	9,880
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CORK-MAKERS.

Montreal.....	12,000	12,000	18,000	14	6,500
Toronto.....	18,800		5,979	34	12,775

Accurate statements of the number of those engaged in and connected with the vending of liquors are not obtainable. The census returns of 1891 give the number of persons so employed:—

As bartenders.....	1,553
As hotel-keepers.....	6,524
As restaurant-keepers.....	693
As saloon-keepers.....	294
As bottlers, etc.....	354
As wholesale merchants.....	204

9,622

There are agents employed for the sale of liquors by wholesale houses and manufacturers who are, probably, not included under any of these classifications. Then, where there are a number of persons in an hotel or a saloon, taking turns in supplying customers, the classification under the head of "Bartenders" must almost necessarily be inaccurate. Restaurant-keepers may not all be liquor vendors. Billiard saloons are included with other saloons; all under that head may not be liquor sellers. Under the head of "Wholesale Dealers in Wine and Liquors" may be included some who are also engaged in other branches of business.

In Montreal the license fees are, in the case of retail establishments, in some measure based upon the rental of the premises occupied. Adopting the amount received for licenses as a basis for getting at the annual rental of the properties occupied, and capitalizing the same at 6 per cent per annum, the result, on an average of two years, would be equal to a capital sum of about \$5,700,000.

Taking such houses as the Windsor and St. Lawrence Hall, which pay the highest license fee (\$800 per annum), it will be realized that the sum paid represents only a very small fraction of the value of such houses, and falls far short of representing even the value of the parts thereof occupied by the bars.

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It cannot be doubted that the stoppage of the traffic would seriously depreciate the value of all such properties, and would probably lead to many of them for a time being unoccupied, not only to the loss of the owners, but also to the loss of the municipalities in which they might be situated, and which now collect taxes from them.

It has been already mentioned that the Commissioners have found themselves unable to obtain accurate returns of the number of licenses issued within the boundaries of the Dominion; but, from the information collected, it is certain they are not fewer than 7,000.

Taking, merely for the purpose of illustration, that of the places where the vending is carried on 2,500 are in cities and 4,500 in towns, villages or country districts, and that the first mentioned are, on an average, of the value of \$8,000 each, and the latter, \$4,000 each, the total value on this basis would be \$38,000,000.

In some of the places where the vending is carried on, perhaps not more than one person is employed, whilst in others the number amounts to probably five or six. It will not be an exaggeration to put down the number of persons making their living, or the main portion of it, by vending liquors as being between 25,000 and 30,000.

The Commissioners do not put these figures forward as representing the value of the real estate so occupied, or the actual number of persons so employed; their object is simply to endeavour to convey some idea of the vast extent of the interests, which, in this connection, are affected by the traffic. The hotels, some of which have cost very large sums, are only taken at an estimated value of the portion made use of for the traffic, and it is certain that the tendency is to underrate the rentals in order to secure licenses at the lowest rates.

CONSUMPTION OF LIQUORS.

The following tables (A. 1, 2, 3, 4, 5, 6, 7, 8, 9), give the total consumption of liquors, exclusive of home-made wines, under the three heads of spirits, beer and wine, from 1871 to 1893 inclusive, and the consumption *per capita* in the Dominion and in the various provinces. The statistics of the consumption in the Dominion are believed to be as nearly accurate as it is possible to get them. They are compiled from the total entries made for consumption from year to year, and are the quantities on which duties are paid. The quantities consumed in different years vary considerably, and it may be observed that the largest variations have occurred about the periods when changes in the imposts have been made.

The statistics of the consumption in the separate provinces have been compiled from the entries for consumption in these provinces; but it is undoubtedly the case that there is a transmission of liquors from one province to another after the imposts have been paid upon them. The inquiries made, and the evidence taken, by the Commission tend to show, however, that the duties, amounting, as they do, to a large proportion of the total cost of the liquor, are usually, in the case of spirits, paid as near to the point of consumption as practicable and it is probable that as regards spirits, the figures are only slightly affected by this transmission. In the case of beer and ale they are less accurate; and in regard to imported wine, the Provinces of Quebec and British Columbia are doubtless charged with somewhat more than they consume, as there are paid on imports into these provinces duties on wines which are consumed elsewhere.

The proportions of the constituent classes of the population at different periods have to be taken into account in making deductions from statistics of the consumption of liquors. It is manifest that a preponderance, or the reverse, of women and children in any one period, or in any community dealt with, would affect the consumption.

In 1891, of the total population of 4,833,239 in Canada, 2,372,768, or 49·10 per cent were females. In 1881, out of the 4,324,810, 2,135,956, or 49·39 per cent were females.

The proportion of children under 15 years of age was:—In 1881, 1,642,001, equal to 37·96 per cent of the population, and in 1891, 1,738,750, equal to 35·97 per cent of the population. The difference in the numbers between the two periods is so slight as not to materially influence the comparisons.

STATEMENT showing the total Quantities entered for Consumption annually, and the quantity per head of the population, in the Dominion and Provinces, in imperial gallons, of Spirits, Beer and Wine, from 1871 to 1893, inclusive, with the average for each five yearly period from 1871 to 1890, and for the ten years ending 1880 and 1890; also the average for the three years ending 1893.—The Population in 1871, 1881 and 1891 taken from the Census returns; for all other years it is estimated. Native wines not included. (Prepared from official sources for the Royal Commission on the Liquor Traffic.)

THE DOMINION.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	3,680,257	4,000,233	1 246	7,302,094	1 979	599,741	162
1872	3,747,397	5,129,207	1 368	8,269,175	2 206	740,604	208
1873	3,806,615	5,107,934	1 341	9,586,495	2 517	730,890	191
1874	3,866,983	6,124,416	1 582	9,391,919	2 427	885,470	229
1875	3,928,517	4,389,941	1 116	10,044,161	2 554	539,471	142
Average 5 years.	3,807,754	5,070,346	1 331	8,918,769	2 341	711,235	186
1876	3,991,286	4,692,973	1 174	9,639,424	2 413	676,429	169
1877	4,055,286	3,861,252	952	9,080,494	2 237	300,611	96
1878	4,120,593	3,834,502	929	8,658,346	2 099	372,772	90
1879	4,187,240	4,569,377	1 090	8,922,255	2 129	412,260	98
1880	4,255,123	2,926,969	687	9,294,499	2 162	397,880	92
Average 5 years.	4,121,900	3,977,629	964	9,101,003	2 206	431,990	104
" 10 "	3,964,831	4,523,983	1 140	9,000,886	2 271	571,612	144
1881	4,324,810	4,015,597	928	10,032,467	2 319	449,693	104
1882	4,371,546	4,445,116	1 016	12,068,656	2 756	550,659	125
1883	4,419,992	4,892,862	1 106	12,935,424	2 924	611,155	138
1884	4,470,336	4,568,954	1 021	13,379,677	2 992	534,141	119
1885	4,522,733	5,238,904	1 158	12,310,448	2 722	508,481	112
Average 5 years.	4,421,887	4,632,286	1 046	12,151,334	2 747	530,705	119
1886	4,574,698	3,334,117	740	13,513,207	2 955	487,391	106
1887	4,623,584	3,613,363	781	14,985,191	3 241	451,368	97
1888	4,673,801	3,201,445	684	16,118,340	3 448	468,646	100
1889	4,725,425	3,929,378	831	16,556,726	3 502	499,105	105
1890	4,778,528	4,558,043	953	17,436,739	3 648	545,856	114
Average 5 years.	4,675,207	3,737,260	790	15,722,040	3 362	490,491	104
" 10 "	4,548,547	4,184,777	919	13,936,687	3 063	510,598	112
1891	4,833,230	3,558,117	737	18,304,361	3 787	538,386	112
1892	4,889,562	3,374,413	690	17,185,747	3 516	496,027	101
1893	4,947,627	3,641,963	736	17,283,864	3 495	478,066	97
Average 3 years.	4,890,143	3,524,831	720	17,594,637	3 598	504,359	103

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NOVA SCOTIA.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	387,800	296,344	764	459,470	1 185	45,723	118
1872	392,779	325,714	829	414,279	1 054	52,230	133
1873	397,822	335,857	844	423,545	1 063	40,087	100
1874	402,930	377,506	936	436,427	1 083	53,811	133
1875	408,104	284,891	698	393,508	964	29,562	73
Average 5 years..	397,887	324,062	814	425,446	1 069	44,283	111
1876	413,365	274,247	663	477,818	1 156	31,451	76
1877	418,673	281,592	672	398,404	736	28,391	67
1878	424,049	213,447	503	359,101	847	21,130	53
1879	429,494	227,155	529	339,002	789	25,172	63
1880	435,069	192,540	442	251,293	577	13,661	33
Average 5 years..	424,118	237,804	567	347,124	814	23,944	56
" 10 "	411,002	280,933	683	386,284	940	34,113	83
1881	440,572	232,193	527	481,754	1 093	22,607	55
1882	441,545	240,776	545	398,198	698	28,839	69
1883	442,521	261,898	591	284,081	642	28,827	69
1884	443,469	262,320	591	358,190	808	27,886	66
1885	444,478	248,893	560	358,531	807	25,114	62
Average 5 years..	442,523	249,214	563	358,151	809	26,655	66
1886	445,460	217,664	488	379,384	852	2,558	64
1887	446,446	210,088	470	391,676	675	14,786	33
1888	447,432	175,251	391	432,485	967	18,802	42
1889	448,420	221,844	494	550,359	1 227	23,454	52
1890	449,408	282,894	629	666,914	1 483	21,197	47
Average 5 years..	447,433	221,548	495	466,164	1 041	21,359	47
" 10 "	444,978	235,382	528	412,157	926	24,007	54
1891	450,396	200,812	445	642,204	1 425	22,238	49
1892	451,389	268,311	450	585,253	1 296	19,156	42
1893	452,383	184,574	408	562,054	1 242	16,830	37
Average 3 years..	451,380	196,232	434	596,534	1 321	19,408	42

NEW BRUNSWICK.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	285,594	346,521	1.213	175,167	.613	36,866	.128
1872	288,972	362,424	1.254	217,329	.752	37,175	.128
1873	292,390	367,846	1.261	245,142	.838	44,305	.151
1874	295,849	463,768	1.364	216,047	.710	59,516	.201
1875	299,349	317,365	1.060	191,835	.641	23,386	.078
Average 5 years.	292,431	365,585	1.250	207,904	.711	40,249	.137
1876	302,890	290,676	.960	193,624	.639	26,268	.087
1877	306,473	233,681	.762	167,672	.547	20,397	.067
1878	310,096	276,290	.891	243,805	.786	17,369	.056
1879	313,767	238,708	.761	204,069	.650	18,372	.059
1880	317,479	188,625	.594	155,436	.489	8,114	.025
Average 5 years.	310,141	245,579	.791	321,535	.622	18,106	.058
" 10 "	301,285	305,582	1.014	200,412	.665	29,176	.096
1881	321,233	241,765	.752	41,754	.130	14,675	.046
1882	321,235	286,978	.893	211,110	.657	16,684	.052
1883	321,238	306,642	.954	259,881	.809	19,191	.059
1884	321,241	271,335	.844	268,180	.835	18,588	.057
1885	321,244	233,872	.730	289,353	.900	14,963	.047
Average 5 years.	321,238	272,118	.849	214,055	.666	16,820	.052
1886	321,247	190,965	.594	331,736	1.031	15,303	.048
1887	321,250	199,390	.621	314,394	.979	11,084	.034
1888	321,253	179,649	.559	323,332	1.006	12,611	.039
1889	321,256	213,752	.664	334,836	1.042	14,122	.044
1890	321,259	242,974	.756	354,104	1.102	13,837	.043
Average 5 years.	321,253	205,346	.639	331,680	1.032	13,391	.041
" 10 "	321,215	238,732	.743	272,868	.849	15,105	.047
1891	321,263	178,294	.555	346,655	1.079	13,995	.043
1892	321,267	187,818	.584	350,021	1.089	11,956	.043
1893	321,271	194,631	.605	340,880	1.061	9,892	.031
Average 3 years.	321,267	186,914	.581	345,852	1.076	11,941	.037

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PRINCE EDWARD ISLAND.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	94,021	No returns.		No returns.		No returns.	
1872	95,412	do		do		do	
1873	96,824	do		do		do	
1874	98,259	48,645	495	101,920	1,040	4,574	046
1875	99,711	59,601	598	80,127	804	5,522	056
Average 5 years.	96,845	54,123	546	91,023	919	5,048	051
1876	101,186	86,008	850	96,965	958	9,646	095
1877	102,673	76,640	746	84,235	820	4,762	046
1878	104,192	42,485	408	66,445	638	2,480	024
1879	105,734	62,100	587	52,704	498	3,549	033
1880	107,299	44,696	417	58,521	545	1,474	014
Average 5 years.	104,216	62,386	598	71,774	688	4,382	042
" 10 "	100,531	(7 yrs)60,025	584	(7 yrs)77,259	752	(7 yrs) 4,572	044
1881	108,891	57,823	531	41,533	381	2,078	019
1882	108,909	47,008	431	29,711	273	1,480	014
1883	108,927	45,984	422	19,505	179	3,480	032
1884	108,945	38,603	353	23,825	218	1,139	010
1885	108,964	47,665	437	34,220	311	1,095	010
Average 5 years.	108,927	47,396	435	49,598	453	1,854	017
1886	108,983	64,600	592	38,699	355	1,695	015
1887	109,002	28,758	264	48,302	443	2,529	023
1888	109,021	28,754	264	39,597	363	1,190	010
1889	109,040	24,192	222	64,156	589	484	004
1890	109,059	27,647	253	35,694	327	1,070	009
Average 5 years.	109,021	34,790	319	45,289	415	1,376	012
" 10 "	108,974	41,083	377	37,524	344	1,615	015
1891	109,078	26,265	240	51,920	476	1,451	013
1892	109,098	27,667	253	35,199	322	1,630	015
1893	109,118	30,433	278	31,198	286	1,374	012
Average 3 years.	109,098	28,121	257	39,439	361	1,485	013

QUEBEC.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	1,191,516	1,640,701	1.377	2,487,688	2.087	422,197	.354
1872	1,207,293	1,847,299	1.530	2,668,747	2.211	532,069	.441
1873	1,223,277	1,864,612	1.524	3,007,985	2.459	467,804	.382
1874	1,239,474	1,964,946	1.586	2,767,865	2.233	578,087	.466
1875	1,255,885	1,488,963	1.186	2,845,935	2.266	369,898	.294
Average 5 years.	1,223,489	1,761,274	1.439	2,755,644	2.232	474,119	.387
1876	1,272,613	1,557,411	1.224	2,729,043	2.145	470,556	.370
1877	1,289,362	1,404,079	1.090	2,689,276	2.086	264,830	.205
1878	1,306,434	1,419,014	1.079	2,343,738	1.794	273,484	.209
1879	1,323,732	1,351,121	1.021	2,092,832	1.581	285,072	.216
1880	1,341,250	1,163,883	.823	2,028,521	1.512	230,937	.172
Average 5 years.	1,306,658	1,365,301	1.045	2,376,682	1.818	305,156	.233
" 10 "	1,265,073	1,563,287	1.235	2,566,163	2.028	389,637	.308
1881	1,359,027	1,562,250	1.149	2,349,757	1.722	339,877	.243
1882	1,371,449	1,718,039	1.252	2,759,591	2.012	394,390	.288
1883	1,383,985	1,926,071	1.391	2,745,291	1.983	426,360	.308
1884	1,396,635	1,797,485	1.287	2,923,065	2.093	372,272	.266
1885	1,409,400	1,734,435	1.230	2,796,884	1.984	346,220	.246
Average 5 years.	1,384,099	1,747,656	1.262	2,713,117	1.969	374,024	.270
1886	1,422,282	1,335,144	.938	3,203,539	2.252	336,070	.236
1887	1,435,282	1,511,499	1.053	3,791,870	2.642	320,820	.224
1888	1,448,401	1,380,454	.953	3,898,156	2.684	353,394	.244
1889	1,461,639	1,631,638	1.116	3,841,555	2.628	349,257	.246
1890	1,474,998	1,731,779	1.174	4,144,957	2.810	378,897	.256
Average 5 years.	1,448,520	1,518,093	1.048	3,774,015	2.605	349,689	.241
" 10 "	1,416,369	1,632,879	1.152	3,243,566	2.290	361,856	.255
1891	1,488,535	1,407,605	.945	4,309,587	2.895	376,159	.252
1892	1,502,140	1,305,598	.869	4,041,650	2.690	344,648	.229
1893	1,515,870	1,456,368	.960	3,842,191	2.534	336,659	.222
Average 5 years.	1,502,181	1,389,857	.925	4,064,478	2.705	352,488	.234

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ONTARIO.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871.....	1,620,851	2,302,160	1.420	4,179,637	2.578	92,742	.057
1872.....	1,649,135	2,531,781	1.535	4,946,032	3.000	134,838	.081
1873.....	1,677,913	2,412,435	1.438	5,883,768	3.506	157,603	.094
1874.....	1,707,193	3,264,574	1.912	5,727,490	3.355	173,334	.101
1875.....	1,736,984	2,161,982	1.244	6,359,737	3.661	168,294	.062
Average 5 years..	1,678,415	2,534,586	1.510	5,419,832	3.228	133,362	.079
1876.....	1,767,291	2,391,154	1.353	5,924,461	3.352	112,468	.063
1877.....	1,798,133	1,798,122	1.000	5,649,215	3.142	53,217	.030
1878.....	1,829,510	1,903,193	.983	5,421,627	2.963	37,585	.021
1879.....	1,861,435	2,665,227	1.377	5,993,544	3.220	54,780	.029
1880.....	1,893,719	1,312,307	.693	6,447,584	3.404	32,879	.017
Average 5 years..	1,830,917	1,974,900	1.078	5,887,286	3.217	58,173	.031
" 10 " ..	1,754,216	2,254,293	1.285	5,633,309	3.222	95,768	.054
1881.....	1,926,922	1,799,424	.934	6,790,017	3.524	50,924	.026
1882.....	1,944,889	1,977,770	1.016	8,328,257	4.282	60,772	.031
1883.....	1,963,916	2,140,067	1.080	8,972,903	4.571	75,649	.038
1884.....	1,981,311	1,969,682	1.009	9,149,649	4.618	60,104	.030
1885.....	1,999,777	2,736,621	1.368	8,217,733	4.109	67,967	.039
Average 5 years..	1,963,183	2,130,713	1.085	8,291,711	4.223	61,083	.031
1886.....	2,018,415	1,369,472	.678	8,851,009	4.385	44,436	.022
1887.....	2,037,227	1,452,629	.713	9,707,931	4.765	41,865	.020
1888.....	2,056,214	1,258,380	.612	10,528,408	5.120	48,307	.023
1889.....	2,075,378	1,605,693	.773	10,700,899	5.156	66,790	.027
1890.....	2,094,721	2,000,213	.954	11,415,739	5.430	74,738	.035
Average 5 years..	2,056,391	1,597,157	.747	10,240,795	4.984	53,221	.025
" 10 " ..	2,009,787	1,833,935	.912	6,266,253	4.610	57,152	.028
1891.....	2,114,321	1,479,239	.699	11,694,673	5.532	67,655	.032
1892.....	2,134,026	1,329,886	.623	10,859,332	5.084	59,734	.026
1893.....	2,153,915	1,449,977	.673	11,157,457	5.180	54,374	.025
Average 3 years..	2,134,087	1,419,700	.665	11,234,154	5.264	59,588	.027

MANITOBA.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	25,228	14,507	576	132		2,235	089
1872	27,611	29,217	1,058	5,168	187	8,080	292
1873	30,219	51,522	1,704	2,829	090	7,843	259
1874	33,074	9,828	297	35,854	1,087	2,623	079
1875	36,190	20,248	559	37,651	1,046	2,751	076
Average 5 years.	30,466	25,064	822	16,327	535	4,792	154
1876	39,618	29,053	733	43,097	1,087	6,230	157
1877	43,360	14,794	341	30,777	709	726	017
1878	47,455	26,110	550	71,009	1,516	2,402	050
1879	51,937	43,768	842	90,708	1,745	3,439	066
1880	56,843	39,402	693	120,931	2,109	2,557	045
Average 5 years.	47,843	39,625	640	71,304	1,490	3,071	064
" 10 "	39,154	27,844	711	43,911	1,120	3,886	099
1881	62,260	56,738	959	174,670	2,807	3,004	049
1882	69,591	106,010	1,523	297,931	4,281	12,782	183
1883	77,788	131,543	1,691	443,435	5,700	15,075	193
1884	86,951	120,417	1,384	392,707	4,516	7,656	088
1885	97,194	119,339	1,227	322,902	3,322	8,389	085
Average 5 years.	78,757	107,409	1,363	326,329	4,143	9,381	119
1886	108,640	111,893	1,029	392,812	3,615	9,252	085
1887	116,267	129,102	1,110	471,889	4,058	8,570	073
1888	124,429	80,515	647	491,404	3,949	10,095	081
1889	133,164	108,824	817	549,818	4,128	11,052	083
1890	142,511	119,603	839	235,816	1,655	9,442	066
Average 5 years.	125,002	109,993	879	428,348	3,426	9,682	077
" 10 "	101,879	108,791	1,067	377,338	3,703	9,531	083
1891	152,506	124,190	814	574,252	3,765	7,733	050
1892	163,213	154,140	944	532,599	3,263	11,238	069
1893	171,669	165,699	948	578,352	3,311	12,022	058
Average 3 years.	163,462	148,010	905	561,734	3,436	10,337	053

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NORTH-WEST TERRITORIES.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	48,000						
1872	48,784						
1873	49,581						
1874	50,391						
1875	51,214						
Average 5 years.	49,594						
1876	52,052						
1877	52,902						
1878	53,766	722	013			23	
1879	54,645	129	002			1	
1880	55,538	469	008	59	001	25	
Average 5 years.	53,780	(3 yrs) 440	008			16	
" 10 "	51,687						
1881	56,446	340	006			10	
1882	60,920	373	006			7	
1883	65,748	342	005	92	001	6	
1884	70,957	56		24		1	
1885	76,585	26		12			
Average 5 years.	66,131	(3 yrs) 227	003	(3 yrs) 43	000	6	
1886	79,039						
1887	83,429	2					
1888	87,071						
1889	90,872					20	
1890	94,839	2					
Average 5 years.	87,231	(7 yrs) 163					
" 10 "	76,680			(3 yrs) 43		(5 yrs) 9	
1891	98,067						
1892	103,288			13			
1893	107,797	294	002				
Average 3 years.	103,351						

BRITISH COLUMBIA.

Year.	Population.	SPIRITS.		BEER.		WINE.	
		Total Consumption.	Per Head.	Total Consumption.	Per Head.	Total Consumption.	Per Head.
		Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	36,247	No returns.		No returns.		No returns.	
1872	37,412	32,862	1.878	17,620	471	15,672	418
1873	38,304	45,662	1.183	23,226	601	13,248	343
1874	39,813	53,149	1.385	112,316	2.821	13,525	339
1875	41,071	56,951	1.386	185,368	3.295	20,058	488
Average 5 years	38,027	47,656	1.214	72,132	1.839	15,626	398
1876	42,371	64,424	1.520	174,416	4.116	19,870	469
1877	43,710	55,344	1.266	150,915	3.452	18,378	420
1878	45,091	62,322	1.382	152,621	3.382	18,293	465
1879	46,516	81,129	1.744	149,396	3.233	20,975	451
1880	47,986	45,077	.939	142,154	2.960	18,233	379
Average 5 years	45,153	61,659	1.366	153,900	3.409	19,150	424
" 10 "	41,881	(9 yrs)55,435	1.304	(9 yrs)117,650	2.765	(9 yrs)17,583	413
1881	49,449	62,064	1.254	161,982	3.275	25,518	515
1882	53,067	68,162	1.286	163,858	3.091	35,105	662
1883	56,769	80,315	1.414	210,236	3.703	42,567	749
1884	60,737	79,156	1.301	264,037	4.342	46,495	764
1885	65,111	98,052	1.505	290,813	4.466	54,733	846
Average 5 years	57,020	77,350	1.359	218,185	3.825	40,884	716
1886	74,732	94,379	1.353	316,928	4.332	52,077	746
1887	74,681	91,894	1.096	349,129	4.674	51,705	692
1888	79,980	98,412	1.230	414,958	5.188	24,331	304
1889	86,656	124,034	1.431	515,103	5.944	34,046	392
1890	91,733	152,331	1.667	583,624	6.361	46,675	508
Average 5 years	80,556	110,330	1.369	435,748	5.409	41,767	518
" 10 "	68,792	93,939	1.365	326,966	4.752	41,325	600
1891	98,173	141,712	1.443	684,980	6.977	49,155	500
1892	105,111	165,993	1.578	790,674	7.520	50,665	481
1893	112,601	159,987	1.420	781,732	6.942	47,412	421
Average 3 years	105,306	155,897	1.480	752,462	7.145	49,077	466

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THE EXTENT OF TRAFFIC.

Taking an average of the total amount of liquor entered for consumption for the five years ended June, 1893, it will be found to be 21,676,749 gallons per annum.

It is only practicable to make an estimate of the value, or price, of the quantities when they leave the bonded warehouses and the manufacturing establishments, and such an estimate is, perhaps, all that is needful for the purposes of this report. Perfect accuracy it is hardly possible to obtain. Taking Canadian spirits at \$2.10 per gallon, and imported at the entered value, plus duty; Canadian malt liquors at 30 cents per gallon, and imported at the entered value, plus the duty, and wine at the entered value, plus duty, the following total is reached:—

Spirits, 3,809,596 gallons.....	\$ 8,728,563 00
Malt liquors, 17,355,487 gallons.....	8,368,145 00
Wine, 511,626 gallons.....	933,356 00
Total	\$15,030,064 00

There has to be added to the entered price of the imported liquors the freight across the Atlantic, insurance and charges. These would probably amount to \$165,000.

On the additions made to the quantities manufactured and imported before the different descriptions of liquors are disposed of by retail, it is, of course, impracticable to obtain any account.

The Commissioners, in giving the above and the undermentioned figures, desire to guard against it being assumed that they quote them as those which are actually charged and paid. Their object is simply to convey a general idea of the extent of the traffic on the basis mentioned.

Separating the imported liquors from those manufactured in the country, they may be approximately estimated to represent:—

	Domestic.	Imported.	Totals.
Spirits.....	\$ 6,067,797	\$ 2,660,766	
Malt liquors.....	5,090,886	277,259	
Wine .....	.....	933,356	
Totals.....	\$11,158,683	\$3,871,381—	\$15,030,064

There is, of course, to be added to the foregoing figures the charges for transportation to the points of distribution, charges for insurance on liquors warehoused, and interest on capital invested until they are sold, with the profits, in many cases, of the wholesale merchant.

Taking an average of the quantities of wine, spirits and malt liquors entered for consumption in the five years ending 1893, but excluding cider and native wines, and taking an average of the retail prices, the calculation shows the sum of \$39,879,854, to be paid for liquor by the consumers. As more than more than one-half of this amount is paid for spirits to which, it is well understood, a large addition of water is made before they are vended to the public, the total amount paid is probably considerably in excess of the sum just mentioned. (Q. 23668, vol. 1).

The revenue derived by the Dominion and Provincial Governments from the traffic can be stated with some degree of precision. As regards the municipalities, with the exception of those in Ontario, the returns are incomplete and fragmentary.

The revenue of the Dominion Government is :—

	Yearly Average for five years, 1889-1893.
1. From Customs duties on imported liquors.....	\$2,241,784 00
2. " " " " malt.....	6,224 00
3. " " " " hops.....	44,803 00
4. " " " " coal.....	23,880 00*
5. " " " " corn.....	72,168 30
6. " " " " miscellaneous articles...	10,000 00*
7. " excise on malt liquors.....	3,634 00
8. " " " malt.....	691,954 00
9. " " " spirits.....	3,990,169 92
10. " brewers', distillers' and maltsters' licenses....	16,040 00
11. " compounders' licenses.....	900 00
Total	<u>\$7,101,557 22</u>

The revenue derived by the provincial governments and municipalities for the year 1890.91 was as under. This year is taken, as the returns for it are more complete than they are for any other. Many municipalities have not made any returns :—

	No. of Licenses 1891.	Provincial.	Municipal.	Total.
		\$ cts.	\$ cts.	\$ cts.
Nova Scotia.....	108		17,659 00	17,659 00
New Brunswick.....	172		21,980 00	21,980 00
Prince Edward Island.....			600 00	600 00
Quebec.....	2,453	552,318 00	21,964 00	574,282 00
Ontario.....	4,256	308,200 00	294,968 00	603,168 00
Manitoba.....	156	27,550 00	18,507 00	46,057 00
North-West Territories.....	109	20,790 00	7,675 00	28,465 00
British Columbia.....	400	15,500 00	45,754 00	61,254 00
Totals.....	7,654	924,358 00	429,107 00	1,353,465 00

In Quebec, nothing is included for the city of Quebec, and many other places have not made any returns.

Several municipalities in British Columbia have not made returns.

The figures for the North-west Territories are those for 1892. Licenses only began to be issued May 1st, 1892.

In the foregoing figures \$47,280 is included for fines. In Ontario \$77,130 is deducted from the gross receipts for salaries, expenses and commissions. The gross receipts were therefore \$680,298 instead of \$603,168.

In Ontario the licenses on the preceding return include transfers, removals and extensions. Excluding the two first mentioned classes the licenses represent one to about every 583 of the population. In Quebec the transfers are endorsed on the licenses. The total number of the licenses is equal to one license to every 607 of the population. In British Columbia the 400 licenses shown on the return, are equal to one to every 245 of the population.

In the Province of Quebec in 1891 the amount which the municipalities might charge in addition to the Provincial Government fees was limited to a sum of \$50. This materially reduced the amounts collected by the municipalities, as, for instance, the city of Sherbrooke, which, in 1890, collected \$9,100; in 1891 only collected \$1,300. The law was again changed in the session of 1892. The municipal councils were authorized to add in cities any amount not exceeding \$200, and in

*Estimated.

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other places not exceeding \$50. It is probable that correct returns would show that the Provincial and Municipal Governments collect \$1,500,000 from the liquor traffic.

It may be as well to recapitulate the various items which have been referred to:—

	Capital invested in breweries, distilleries and malt-houses. \$	15,588,953
Q. 18334a. Vol. 4, pt. 2.	Value of real estate occupied by vendors of liquors, estimated by the trade to be \$70,000,000, but which is probably nearer.....	38,000,000
Q. 18336a. Vol. 4, pt. 2.	There are in addition, fixtures, etc., estimated by the trade at what seems an excessive valuation, viz.....	21,000,000
Q. 12907a. Vol. 4, pt. 2.	There is an extensive stock of liquor always on hand in distilleries and elsewhere, and credit to a large extent has to be given to the retail vendor. These conditions probably lead to the employment of a large amount additional, temporarily obtained from bankers, of which no estimate has been attempted.	
	The brewers and distillers disburse, in wages and for materials required, payment of municipal taxes, etc., etc., a sum estimated at.....	5,039,906
	There is paid for imported liquors, including ocean freights, etc.....	1,901,897
	For Federal excise and customs duties, licenses, etc.....	7,101,557
	For licenses, etc., Provincial and Municipal.....	1,353,465
Q. 18336a. Vol. 4, pt. 2.	For wages of those engaged in the retail and wholesale trade, a sum estimated at.....	10,500,000

The last estimate is probably in excess of the actual expenditure.

There are in addition, the domestic cider and wine trade, the soda water, cooperage and cork industries, heretofore referred to, which are not taken into account in the foregoing figures.

OTHER INTERESTS AFFECTED BY THE TRAFFIC.

The liquor traffic is the means of putting into circulation a large amount of money. The Commissioners sought to obtain the views of the gentlemen engaged in banking and other financial operations as to the effect of the traffic as now carried on upon financial transactions and the results which would follow the entire prohibition of the traffic. The following questions were, after due notice to those intended to be interrogated, put to several witnesses:—

“What, in your opinion, is the effect of the liquor traffic as at present conducted, upon the agricultural, financial, industrial, commercial and business interests generally of the Dominion?”

“What, in your opinion, would be the effect on financial, agricultural, commercial, industrial and business interests generally, and upon the revenue requirements of the Dominion, the Provinces and Municipalities, of the enactment of a law prohibiting the importation, manufacture and sale, except for medical, sacramental and mechanical purposes, of all intoxicants?”

Certain statistical information which has been gathered, showing in a general way the extent of the revenue derived by the country from the traffic, the material used in Canada in the manufacture of spirits, ale, &c., and on some other features, was supplied with a view to enabling those who were examined to form a general idea of the extent of the interests involved.

The following is a short summary of some of the replies made to the first interrogation. The replies to the second will be referred to hereafter.

Alfred Brunet, Esq., of Montreal, manager of La Banque Nationale, said:—
“My opinion is, as a whole, that it is beneficial to the agricultural, financial, industrial and commercial interests of the country.” (Q. 29980.)

A. D. de Martigny, Esq., manager of the Jacques Cartier Bank, Montreal, stated:—"It is very difficult for me to answer this question, because if absolute prohibition took place it would do damage."

Henri Barbeau, Esq., of Montreal, manager of the City and District Savings Bank, stated that he did not think the agricultural, commercial, industrial, financial, and business interests of the country were prejudicially affected by the liquor traffic, as at present conducted. (Q. 29883.)

M. J. A. Prendergast, Esq., manager of the Hochelaga Bank, Montreal, believed that the liquor traffic as at present conducted was injurious to the general interests of the country. One of the evils of the present law was its tendency to create a monopoly. The granting of more licenses than were actually required had a demoralizing effect on the people, as it created more opportunities for the poor people to obtain liquor, and was consequently injurious. Any prohibitory law against the manufacture of spirits would certainly have the beneficial effect of breaking up the monopolies that exist to-day, and clearing them away altogether. The only suggestion he made in the way of regulation or enactment that would tend to prevent the monopoly evil, was prohibition, which, he thought, would have a beneficial effect. (Q. 29839.)

F. Wolferstan Thomas, Esq., manager of the Molsons Bank, Montreal, said that it would require a great deal of time and attention to answer the question properly. "The liquor traffic," he said, "as at present conducted, the issue of licenses being seemingly nearly indiscriminate, has more or less a deleterious effect upon those interests that you have mentioned." He thought the money required to carry on the trade would be better applied to other purposes. (Q. 30659.)

W. Weir, Esq., president of the Ville Marie Bank, stated his opinion was that the liquor traffic affected general business only in so far as it took the industrial people away from other business, and waste of time was a loss to the whole community. He did not see that the employment of capital in the manufacture of liquor differed much from the employment of capital in other walks of life. "There can be no question," he remarked, "that the evil inflicted by the immoderate use of intoxicating liquors is injurious as regards every branch of trade and commerce, in so far as the people are taken from active pursuits in those branches and become impoverished. They are less able to provide for their families, and to that extent create less demand for articles which would make business of all kinds more active." In his opinion it is only the immoderate use of liquor which is injurious to the general business of the country. (Q. 29757.)

Mr. J. S. Bousquet, manager of the Banque du Peuple, was of opinion that the sale of liquor was not injurious to trade at present.

J. Herbert Mason, Esq., president of the Canada Permanent Loan and Savings Company, Toronto, said that the liquor traffic gave a home market for certain kinds of grain, which otherwise there would not be, and that it did not affect agriculture in any other way. It had no more effect on financial interests than any other business of the same extent. "As to the commercial and business interests generally," he said, "I do not know that it affects them any more than to the extent of the capital that is employed in it." (Q. 14442a.)

David R. Wilkie, Esq., president of the Board of Trade, Toronto, and cashier of the Imperial Bank of Canada, thought that the liquor traffic, as at present conducted, was injurious, directly or indirectly, to the financial, agricultural, industrial and commercial interests of the country. The freedom with which spirits were dealt with by the community at large was injurious to the consumer, and therefore to the employer and others who were dependent upon him. If the traffic were regulated by reducing the number of licenses issued, largely increasing the license fees, and increasing both excise and import duties on whiskey and spirits, it would benefit the country at large immensely. (Q. 11452a.)

George Hague, Esq., general manager of the Merchants' Bank of Canada, Montreal, said that the liquor traffic, extensively carried on in Canada as it is, must, directly and indirectly, give employment to a large number of persons, and also of capital in various forms. The importation leads to employment of ships, steamers

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and railways, the renting of warehouses, and the employment of sailors, officers, clerks and workmen, all leading to the employment of capital and the diffusion of money. In the manufacture, much capital is invested in buildings and plant, which also leads to the large employment of labour, and consequent expenditure of money. In considering the monetary interest of the trade, the income of principals and their expenditure thereof has to be considered, as well as that of their employees. In the sale and distribution of liquors, the same agencies are made use of as in importation.

Mr. Hague said that although the trade furnished a market for corn, barley, etc., he did not attach much importance to that, as the same could readily be turned to other uses. "But that the trade gives rise to a large amount of business and employment of a large number of persons," he said, "and that those in turn give rise to an immensely ramified line of business and employment in other lines, goes without saying." (Q. 30303.)

In the foregoing statements the Commissioners have endeavoured to indicate the various agricultural, commercial, industrial, financial and other business interests, and the extent of them, necessarily somewhat indefinitely, which are affected by the manufacture, importation and sale of intoxicating liquors.

Sufficient information has been given to show that these interests are very extensive, and that any serious interference with the traffic must necessarily depreciate the value of a large amount of property—a property which, if the estimates made in regard to its value are to be accepted, is equal to, or, rather, in excess of the capital of the whole of the chartered banks of the Dominion, and would interfere, for a time at least, to no inconsiderable extent with the general business of the country.

There remains one interest to be considered, undoubtedly the most important, and that is the effect which the use of intoxicating liquor has upon the community at large.

The buying and selling, or bartering, of intoxicants for beverage purposes can hardly be said of itself to produce injurious effects. Such evils as do arise flow from the misuse of the article bought and sold.

That many and grievous evils and much wretchedness and misery are caused by over-indulgence in the use of intoxicants, does not admit of controversy. It is impracticable to reach the number of individuals in the community who are guilty of such over-indulgence, and who thereby inflict injury upon themselves and their families, and dissipate means which might and should be applied to worthier objects. Considering, however, the repeated offences committed by those who so offend, the proportion of them to the total population of the Dominion, the undersigned believe to be comparatively small, and probably smaller in Canada than in any other country in regard to which it has been practicable to obtain information.

How much of the crime, poverty, and insanity of the country is to be attributed to the use of intoxicating liquors, cannot be accurately determined from any information accessible to the Commissioners.

In regard to crime, the evidence taken is fairly unanimous that the more serious offences, such as forgery, perjury, arson, etc., are committed by those who do not over-indulge in the use of intoxicants.

The Judges and Magistrates who replied on this subject to the circulars sent to them, place the percentages of the criminal cases attributable directly or indirectly to the use of intoxicating beverages, as follows:—

8 at between.....	Zero	and 10 per cent.
11 do	10 per cent	and 25 do
9 do	25 do	and 50 do
65 do	50 do	and 75 do
15 over.....	75 do	
53 were indefinite in their replies.		
6 made no reply to the question.		

In a very elaborate Bulletin prepared by the Rev. Frederick H. Wines, in connection with the United States Census of 1890, on the statistics of "Homicide" he observes:—

"It is frequently said that lynching takes place where the law is not executed, and that it is designed as a protest against the inefficiency of the courts. But the sections in which there are the most executions are those in which there are also the most lynchings. The number of executions and lynchings reported by the Sheriffs in the southern states is identically the same. It is further to be noted that the largest number both of executions and of lynchings is in the South Central division, where the average sentence for homicide is the longest, and where the percentage of long sentences imposed by the courts is the highest.

"As to the causes of crime.

"A careful study of the figures given will serve to correct the exaggerated impressions current as to the causation of crime.

"Ignorance is a cause of crime. Nevertheless, 66·57 per cent of all prisoners charged with homicide have received the rudiments of an education, in English or in their own tongue, and 3·44 per cent have received a higher education.

"Ignorance of a trade is a cause of crime. But 19·35 per cent are returned as mechanics or apprentices, and a much larger number have the necessary skill to follow mechanical pursuits.

"Idleness is a cause of crime. But 82·21 per cent were employed at the time of their arrest.

"Intemperance is a cause of crime, though a less active and immediate cause than is popularly supposed. But 20·10 per cent were total abstainers, and only 19·87 per cent are returned as drunkards.

"All of these causes, and others which might be named, are in fact only contributory causes whose operation is secondary and indirect. External circumstances facilitate or hinder the commission of crime. They operate as a stimulant to the criminal impulse or as a check upon it. But the root of crime is not in circumstance, but in character. The saying of the great teacher will forever remain true: 'Out of the heart proceed evil thoughts, murders.' Science confirms the moral teaching of religion."

The total convictions for all offences in the Dominion have averaged 36,194 in the last three years (ending 1893) or less than 0·74 of one per cent of the entire population. The offences against the liquor laws and for drunkenness were 40% of the total convictions.

Of the number of insane in the public institutions of the country whose condition has been brought about by intemperance, it is equally impracticable to obtain accurate information. Estimates are as varied as the number of persons questioned. This subject will be referred to again in subsequent parts of this report.

Of the poor, who are largely taken care of in institutions supported by charitable contributions, there are no regular official returns prepared for the whole country.

Of the population in the jails of the country, the Commissioners have been unable to obtain full statistics from some of the provinces. Such as have been obtained will be included and referred to hereinafter.

The criminal statistics collected and published annually form a most valuable contribution to the information obtainable in regard to the effects of over-indulgence in the use of intoxicating liquors, and in regard to some of the provinces it is possible to supplement them by other important information bearing upon the extent and character of crime therein; but, on the other hand, even the commitments to the common jails, with the number of prisoners in them at the close of each year cannot be obtained with accuracy for any considerable period of time, and statistics concerning the inmates of the various insane asylums are constantly disturbed by the altered arrangements existing between these institutions, or the government

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representing them, and the local municipal authorities. For instance, in one of the provinces it was found that the number in the insane asylums had in a certain period decreased, which was the very opposite to the facts in regard to asylums in other provinces. Investigation discovered that some of the county councils, objecting to the charge made for the maintenance of the insane, had removed the harmless patients to almshouses under their own control and kept them there.

Then, as regards the pauper population, the systems prevailing in the different provinces are so divergent that comparison is practically impossible. In some, almshouses are provided at the public expense, in others the care of the poor is largely the work of charitable institutions supported by voluntary contributions.

Anything like accurate information in regard to the insane and the assisted poor, if it is possible to obtain it all, which is by no means a certainty, the Commissioners believe could only be collected by some department of the Federal Government employing an efficient staff to undertake the work, and having also at its command the services of such government employees in each province as could be made available for collecting information. The proportions of the different classes of the pauper, insane and criminal population whose condition has been brought about by over indulgence in intoxicating liquor cannot, the Commissioners consider they are justified in saying, be accurately ascertained; and opinions on the subject are so varied, as to be really of doubtful value. The statements made by the individuals themselves cannot be relied upon; those of interested friends are not infrequently lacking in candor, whilst in the case of the insane, the medical opinions expressed, are, in most instances, those of individual members of the profession, and in probably not a few instances would not be concurred in by others, although expressed in a perfectly unbiassed spirit.

The following tables show the convictions for offences in the Dominion and in the separate provinces, from 1881 to 1893. The population in 1881 and 1891 is that given in the census returns; for the other years, it is estimated :—

STATEMENT of total convictions for all offences, for drunkenness, offences against liquor laws, breaches of municipal laws and minor offences, with the ratio of each 1,000 of the population from 1881 to 1893.

THE DOMINION.

Year.	Popu- lation.	Convictions for All Offences.		For Breaches of Municipal Laws and Min- or Offences.		For Drunken- ness.		For Offences against the Liquor Laws.	
		Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.
1881	4,324,810	29,225	6.75	10,518	2.43	9,575	2.21	1,739	0.40
1882	4,371,546	31,365	7.16	10,333	2.36	11,569	2.63	1,672	0.38
1883	4,419,992	33,527	7.58	10,893	2.46	12,792	2.89	2,054	0.46
1884	4,470,336	29,801	6.68	9,634	2.15	9,939	2.22	1,897	0.42
1885	4,522,733	34,042	7.52	11,942	2.64	11,277	2.49	2,122	0.46
Average	4,421,887	31,580	7.14	10,662	2.41	11,018	2.49	1,897	0.42
1886	4,574,698	34,280	7.49	11,558	2.52	11,231	2.45	2,810	0.61
1887	4,629,584	34,650	7.49	11,231	2.42	11,731	2.53	3,776	0.81
1888	4,673,801	37,794	8.08	12,188	2.60	12,838	2.74	4,296	0.91
1889	4,725,425	38,620	8.17	12,419	2.62	13,803	2.94	3,044	0.64
1890	4,778,523	38,704	8.09	13,540	2.83	14,078	2.94	2,213	0.46
Average	4,675,297	36,809	7.87	12,187	2.60	12,754	2.72	3,228	0.69
" 10 years		34,194	7.51	11,424	2.51	11,886	2.61	2,562	0.56
1891	4,833,239	37,617	7.78	13,453	2.78	13,026	2.69	2,340	0.48
1892	4,889,562	35,316	7.22	12,924	2.64	11,492	2.35	2,073	0.42
1893	4,947,627	35,651	7.21	12,524	2.53	11,650	2.35	2,669	0.53
Average	4,890,142	36,194	7.40	12,967	2.65	12,056	2.46	2,350	0.48

ONTARIO.

1881	1,926,922	17,110	8.87	6,239	3.23	5,238	2.77	965	0.50
1882	1,944,889	17,460	8.97	5,980	3.07	5,548	2.85	833	0.42
1883	1,963,016	17,678	9.00	6,070	3.09	6,086	3.10	914	0.46
1884	1,981,311	16,276	8.21	5,487	2.76	4,694	2.36	1,000	0.50
1885	1,999,777	20,087	10.04	7,756	3.87	6,868	2.93	1,235	0.61
Average	1,963,183	17,724	9.02	6,306	3.21	5,487	2.79	989	0.50
1886	2,018,415	19,174	9.49	6,958	3.45	5,453	2.70	1,646	0.81
1887	2,037,227	20,630	10.12	7,232	3.54	6,200	3.00	2,664	1.30
1888	2,056,214	23,017	11.19	8,439	4.10	6,633	3.22	3,108	1.51
1889	2,075,378	22,527	10.85	8,422	4.05	7,059	3.40	1,982	0.95
1890	2,094,721	21,301	10.16	8,615	4.11	6,553	3.12	1,131	0.54
Average	2,056,391	21,330	10.37	7,933	3.85	6,379	3.10	2,106	1.02
" 10 years	2,009,787	19,527	9.71	7,119	3.54	5,933	2.95	1,547	0.77
1891	2,114,321	19,389	9.17	8,493	4.01	4,973	2.35	1,220	0.57
1892	2,134,026	17,081	8.00	7,451	3.49	3,967	1.85	1,069	0.50
1893	2,153,915	17,992	8.06	7,061	3.31	3,787	1.75	1,347	0.62
Average	2,134,087	17,944	8.40	7,835	3.67	4,242	1.98	1,212	0.56

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QUEBEC.

Year.	Popu- lation.	Convictions for All Offences.		For Breaches of Municipal Laws and Min- or Offences.		For Drunken- ness.		For Offences against the Liquor Laws.	
		Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.
1881.....	1,359,027	6,430	4.73	3,006	2.21	1,450	1.03	391	0.28
1882.....	1,371,449	6,698	4.88	2,720	1.98	1,972	1.43	506	0.36
1883.....	1,383,985	6,662	4.81	2,891	2.08	1,546	1.11	637	0.46
1884.....	1,396,635	6,190	4.43	2,535	1.81	1,624	1.16	320	0.22
1885.....	1,409,400	7,223	5.12	2,543	1.81	2,163	1.53	439	0.31
Average.....	1,384,099	6,640	4.79	2,743	1.98	1,751	1.26	438	0.33
1886.....	1,422,282	7,854	5.52	2,975	2.09	2,367	1.66	492	0.34
1887.....	1,435,282	8,527	5.94	2,847	1.98	2,947	2.05	600	0.41
1888.....	1,448,401	9,190	6.34	2,744	1.89	3,360	2.31	628	0.43
1889.....	1,461,639	9,621	6.51	2,907	1.98	3,412	2.33	572	0.39
1890.....	1,474,998	10,301	6.98	3,554	2.47	3,999	2.71	372	0.25
Average.....	1,448,320	9,078	6.26	3,005	2.07	3,217	2.22	533	0.36
" 10 years.....	1,416,309	7,859	5.55	2,874	2.09	2,484	1.75	495	0.35
1891.....	1,488,535	10,743	7.22	3,543	2.39	4,199	2.82	434	0.29
1892.....	1,502,140	10,493	6.98	3,879	2.58	3,832	2.55	304	0.20
1893.....	1,515,870	9,761	6.43	3,170	2.09	3,778	2.49	387	0.25
Average.....	1,502,181	10,332	6.87	3,537	2.34	3,936	2.61	375	0.24

NOVA SCOTIA.

1881.....	440,572	1,580	3.60	390	0.88	737	1.67	46	0.10
1882.....	441,545	1,284	2.93	303	0.68	563	1.27	20	0.04
1883.....	442,321	1,448	3.27	295	0.66	600	1.35	58	0.13
1884.....	443,466	1,419	3.19	318	0.71	591	1.33	51	0.11
1885.....	444,478	1,701	3.82	449	1.01	768	1.72	63	0.14
Average.....	442,523	1,490	3.36	351	0.79	652	1.47	47	0.10
1886.....	445,490	1,542	3.46	400	0.89	667	1.49	60	0.13
1887.....	446,446	1,266	2.83	333	0.74	462	1.03	71	0.15
1888.....	447,432	1,203	2.68	294	0.65	501	1.11	83	0.18
1889.....	448,420	1,373	3.06	220	0.49	657	1.46	89	0.19
1890.....	449,408	1,479	3.29	307	0.68	642	1.42	130	0.28
Average.....	447,433	1,372	3.06	311	0.69	586	1.30	86	0.19
" 10 years.....	444,978	1,431	3.21	330	0.74	618	1.39	65	0.14
1891.....	450,396	1,478	3.28	354	0.78	635	1.40	118	0.26
1892.....	451,389	1,619	3.58	372	0.82	676	1.49	121	0.26
1893.....	452,383	1,954	4.31	443	0.97	938	2.07	154	0.34
Average.....	451,389	1,684	3.73	390	0.86	760	1.66	131	0.29

NEW BRUNSWICK.

Year.	Population.		Convictions for All Offences.		For Breaches of Municipal Laws and Minor Offences.		For Drunkenness.		For Offences against the Liquor Laws.	
	Total.	Per M of Population.	Total.	Per M of Population.	Total.	Per M of Population.	Total.	Per M of Population.	Total.	Per M of Population.
1871	321,233	1,859	5.78	369	0.96	1,130	3.51	90	0.28	
1872	321,235	2,278	7.09	428	1.33	1,333	4.15	83	0.25	
1873	321,238	2,571	8.00	435	1.35	1,528	4.75	129	0.40	
1874	321,241	2,453	7.63	405	1.26	1,402	4.36	183	0.56	
1875	321,244	2,047	6.37	300	0.93	1,300	4.04	54	0.16	
Average	321,238	2,241	6.97	375	1.16	1,343	4.18	108	0.33	
1876	321,247	2,176	6.77	290	0.90	1,290	4.01	153	0.47	
1877	321,250	1,860	5.78	242	0.75	1,011	3.14	228	0.70	
1878	321,253	2,072	6.44	296	0.92	1,141	3.55	222	0.69	
1879	321,256	2,246	6.99	263	0.81	1,383	4.34	159	0.49	
1880	321,259	2,597	8.08	287	0.89	1,561	4.85	326	1.01	
Average	321,253	2,190	6.81	275	0.85	1,277	3.97	218	0.67	
" 10 years	321,245	2,215	6.89	325	1.01	1,309	4.07	162	0.50	
1881	321,263	2,540	7.90	265	0.82	1,628	5.06	245	0.76	
1882	321,267	2,267	7.05	292	0.90	1,291	4.01	208	0.63	
1883	321,271	2,422	7.54	260	0.80	1,365	4.24	444	1.38	
Average	321,267	2,410	7.50	272	0.84	1,428	4.44	319	0.99	

PRINCE EDWARD ISLAND.

1871	108,891	527	4.83	114	1.04	261	2.39	50	0.45
1872	108,909	514	4.71	92	0.84	247	2.26	77	0.70
1873	108,927	580	5.36	155	1.42	244	2.24	53	0.48
1874	108,945	527	4.83	104	0.95	246	2.25	77	0.70
1875	108,964	698	6.43	195	1.78	328	3.01	90	0.82
Average	108,927	559	5.13	132	1.21	265	2.43	69	0.62
1876	108,983	658	6.03	161	1.47	359	3.29	72	0.66
1877	109,002	510	4.67	111	1.01	274	2.51	80	0.73
1878	109,021	469	4.30	44	0.40	287	2.63	91	0.83
1879	109,040	535	4.90	54	0.49	330	3.02	69	0.63
1880	109,059	477	4.37	50	0.45	287	2.63	75	0.68
Average	109,021	530	4.86	84	0.77	307	2.81	77	0.70
" 10 years	108,974	544	4.99	108	0.99	286	2.62	73	0.67
1881	109,078	555	5.08	77	0.70	311	2.85	90	0.82
1882	109,098	576	5.23	120	1.09	301	2.75	75	0.68
1883	109,118	359	3.29	33	0.30	233	2.13	37	0.33
Average	109,098	497	4.55	77	0.70	281	2.57	67	0.61

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MANITOBA.

Year.	Popula- tion.	Convictions for All Offences.		For Breaches of Municipal Laws and Min- or Offences.		For Drunken- ness.		For Offences against the Liquor Laws.	
		Total.	Per M of popu- lation.	Total.	Per M of popu- lation.	Total.	Per M of popu- lation.	Total.	Per M of popu- lation.
1881	62,200	1,179	18.93	389	6.24	531	8.52	156	2.55
1882	69,592	2,505	35.99	729	10.47	1,504	21.61	110	1.58
1883	77,788	3,444	44.27	890	11.44	2,258	29.02	67	0.86
1884	86,951	2,147	24.69	754	8.67	1,085	12.47	53	0.60
1885	97,194	1,683	17.31	638	6.56	711	7.31	100	1.02
Average	78,757	2,191	27.82	680	8.63	1,217	15.45	97	1.23
1886	108,640	1,411	12.98	529	4.86	631	5.89	79	0.72
1887	116,267	891	7.66	226	1.94	529	4.54	12	0.10
1888	124,429	748	6.01	157	1.26	479	3.84	1	0.008
1889	133,164	1,115	8.37	282	2.11	591	4.43	30	0.22
1890	142,511	983	6.96	313	2.19	486	3.41	15	0.10
Average	125,002	1,031	8.24	391	2.40	543	4.34	27	0.21
" 10 years	101,879	1,611	15.81	490	4.80	880	8.64	62	0.61
1891	152,506	997	6.53	292	1.91	518	3.39	11	0.07
1892	163,213	1,228	7.52	423	2.59	633	3.87	21	0.12
1893	174,669	1,300	7.44	397	2.27	592	3.38	60	0.34
Average	163,462	1,375	7.18	371	2.26	581	3.53	31	0.18

NORTH-WEST TERRITORIES.

1881	56,446	79	1.39						
1882	60,920	8	0.13						
1883	65,748	184	2.79			8	0.12	48	0.73
1884	79,957	304	4.28			62	0.87	77	1.08
1885	76,585	296	3.85	1	0.01	31	0.40	70	0.91
Average	66,131	174	2.63			20	0.30	39	0.58
1886	79,939	466	5.82	2	0.02	75	0.93	188	2.35
1887	83,429	234	2.80	5	0.06	47	0.56	43	0.51
1888	87,071	296	3.39	15	0.17	67	0.77	69	0.79
1889	99,872	421	4.63	42	0.46	93	1.02	64	0.59
1890	94,839	475	5.00	74	0.78	81	0.85	49	0.51
Average	87,231	378	4.33	28	0.32	72	0.82	80	0.91
" 10 years	76,680	276	3.60	14	0.18	46	0.60	59	0.78
1891	98,967	555	5.60	79	0.77	111	1.12	75	0.75
1892	103,288	731	7.07	108	1.04	186	1.80	67	0.64
1893	107,797	754	6.99	281	2.60	232	2.15	51	0.47
Average	103,351	680	6.57	156	1.50	176	1.70	64	0.61

*No returns. †Returns of North-west Mounted Police only.
The population includes the total of the organized and unorganized territory, White and Indian.

BRITISH COLUMBIA.

Year.	Popula- tion.	Convictions for— All Offences.		For Breaches of Municipal Laws and Min- or Offences.		For Drunken- ness.		For Offences against the Liquor Laws.	
		Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.	Total.	Per M of Popu- lation.
		1881	49,459	451	9.11	63	1.27	225	4.54	41	0.82
1882	53,007	548	10.33	81	1.52	322	6.07	43	0.81
1883	56,769	1,010	17.79	147	2.58	522	9.19	148	2.60
1884	60,797	485	7.97	31	0.50	235	3.86	136	2.23
1885	65,111	297	4.56	40	0.61	108	1.65	71	1.09
Average	57,029	558	9.78	72	1.26	282	4.94	88	1.54
1886	69,732	999	14.32	243	3.48	389	5.57	120	1.72
1887	74,681	732	9.80	235	3.14	261	3.49	78	1.04
1888	79,980	799	9.99	199	2.48	370	4.62	94	1.17
1889	86,656	882	10.17	229	2.64	368	4.24	89	1.02
1890	91,733	1,081	11.78	340	3.70	469	5.11	115	1.25
Average	80,556	889	11.16	249	3.09	371	4.60	99	1.22
10 years	68,792	728	10.58	160	2.33	326	4.75	93	1.35
1891	98,173	1,369	13.85	330	3.36	651	6.63	147	1.49
1892	105,141	1,321	12.56	279	2.65	606	5.76	148	1.50
1893	112,004	1,739	15.44	379	3.36	725	6.43	189	1.67
Average	105,306	1,473	13.98	329	3.12	660	6.26	161	1.52

These statistics have been divided into total convictions, convictions for drunkenness, convictions for offences against the liquor laws, and for breaches of municipal laws and minor offences: the ratios per thousand of the population of the total and of each class are given. In considering these returns, the fact must be borne in mind that they deal with the number of convictions, whether such convictions may have been punished by a fine or by commitment to jail. The commitments to jail, if taken alone, would represent a smaller number of cases than are given in the tables. The results show a considerable increase in the number of convictions for offences of all kinds, for drunkenness, and for breaches of the liquor laws. The averages for the five years-ended 1885 and the five years ended 1890 were as follows:—

	All con- victions per 1,000.	Convictions for drun- kenness per 1,000.	Convictions for offences against liquor law per 1,000.	Two and three com- bined.
5 years ending 1885	1	2	3	4
5 years ending 1890	7.14	2.49	0.42	2.91
Increase	7.87	2.72	0.69	5.41
Per cent	73	23	27	50
	10.22	9.24	64.29	17.18

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The ratio of the increase of convictions for drunkenness was slightly below the ratio of the increase in total convictions, while the convictions for offences against the liquor laws increased in a much larger ratio than the other classes. In some measure this is doubtless owing to the larger number of prosecutions in Ontario under the Scott Act.

Including the returns for the three years, between 1890 and 1893, the comparison is as follows:—

	All convictions per 1,000.	Convictions for drunkenness per 1,000.	Convictions for offences against liquor laws, per 1,000.	Two and three combined.
	1	2	3	4
5 years ending 1885.....	7.14	2.49	0.42	2.91
5 years ending 1890.....	7.87	2.72	0.69	3.41
3 years ending 1893.....	7.40	2.46	0.48	2.94

The last period mentioned shows a large decrease over the middle period, and as regards convictions for drunkenness, a lower ratio than in either of the preceding periods, or of the two periods combined.

The average of convictions for all offences for the five years ended 1890 was 0.78 of 1%; for drunkenness alone, 0.27 of 1%; and for drunkenness and offences against the liquor laws combined, about 0.34 of 1% of the population.

THE AVERAGE of the convictions for the three years ended 1893 were:—

Population.	For all offences.	For drunkenness.	For drunkenness and offences against the liquor laws combined.
4,887,459.....	36,194	12,056	14,416
Per cent of the population.....	0.74	0.24	0.29

The number of indictable offences were, in 1881, 3,026; in 1891, 3,964; or in 1881, 0.70 per 1,000 of the population; in 1891, 0.82 per 1,000 of the population, an increase of 17.14%, taking into account the increased population.

A fact which has been brought to the notice of the Commission, and which they are satisfied has an important bearing upon these statistics, is that, in the later years, greater exertion has been made to obtain accurate returns, and the necessity for accuracy in compiling and rendering them has been more fully impressed on the clerks of the various courts charged with the duty of making them up.

In the report on criminal statistics in Canada for the year 1892 (page xiii) Mr. George Johnson says:—

“As regards the growth of crime in Canada, these two classes (indictable offences and summary offences), taken together, show that for the census years 1881 and 1891, the convictions were 1 to each 148 inhabitants in 1881, and 1 to each 129 inhabitants in 1891. This would appear to indicate an increase of about 15% in the crime of the country during ten years. But this conclusion is apparent rather than real, because, undoubtedly, in 1881—the first year in which the returns were transmitted—there were less care and less completeness in making the returns than there has been since.

“Besides the greater care taken in making up the returns, other factors which must necessarily enter into the consideration of the question whether crime has really increased are: 1st, the increased vigilance of the police; 2nd, the drift of population to the cities, which has a tendency to make it increasingly easier to detect crime;

and 3rd, the enlargement of crimes by legislative enactments; for instance, each year breaches of municipal laws are more extended than in the previous year.

	1880-82.	1883-85.	1886-88.	1889-91.	1892.
1. Murder.....	0.066	0.068	0.073	0.07	0.07
2. Rape and other offences against females.....	0.20	0.33	0.23	0.26	0.19
3. Other offences against the person.....	15.93	14.37	13.73	12.90	13.70
4. Robbery, with violence.....	0.53	0.63	0.67	0.73	0.71
5. Horse, cattle and sheep stealing.....	0.17	0.17	0.30	0.37	0.13
6. Other offences against property.....	0.33	0.57	0.13	0.70	0.94
7. Other felonies and misdemeanors.....	0.63	0.50	0.40	0.40	0.82
8. Breaches of municipal by-laws and other minor offences.....	35.01	33.48	32.55	34.43	36.90
9. Drunkenness.....	33.16	34.90	33.60	35.70	32.62
10. Breaches of the liquor laws.....	5.72	6.12	10.02	6.60	6.00

"It will be seen that the numbers 8, 9 and 10, which constitutes 73.90 % of the convictions in the 1880-82 period, were, in the 1889-91 period, 76.73 % of the whole convictions. Of the remaining class of offences, murder, and manslaughter show a tendency to decrease. Rape and other offences against females remain steadily at the same general average, though there has been a reduction in the last two periods compared with a period 1883-85. Robbery with violence, including house and shop breaking, shows a tendency to increase. Drunkenness shows a general increase in the three-year periods, but a decided decrease in 1892, compared with the previous years. The increase apparent down to 1891 does not indicate that drunkenness was on the increase, but rather that there was a sterner spirit abroad respecting punishment of drunkenness."

The convictions for drunkenness and offences against the liquor laws, taking the whole Dominion, reached the highest point in 1888, since which date there has been a gradual reduction in the total of the combined offences. The Scott Act ceased to be in force in 10 counties in 1888, and in 19 counties in 1889, in which it had previously been adopted, and the Dunkin Act was put in force in one county, viz., Richmond, Quebec, in 1888.

The convictions for drunkenness, taken separately, continued to increase from 1888 up to 1890, when they reached the highest figure shown in the returns. From this date there has been a steady reduction, the ratio per thousand of the population being smaller in 1892 than in any year subsequent to 1884. The percentage of convictions for drunkenness to the total convictions, was less in 1892 than in any year subsequent to 1880.

There are doubtless many cases of intemperance which are not accentuated by appearing in the records of the criminal courts, yet are the cause of much wretchedness and misery. At the same time, there are included in these records numerous duplicated convictions, which, in the aggregate, must amount to a large number. The evidence taken by the Commission shows that there are many faces that are familiar to the recorders and magistrates of the Police Courts, and are those of persons who are convicted many times during each year.

The following statement gives the number of prisoners per thousand of population in the common jails of the country at the end of each of the undermentioned years, also the number per thousand of those committed to the jails in the same period. In the case of British Columbia, New Brunswick and Nova Scotia the returns, the Commissioners are aware, are not correct. They have found themselves unable to get accurate returns. In some cases the records are missing, or have been destroyed; in others they have been unable to secure even replies to their communications. The detailed returns from which these figures are taken are referred to in the parts of this report relating to the separate provinces, and they will be found printed as Appendices, Nos. 1 to 8, with such notes attached to them by way of explanation as it has been deemed necessary to make in order to guard against mistakes. The returns from the other provinces, the Commissioners have every reason to believe, are correct.

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NUMBER of Prisoners per 1,000 of the Population Yearly committed to, and the Number remaining in, Common Jails at the end of each of the undermentioned years.

Year.	ONTARIO.		QUEBEC.		NEW BRUNSWICK.		NOVA SCOTIA.		PRINCE EDWARD ISLAND.		MANITOBA.		N. W. TERRITORIES.		BRITISH COLUMBIA.	
	Committed.	Remaining.	Committed.	Remaining.	Committed.	Remaining.	Committed.	Remaining.	Committed.	Remaining.	Committed.	Remaining.	Committed.	Remaining.	Committed.	Remaining.
	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.	Ratio per 1,000.
1880.....	5.90	0.47	3.83	0.36	2.58	0.20	1.59	0.02	3.17	0.30	0.84	0.25	.....	.....	8.94	1.23
1881.....	4.82	0.40	2.45	0.40	3.23	0.23	2.07	0.17	2.25	0.25	1.54	0.19	.....	.....	12.96	1.31
1882.....	4.94	0.43	2.37	0.36	3.67	0.19	2.17	0.12	1.98	0.22	3.10	0.50	.....	.....	13.37	1.96
1883.....	5.03	0.40	2.19	0.40	3.46	0.20	1.83	0.09	1.68	0.17	1.66	0.38	.....	.....	14.60	1.99
1884.....	6.09	0.48	2.54	0.35	3.42	0.12	2.60	0.15	1.85	0.13	2.65	0.48	.....	.....	22.94	1.85
1885.....	5.71	0.49	2.41	0.30	2.99	0.18	2.42	0.16	2.28	0.22	2.66	0.32	.....	.....	27.23	2.64
1886.....	5.27	0.42	2.37	0.39	3.03	0.17	1.82	0.15	2.31	0.27	1.93	0.38	.....	.....	15.87	1.69
1887.....	5.40	0.48	2.42	0.37	2.58	0.12	1.91	0.19	1.88	0.27	1.54	0.16	.....	.....	11.16	2.11
1888.....	6.65	0.52	2.74	0.39	2.54	0.18	1.91	0.17	2.00	0.21	1.07	0.24	.....	.....	18.66	1.36
1889.....	6.03	0.49	3.20	0.38	2.82	0.18	2.24	0.18	2.57	0.27	1.68	0.22	.....	.....	No return.	0.85
1890.....	5.63	0.47	2.47	0.34	3.20	0.21	2.42	0.17	1.79	0.27	1.15	0.17	.....	.....	9.11	1.20
1891.....	4.92	0.42	2.80	0.38	4.13	0.19	2.21	0.19	2.46	0.22	1.29	0.23	.....	.....	11.96	1.40
1892.....	4.22	0.38	2.31	0.30	4.21	0.22	2.30	0.13	1.73	0.22	1.50	0.32	.....	.....	16.88	1.37
1893.....	4.60	0.37	2.39	0.30	4.15	0.15	2.28	0.14	1.47	0.16	1.84	0.36	.....	.....	9.81	1.36

Returns not obtainable.

It will be observed that in Ontario there has been a large reduction in the ratio of commitments per thousand of the population, and also a reduction in the number remaining in the jails at the close of the year.

For the first three years it has not been practicable to obtain the full figures for the Province of Quebec, but it will be noticed that there has been a decrease in the commitments between 1880 and 1893, and of the population remaining in the jails of that province between 1883, the first year for which a full return was obtainable, and 1893.

In New Brunswick the figures show an increase in the commitments between 1880 and 1893, and a decrease in the ratio of those remaining in jail, but, as has been already observed, they are incomplete.

In Nova Scotia, taking the year 1881, 1880 being manifestly incomplete, the figures show an increase in commitments and a reduction in those remaining in jail as between that year and 1893, but the returns from this province, are, as has already been remarked, also incomplete.

The returns from Prince Edward Island for 1893 show a very considerable reduction in the number committed and of the population remaining in the jails at the close of the year as compared with 1880.

In Manitoba as might have been expected with an increase of population principally immigrants, there has been an increase in the ratio of the number of persons committed to, and remaining in the jails. The highest ratios were reached in 1882; the lowest, in commitments, in 1888, and of those remaining in jails at the close of the year, 1887. From these dates the commitments have increased from 1.07 in 1883 to 1.84 per thousand of the population in 1893, and the number remaining in jail from 0.16 in 1887 to 0.36 per thousand in 1893. It is probable that during the period when the Canadian Pacific Railway was in course of construction through the province, there were more offences, resulting in a larger number of commitments to the jails.

In the Province of British Columbia there has been an increase in the ratio of the number of prisoners remaining in the jails between the years 1880 and 1893, though there have been periods when the ratio was larger than it was at the close of 1893. This province has the largest ratio of prisoners in its jails of any of the provinces; and it is probable that the returns do not include the whole of the prisoners under confinement. A large number of these prisoners, it should be mentioned, are Indians and Chinese.

The statistics for the North-west Territories are given in order to complete the return; but they can hardly be said to have any significance in this connection.

Generally, it may be said that there has been a reduction in the commitments to jails, and in the number of prisoners remaining in these institutions at the close of each year. The ratio of commitments per 1,000 of the population was in 1883 3.64, in 1893 3.27; of those remaining in the jails, the ratio per 1,000 of the population was in 1883 0.36, and in 1893 0.34.

In making comparisons between the ratios in the different provinces, it may be mentioned that the years do not all close at the same date, and that this fact may slightly affect the number, as in the milder months the population would probably be rather less than in the colder ones.

The years close in the various provinces as follows:—

Ontario, 30th September.

Quebec, 31st December.

New Brunswick, 31st December.

*Nova Scotia, 31st December.

Prince Edward Island, 31st December.

Manitoba, 31st December.

British Columbia, 31st December.

North-west Territories, 30th November.

Statistics in regard to the insane in public asylums are given in Appendices Nos. 9 to 16. These Appendices give the figures for each province, which with, in some instances, the opinions of the medical officers in charge of the asylums, are referred to in parts of the report which relate more particularly to the several provinces. These statistics, when compared with those given in the census returns,

* Noted. Dates apparently vary.

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go to show that there is a large portion of the insane population which is not resident in the various asylums of the Dominion. The number in these asylums has, however, steadily increased. This increase probably arises, in some degree, from increased confidence on the part of the public in the administration of the asylums, and the more general realization of the fact that in these institutions the insane, in very many instances, receive more care and attention—that is, care and attention of a useful and beneficial character—than they receive elsewhere.

The following figures are given simply for the purpose of showing the changes which have taken place in the population of the provincial asylums:—

Provinces.	Per 1,000 of Population.														
	Year.	Admitted.	Remaining at end of year.	Year.	Admitted.	Remaining at end of year.	Year.	Admitted.	Remaining at end of year.	Year.	Admitted.	Remaining at end of year.			
	Ontario	1877	0.24	1.03	1882	0.25	1.24	1887	0.20	1.43	1892	0.37	1.68	1893	0.34	1.73
Quebec	1877	0.33	1.18	1882	0.18	1.25	1887	0.30	1.40	1892	0.33	1.68	1893	0.26	1.67
New Brunswick				1882	0.45	1.11	1887	0.38	1.41	1892	0.32	1.40			
Nova Scot	1877	0.22	0.83	1882	0.20	0.90	1887	0.25	0.91	1892	0.22	0.80			
Prince Ed. Island	1877	0.34	0.75	1882	0.36	0.95	1887	0.28	1.10	1892	0.29	1.25			
Manitoba							1887	0.73	1.89	1892	0.53	1.07	1893	0.57	1.32
British Columbia	1877	0.32	0.84	1882	0.13	0.92	1887	0.52	1.03	1892	0.60	1.28	1893	0.43	1.18
North-w't Territories							1887	0.11	0.09	1892	0.20	0.46			

The following figures of the number of the insane in the four following provinces of the Dominion are taken from Census Bulletin No. 16, 1891:—

	1871.	1891.	Increase.
Ontario	4,081	5,855	1,774
Quebec	3,300	4,550	1,250
Nova Scotia	1,234	1,373	119
New Brunswick	788	886	98

After adding and deducting for transfers from one province to another, as shown by the figures in the same return, the increase would be:—

	Increase.	Increase per cent.	Increase in Population.
Ontario	1,911	46.82	30.5
Quebec	1,134	34.36	25.0
Nova Scotia	181	14.43	16.1
New Brunswick	83	10.53	12.4

The following is the classification of the insane made in the same census bulletin per thousand of the population:—

British Columbia	1.32
Manitoba.....	1.20
New Brunswick.....	2.70
Nova Scotia.....	3.00
Ontario.....	2.80
Prince Edward Island.....	3.00
Quebec	3.00
North-west Territories..	0.50

Comparing the figures in the census returns with those shown in the returns of the population in the public asylums at the close of the year 1891, as per the Appendices, Nos. 9 to 16, it will be observed that the census returns are in excess of the asylum returns to the following extent:—

INSANE POPULATION OF CANADA.

Provinces.	As per Census Bulletin, 16, Page 4.	Population in the Public Asylums, as per Returns furnished the Commission.
1. British Columbia	130	123
2. Manitoba	196	135
3. New Brunswick.....	886	466
4. Nova Scotia	1,373	354
5. Ontario.....	5,855	3,468
6. P. E. Island.....	333	137
7. Quebec.....	4,550	2,532
8. N. W. Territories.....	* 32	41
Total.....	13,355	7,256

* This is the population said to have been in the asylum at the end of 1890.

It has to be borne in mind that the census and asylum returns do not close at exactly the same period of the year; but this should not materially affect the comparison.

In Nova Scotia a considerable number of the insane population are lodged in almshouses, and it is probable that the same remark applies to Prince Edward Island. Of course, the insane so placed are not returned in the population of the provincial asylums. The asylums for which returns have been obtained are those maintained at the public expense, and, in the case of Quebec, only the number of patients maintained at the public expense in these asylums is given.

The same census bulletin gives the following information in regard to the insane of different countries:—

	Per 1,000 of the Population.
Canada.....	2.80
England.....	3.20
Scotland.....	3.20
Ireland.....	3.70
France.....	2.50
Germany.....	2.40
Scandinavia.....	2.90
United States.....	3.30
Victoria (Australia).....	3.30

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The Commissioners have not been able to find any substantial evidence proving that the insane population has been to any considerable extent increased through the drinking habits of the people of the Dominion, and it may be observed that whilst the insane of the country have, as between 1871 and 1891, increased in a greater ratio than the population, the consumption in the Dominion of liquor *per capita* has in the same period materially decreased.

In the following statement is given such information as the Commissioners have been able to collect in regard to the population in reformatories. Both Ontario and Quebec have a juvenile population in industrial schools—Quebec, perhaps, to a larger extent than Ontario—but these have not been committed for offences, and are not, therefore, classed as a part of the criminal population. In some of the other provinces there are industrial or reform schools; but the population is not wholly, if at all in many cases, of the criminal class.

INMATES OF REFORMATORIES.

Year.	ONTARIO.		QUEBEC.	
	No.	Ratio per M.	No.	Ratio per M.
1881.....	377	0.195	415	0.305
1891.....	306	0.145	631	0.423
1892.....	278	0.130	589	0.378
1893.....	298	0.138	405	0.267

In 1881 the average of the two provinces was 0.241 per 1,000 of the population. In 1892 the average was 0.233 per 1,000, and in 1893, 0.191 per 1,000 of population.

In the report printed in 1874, entitled "Report of the Select Committee of the Senate, and third report of the Select Committee of the House of Commons, respecting a prohibitory liquor law," at pages 9 and 10, information was given in regard to arrests for offences in the cities of Montreal, Toronto, Ottawa, Quebec, Hamilton and London, for the years 1871, 1872 and 1873.

These figures given compare as follows with the arrests in the same cities for the years 1891, 1892 and 1893:—

STATEMENT OF Arrests in the undermentioned Cities.

Cities.	1871.		1872.		1873.		1891.		1892.		1893.	
	RATIO PER M.		RATIO PER M.		RATIO PER M.		RATIO PER M.		RATIO PER M.		RATIO PER M.	
	All Of- fences.	Drunk- emness.	All Of- fences.	Drunk- emness.	All Of- fences.	Drunk- emness.	All Of- fences.	Drunk- emness.	All Of- fences.	Drunk- emness.	All Of- fences.	Drunk- emness.
Montreal.....	107	98.91	111	98.57	116	104.18	217	30.21	225	32.17	235	20.20
Toronto.....	56	84.58	60	78.91	64	83.34	181	51.60	190	47.19	200	46.98
Ottawa.....	22	32.81	23	31.47	24	34.83	44	18.86	46	16.38	48	12.10
Quebec.....	69	40.03	60	31.66	61	36.16	63	14.12	64	12.90	64	11.46
Hamilton.....	27	98.85	28	101.92	29	99.37	40	42.37	50	38.05	52	36.73
London.....	16	53.12	17	64.23	18	82.38	32	38.21	32	42.56	33	40.48

Liquor Traffic—Commissioners' Report.

If any reliance is to be placed upon these statistics as evidence of decreased crime and a decrease in the vice of intemperance, the general results are certainly very striking, and are matter for sincere congratulation.

The Commissioners have collected statistics of arrests for offences of all kinds—separating the arrests for drunkenness—in many of the cities and towns of the Dominion. These are to be found in Appendices 18 to 47. A perusal of them will show that the ratio of arrests to the population, has, in most cases, diminished.

The following statement—imperfect in that returns have not been obtainable for the whole period between 1881 and 1893 from all the places named—shows the changes which have taken place in the ratio of arrests, the percentage of these arrests to the total population in the cities and towns named, and the percentage of arrests for drunkenness to the total arrests. Very many of the arrests are of the same persons, especially in the case of arrests for drunkenness. It is no unusual thing for the same individual to be arrested ten or twelve times in the same year. It must, therefore, be borne in mind that, although these arrests show a percentage of 1.36 in 1893, they, in fact, represent a much smaller section of the community than that figure indicates. Then it is quite certain that the number of arrests in cities and towns for drunkenness, is larger than it is in the country districts. The arrests, it will be seen, were, for the periods given in the return, 2.02 per cent of the population in 1881, 2.00 per cent in 1888, and 1.36 per per cent in 1893.

The ratio of total arrests to the population was, in 1881, 45.59; in 1888, 45.05; in 1893, 33.24 per 1,000.

The proportion of arrests for drunkenness to the total arrests was 1881, 44.40; 1888, 44.39; 1893, 41.13.

ARRESTS IN CITIES AND TOWNS.

STATEMENT of arrests for all offences, and arrests for drunkenness, in the undermentioned cities and towns, per 1,000 of the population.

Cities.	1881.			1888.			1893.		
	Population.	Total Arrests.	Arrests for drunkenness.	Population.	Total Arrests.	Arrests for drunkenness.	Population.	Total Arrests.	Arrests for drunkenness.
	Ratio per 1,000 of population.			Ratio per 1,000 of population.			Ratio per 1,000 of population.		
Halifax, N.S.				38,354	31 75	13 40	30,225	39 36	19 42
Dartmouth, N.S.				5,310	6 96	2 82	6,954	14 52	3 88
Truro, N.S.	3,461	23 69	11 55	4,609	13 01	4 55	5,102	11 76	7 64
Charlottetown, P. E. I.	11,485	33 52	17 15	11,435	28 85	22 91	11,325	25 87	17 48
St. John, N.B.	26,127	46 84	28 24	24,000	30 62	18 54	30,200	39 48	24 15
Fredericton, N.B.				6,380	53 29	23 98	6,610	46 29	21 18
Moncton, N.B.				7,680	28 12	18 75	8,765	30 00	19 85
Quebec	62,446	24 66	12 23	62,880	15 21	9 24	63,650	11 46	6 75
Levis, P. Q.				7,390	18 53	13 12	7,260	11 29	7 57
Sherbrooke, P. Q.				9,177	33 54	23 86	10,000	26 60	20 30
Montreal, P. Q.	175,237	42 09	17 73	198,224	41 64	16 51	235,000	29 19	10 38
Yull, P. Q.				9,800	18 87	7 65	12,500	17 84	6 88
Ottawa, Ont.	41,307	34 78	17 40	39,680	28 90	15 37	47,850	12 10	5 45
Brockville, Ont.				8,430	29 53	19 81	9,100	30 98	18 02
Peterboro', Ont.				9,425	41 06	15 80	10,300	36 89	9 32
Kingston, Ont.				17,550	38 91	28 20	20,520	21 88	15 69
Belleville, Ont.				9,794	87 80	23 07	10,000	50 70	11 80
Toronto, Ont.	93,196	58 69	30 22	162,150	67 25	30 11	200,000	46 98	18 22
Guelph, Ont.	9,800	25 07	11 12	10,275	25 98	16 05	10,755	13 85	9 57
Berlin, Ont.				6,400	1 87	0 15	8,000	1 62	0 12
Owen Sound, Ont.				6,575	67 68	26 15	8,110	34 03	5 17
Hamilton, Ont.	35,960	78 80	17 46	44,380	63 07	19 15	52,000	36 73	6 83
London, Ont.				28,650	69 91	35 86	32,750	40 48	21 68
Brantford, Ont.				12,080	93 37	31 45	13,340	68 59	16 26
Woodstock, Ont.				7,634	36 02	5 50	9,275	21 56	4 52
St. Thomas, Ont.				9,700	44 84	14 02	10,800	25 46	6 11
St. Catharines, Ont.				9,320	34 65	15 34	9,065	35 08	9 70
Winnipeg, Man.				19,600	38 11	25 45	30,100	32 15	19 66
Victoria, B. C.							16,841	65 55	34 56
New Westminster, B. C.	1,500	124 00	63 33						
Gross total	433,600	19,769	8,778	786,282	35,428	15,728	944,397	31,390	12,916
Average Ratio per 1,000 of the population		45 59	20 24		45 05	20 00		33 24	13 67
							First Period.	Second Period.	Third Period.
Percentage of arrests for drunkenness to total arrests							44 40	44 39	41 13
do do do to population							2 02	2 00	1 86

Liquor Traffic—Commissioners' Report.

The following statement shows the number of prisoners committed to the penitentiaries of the Dominion, and the number remaining therein at the end of each year, with the ratio per 1,000 of the population, for the years 1880 to 1893, inclusive:—

Year.	Population.	Number Admitted.	Ratio per 1,000.	Number remaining at end of year.	Ratio per 1,000.
1880.....	4,255,123	493	0.12	1,279	0.30
1881.....	4,324,810	602	0.14	1,218	0.28
1882.....	4,371,646	331	0.08	1,128	0.26
1883.....	4,419,992	417	0.09	1,142	0.26
1884.....	4,470,336	346	0.08	1,067	0.24
1885.....	4,522,753	482	0.10	1,112	0.25
1886.....	4,574,698	528	0.12	1,200	0.26
1887.....	4,623,684	351	0.08	1,159	0.25
1888.....	4,673,861	430	0.09	1,093	0.23
1889.....	4,725,425	432	0.09	1,195	0.25
1890.....	4,778,528	437	0.09	1,251	0.26
1891.....	4,833,239	414	0.09	1,249	0.26
1892.....	4,889,562	387	0.08	1,228	0.25
1893.....	4,947,627	352	0.07	1,194	0.24

These are not exact statistics, and it is to be regretted that exact statistics are not available. The figures given have been taken from such places as it has been practicable to obtain them, and without reference to the results which they might show when tabulated together.

The returns obtained, and hereinbefore referred to, show—

- (1). An increase in the number of insane.
- (2). A decrease in the number of commitments to the common jails, and of those remaining therein.
- (3). A decrease in the number of population in the reformatories of Ontario and Quebec.
- (4). A decrease in the number of those arrested for offences in the principal cities and towns, more particularly in those arrested for drunkenness.
- (5). An increase in the number of convictions for offences of all kinds, comparing the five years ended 1890 with the five years ended 1885, but a decrease in the convictions per 1,000 of the population in the three years ended 1893, as compared with those for the five years ended 1890, and a steady reduction in the yearly ratios from 1889 to 1893.

The returns for the earlier years for which the statistics are given are supposed to be less accurate than those for the later ones. That is the opinion of the Government Statistician, which will be found expressed in the paper Appendix No. 17.

(6). Taking the statistics of convictions for drunkenness for the whole Dominion, it will be found that the average for the five years ended 1885 was 2.49 per thousand of the population. In the five years ended 1890, during the greater portion of which the Scott Act was in force in a large number of counties in Ontario, the average was 2.72 per thousand of the population. In the three years ended 1893, the average per thousand fell to 2.46. The highest ratios were in the years 1889 and 1890. These were the years immediately following the abandonment of the Scott Act throughout the counties in Ontario. In them the ratio was 2.94, and from that point there was a gradual reduction, until, in 1893, the ratio reached 2.35 per thousand.

(7). The statistics of the committals to, and those remaining in, the penitentiaries of the Dominion show a large decrease in the period between 1880 and 1893.

The Commissioners issued to the clergy throughout the Dominion 6,495 circulars, putting the questions one to seven, which are given in the following statement A. The replies received have been classified accurately as the nature of them would admit and are given in the same statement.

REPLIES FROM CLERGY.
CANADA.

QUESTIONS.	Classification of Replies.	Roman Catholic.	Methodist.	Presbyterian.	Church of England.	Baptist.	Congregational.	Others.	Total.
1.—From your experience and observation as a Clergyman, do you consider the use of intoxicating liquors in any shape as hurtful morally and socially?	Affirmative.....	232	455	385	224	257	34	36	2,123
	Negative.....	70	5	17	172	.....	3	5	372
	Replies indefinite.....	10	5	10	33	1	.....	1	60
	No reply.....	2	1	.....	2	.....	.....	.....	10
2.—What from such experience and observation is your opinion of the effect of the use, in any degree, of intoxicating liquors on the family and domestic relations, and on the care, education and prospects of children?	Hurtful.....	238	454	380	248	256	35	36	2,147
	Harmless.....	36	4	21	136	1	2	4	204
	No experience.....	.....	.....	1	2	.....	.....	.....	3
	Replies indefinite.....	30	1	9	34	.....	.....	.....	75
	No reply.....	10	7	5	11	1	.....	.....	36
									2,465
3.—From such experience and observation, do you believe that in families where intoxicating liquors are used in moderation, the effect is detrimental to the social and moral habits, the domestic relations and the education and prospects of children?	Affirmative.....	201	449	385	191	255	34	35	2,050
	Negative.....	102	7	21	196	2	3	6	337
	No experience.....	3	3
	Replies indefinite.....	7	6	8	34	1	57
	No reply.....	4	4	2	7	18
									1,465

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<p>4.—Has a Prohibitory Law been at any time in operation in a Parish, Mission or other charge in which you have been stationed?</p>	186	831	335	311	240	25	29	1,950
Affirmative.....	116	114	75	106	26	11	13	461
Negative.....	1	10	3	5	1			20
No experience.....	2	5	2	2		1		12
Replies indefinite.....	9	3	1	7	1	1		22
No reply.....								2,465
<hr/>								
<p>5.—Was such Law the Scott Act, the Dunkin Act, Dunkin and Local Option Act, or some other Local Option Law?</p>	96	717	284	267	210	18	29	1,621
Scott, Dunkin and Local Option Act.....	47	69	16	21	4	2		159
Local Option Law.....	8	25	14	12	4			63
N. W. Territories Act.....	29	23	20	14	12	3		101
Other Laws.....	14	54	6	59	10	12	11	166
No experience.....	120	78	76	58	18	3	2	353
No reply.....								2,465
<hr/>								
<p>6.—From your experience and observation as a Clergyman, and such Prohibitory Law the effect of lessening drunkenness?</p>	104	817	290	126	219	22	23	1,606
Lessening.....	54	9	29	159	11	2	5	259
Negative.....	1		1	2				4
No change.....	6	37	11	35	3	7	2	101
No experience.....	8	21	22	31	5	3	1	91
Replies indefinite.....	136	82	63	78	20	4	11	384
No reply.....								2,465

REPLIES FROM CLERGY—Continued.

QUESTIONS.	Classification of Replies.	Roman Catholic.	Methodist.	Presbyterian.	Church of England.	Baptist.	Congregational.	Others.	Total.
7.—From such experience and observation, had such Prohibitory Law the effect—	(1) Lessening.....	92	735	267	112	190	19	19	1,434
	(2) Increasing.....	97	735	289	124	548	20	21	1,537
(a) Of increasing or lessening the drinking of intoxicating liquors—	(1) No change.....	24	12	11	77	2		2	128
	(2) In the family?	25	5	13	90	2		2	137
(2) In the community?	(1) No experience.....	21	5	8	55	2	1	1	93
	(2) Replies indefinite.....	17	2	5	39		1	1	65
No reply.....	(1) No experience.....	7	41	17	29	3	7	2	105
	(2) Replies indefinite.....	7	40	17	23	2	7	2	98
No reply.....	(1) No reply.....	32	73	43	54	26	5	9	242
	(2) No reply.....	32	33	25	51	17	4	4	166
No reply.....	(1) No reply.....	138	100	79	104	35	6	9	462
	(2) No reply.....	136	91	67	104	29	6	9	442
									2,465

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The circulars were forwarded to the clergy of the several denominations in the numbers set forth in the following table B, in which the replies received are also given.

It will be noticed that replies were received from only 37.95 per cent of those addressed. Eighty-five (85) circulars were returned through the dead letter department of the Post Office. The replies from the Methodist clergy were the largest in the aggregate, and the largest proportionately, being 39.19 per cent of the total replies, and 58.69 per cent of the circulars sent to that denomination.

DENOMINATIONS.	CIRCULARS SENT OUT.		REPLIES RECEIVED.		
	Number.	Per cent.	Number.	Per cent of circulars sent out.	Per cent of total replies.
Roman Catholics.....	2,626	31.19	314	15.50	12.74
Methodists.....	1,646	25.34	966	58.69	39.19
Presbyterians.....	961	14.80	416	43.29	16.88
Church of England.....	952	14.66	431	45.27	17.48
Baptists.....	616	9.49	258	41.89	10.47
Congregationalists.....	108	1.66	38	35.18	1.54
Other denominations.....	186	2.86	42	22.58	1.70
Total.....	6,495	100.00	2,465	37.95	100.00

The following figures taken from the last census returns (1891) show the population reported as belonging to each religious denomination, and that part of the total population not classified:—

Denominations.	Number.	Per cent.
Roman Catholics.....	1,992,017	41.21
Methodists.....	847,765	17.54
Presbyterians.....	755,326	15.63
Church of England.....	646,059	13.37
Baptists.....	303,839	6.29
Congregationalists.....	28,157	0.58
Sundry other denominations.....	170,721	3.53
Not specified (including pagans).....	89,355	1.85
	4,833,239	100.00

The names and addresses of the clergy were taken from such records as were available to the Commissioners. The lists of the Methodist clergy appear to be fuller and more complete than those of the clergy of some of the other churches, and they apparently include probationers. It is probably a fact that including all who are on the roll of that church, the ratio of their clergy to the population classified as belonging to the Methodist denomination, is larger than it is in the case of most of the other denominations.

Four thousand one hundred and ten (4,110) circulars were sent to the members of the medical profession in the Dominion. The number sent out to each Province, and the number of the replies received are given in the following table:—

PROVINCES.	Circulars sent out.	REPLIES RECEIVED.	
		Number.	Per cent.
Ontario.....	2,362	905	38·00
Quebec.....	839	188	22·00
Nova Scotia.....	315	144	46·00
New Brunswick.....	240	79	33·00
Prince Edward Island.....	74	27	36·00
Manitoba.....	134	57	43·00
British Columbia.....	80	33	41·00
North-west Territories.....	66	24	36·00
	4,110	1,457	35·45

The replies received are 35·45 per cent of the circulars sent out. 89 Circulars were returned through the Dead Letter office.

The replies received have been classified as accurately as the nature of them would admit, and with the questions, are given in the following table:—

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MEDICAL MEN, CANADA.

QUESTIONS.	Classification of Replies.	Ontario	Quebec	Nova Scotia	New Brunswick	Prince Edward Island	Manitoba	British Columbia	N.W. Territories	Total	Grand Total.
1. Is it your practice to prescribe alcohol in any of its forms—spirituous or fermented? (a) For persons in health. (b) For sick persons.	Affirmative.....	48	14	8	4	1	4	5	2	86	1,457
	(a).....	808	176	130	73	27	49	27	21	1,311	
	(b).....	821	167	133	74	26	53	24	21	1,319	
	.....	39	10	14	5	.....	1	2	2	73
2. In your opinion, has the practice of prescribing alcohol increased or decreased of late years?	Replies indefinite (a).....	9	1	3	1	13	1,457
	(b).....	56	.....	.....	.....	.....	6	4	1	68
	(a).....	27	7	3	1	.....	.....	1	.....	39
	(b).....	2	2	.....	.....	.....	1	.....	.....	5
3. In your opinion, could any substitute for alcohol be used which would be equally effective?	Increased.....	116	41	10	27	2	44	5	2	227	1,457
	Decreased.....	611	98	110	41	20	6	19	18	923	
	No change.....	83	26	11	9	3	1	6	2	143	
	Indefinite replies.....	79	21	12	2	2	6	3	1	126	
No reply.....	14	2	1	.....	.....	.....	.....	1	1	18
3. In your opinion, could any substitute for alcohol be used which would be equally effective?	Affirmative.....	146	63	32	12	6	24	5	2	292	1,457
	(a).....	1	114	104	66	21	31	26	22	1,065	
	(b).....	8	7	7	1	.....	2	2	.....	57
	Replies indefinite.....	10	2	1	.....	.....	.....	.....	.....	13

MEDICAL MEN, CANADA—Continued.

QUESTIONS.	Classification of Replies.	Ontario.	Quebec.	Nova Scotia.	New Brunswick.	Prince Edward Island.	Manitoba.	British Columbia.	N. W. Territories.	Totals.	Grand Total.
4. Can you state approximately, what percentage of the cases you attend may be attributed to the use of spirituous or fermented liquors?	Under 10 %	404	75	49	39	8	21	16	11	623	1,457
	10 % to 20 %	53	15	5	3		7	4	2	89	
	20 % to 30 %	20	9	2	1	1	2	2	1	38	
	Over 30 %	9					1			10	
	Replies indefinite	284	40	70	34	18	24	10	9	480	
No reply	135	49	18	2		2	1	1	248		
5. In your opinion, and making allowance for the intemperate classes, would the general health of the remainder of the population be improved by total abstinence from the use of intoxicating beverages?	Affirmative	641	149	105	67	21	47	29	15	1,068	1,457
	Negative	196	29	23	8	3	8	12	8	287	
	Replies indefinite	56	10	11	3		2	1	1	84	
	No reply	12		5	1					18	
6. In your opinion, is the use of intoxicating beverages, in moderation, injurious to health and to an active condition of the mind and body?	Affirmative	539	124	100	59	21	36	12	10	901	1,457
	Negative	281	57	29	17	5	20	18	12	430	
	Indefinite replies	70	5	11	3	1	1	3	1	95	
	No reply	15	2	4						22	
7. In your opinion, and judging from your experience, what percentage of deaths is attributable to the use of intoxicating beverages?	Under 10 %	277	65	23	22	7	21	8	8	431	1,457
	Over 10 %	259	55	25	29	7	14	7	6	373	

Three hundred (300) circulars were sent out to Judges and Magistrates, in which the questions set out below were asked. The table contains a classification of the replies received from 167 of those addressed, or 55.66 per cent.

<i>Questions.</i>	<i>Canada Judges' and Magistrates' Answers.</i>
1.--In your opinion, what proportion of the criminal cases which have come before you is attributable, directly or indirectly, to the use of intoxicating beverages?	1.--Under 10 per cent. 8 10 per cent to 25 per cent. 11 25 " 50 " 9 50 " 75 " 65 Over 75 per cent. 15 Indefinite 53 No reply 6 — 167
2.--Does your experience in dealing with criminal cases lead you to believe that the enactment of a law prohibiting the manufacture, importation and sale of intoxicating beverages would produce a material reduction in the number of criminal cases?	2.--Affirmative (a) 101 Negative (b) 39 Indefinite 18 No reply 9 — 167
3.--In your opinion, could such prohibitory law, if enacted, be successfully carried out?	3.--Affirmative 65 Negative 79 Indefinite 19 No reply 6 — 167
4.--In your opinion, and as a result of your experience, have the licensing or local option laws hitherto enacted been successful in reducing drunkenness? If not, please state to what cause you attribute the failure?	4.--Affirmative 68 Negative 46 Indefinite 42 No reply 11 — 167
5.--Do you consider a local option law, with suitable provision for its enforcement in the districts where it might be adopted, calculated to produce more satisfactory results in the suppression of drunkenness and crime than a general prohibitory law?	5.--Affirmative (c) 44 Negative (d) 95 Indefinite 23 No reply 5 — 167
6.--In your opinion, would the more general dissemination of facts and information amongst all classes, through schools, educational establishments and otherwise, on the effects of intemperance, be better calculated than a prohibitory or local option law to secure results permanently beneficial?	6.--Affirmative 79 Negative 46 Indefinite 36 No reply 6 — 167
7.--In your opinion, would a reduction in the number of establishments licensed to sell intoxicating beverages tend to the lessening of drunkenness and crime?	7.--Affirmative 94 Negative 41 Indefinite 24 No reply 8 — 167

(a.) In answering in the affirmative 20 express the belief that a prohibitory law would reduce the number of criminal offences if it was properly enforced.

(b.) Of those replying in the negative 4 are of the opinion that such a law is impracticable or could not be enforced.

(c.) Of the 44 answering in the affirmative 6 favour local option if it could be enforced. One believes it would be difficult of enforcement.

(d.) Of those answering in the negative 8 prefer a prohibitory law if it could be enforced.

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Circulars requesting replies to the following questions were addressed to 51 Life Insurance Companies. Replies were received from 30 companies. These replies may be classified as follows :

<i>Questions.</i>	<i>Answers.</i>
<p>1--Do you make any difference in insurance on life, between total abstainers and the users of intoxicants? (a) If so, what difference? (b) And why?</p>	<p>1--Affirmative..... 3 Negative..... 27 ---30</p> <p>A few of the replies in the negative are qualified by the statement that a difference is made occasionally between abstainers and users of intoxicants. One company insures abstainers at lower rates.</p>
<p>2--Do you make any difference between those who use intoxicants moderately and those who use them to excess? (a) If so, what difference? (b) And why?</p>	<p>2--Affirmative..... 29 Negative..... 1 ---30</p> <p>Of those answering in the affirmative several give their reasons. One company will not insure persons who use intoxicants moderately or immoderately.</p>
<p>3--If you make such difference, are your rates for abstainers as low, or lower than the ordinary rates of companies which make no such difference?</p>	<p>3--Negative..... 21 No reply..... 9 ---30</p> <p>The answers in the negative indicate that the companies make no difference in rates for abstainers. Two or three have an arrangement in regard to the distribution of their profits between abstainers and non-abstainers.</p>

How these statistics, of crime, etc., compare with those of some portions of the United States and other countries will be shown elsewhere in this report.

The second and third clauses of the instructions to the Commissioners the undersigned have concluded can be advantageously coupled and considered conjointly. They are:

Second,—“The measures which have been adopted in this and other countries with a view to lessen, regulate, or prohibit the traffic.”

Third,—“The results of these measures in each case.”

To summarize and explain the effects of all the legislation of the various countries and colonies which have legislated upon the question of the traffic in intoxicating beverages, the Commissioners have simply found to be impracticable. To do this would manifestly require the employment of a very large staff and many years of research, seeing the long period which would have to be covered, and the great number of countries or communities exercising control over the traffic, and legislating in regard to it.

The legislation of the Dominion and of the various provinces of Canada touching the traffic, and the results thereof are referred to separately.

Such information as the Commissioners have been able to collect in respect to the liquor legislation of other countries, and the results to be attributed thereto, where the latter have been obtainable with any reasonable degree of exactitude, are given under the heads of the various countries, states and colonies reported upon.

It has always to be remembered that there are other influences than legislation affecting the liquor traffic and the consumption of liquor in a community. How much of such results as may be achieved is to be attributed to these influences, and how much to the effect of legislation, can never be clearly defined.

The investigations of the undersigned, and the evidence taken, all lead to the conclusion that legislation aiming at restricting or lessening the trade in or consumption of liquor, if it is to be at all effective, must have the active and continued support of a very large majority of the community in which it is to be enforced. If it has not such support, experience shows that opposition will overbear the law, and it will either become, in effect, inoperative and demoralizing, or it will be repealed.

DOMINION LEGISLATION.

The British North America Act (1867) gives to the Dominion Parliament the power to legislate upon all matters relating to the importation into or manufacture of liquors in Canada.

The legislatures of the several provinces possess, under that act, the power to legislate in regard to the sale of liquors within their respective territories, the number of licenses which may be granted, the charges for such, and, generally, to regulate the business.

The Dominion Parliament fixes the customs duties to be charged upon importations, and the excise charges to be levied upon liquors manufactured.

The Dominion Government issues licenses to distillers, brewers, compounders and maltsters, and collects the revenue from these sources. It is, of course, charged with the prevention of smuggling and illicit manufacture.

The position under the British North America Act may be shortly summed up as follows:—

The Dominion Legislature can enact laws prohibiting the manufacture and importation of liquors of all kinds. Such laws being enacted, the liquor license laws of the various provinces must become non-effective. If the power rests with the several provincial legislatures to enact local option laws, it follows that the manufacture and importation of liquors might be legal under the Dominion law, whilst the sale thereof, under the provincial laws, might be prohibited and, therefore, be illegal. In Ontario the question of the legality of the local option laws passed by the Provincial Legislature has been before the courts, and a case has been prepared, and is now before the Supreme Court of the Dominion, to decide the point of whether or not the power rests with the Provincial Legislature to pass prohibitory laws. A memorandum setting forth the various Acts passed in regard to the liquor traffic by the legislatures of Upper and Lower Canada, and by the Dominion Parliament, between 1791 and 1891 is printed in Appendix No. 68.

The legislation of the Dominion Parliament in regard to the liquor traffic has been confined to,—

- I. The imposition of excise and customs duties.
- II. The licensing and regulating of brewing, distilling, malting and compounding.
- III. The Canada Temperance (Scott) Act and amendments thereto.
- IV. The Liquor License (McCarthy) Act, 1883, and amendments.
- V. The prohibition of the sale of intoxicants to Indians.
- VI. The regulation of the traffic in the North-West Territories.

The first mentioned legislation has, with one exception, been in the direction of imposing higher duties, as will be observed on reference to the tables of excise and customs duties, Appendix No. 48.

The second has imposed more onerous and severe regulations from time to time, such, for instance, as that binding distillers to retain the product of their distilleries for two years before disposing of it.

The third class of legislation, the Scott Act, being practically local option in counties and cities, is referred to at length hereafter.

The fourth class, being an attempt to centralize and control the sale and the regulation of the traffic by the Dominion Government, whilst, at the same time, securing the revenue from licenses to the provinces and municipalities, was practically abandoned in 1885. It will be referred to again.

The sale of intoxicants to Indians, the children of the State, has always been strictly forbidden by law.

The legislation in reference to the North-west Territories and the present system are more fully dealt with in that part of this report which refers to the Territories. By a Dominion Act passed on September 30th 1891, the legislature of the Territories was empowered to deal with the traffic and has since adopted a license law with local option.

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The legislation of the various provinces, together with the present state of the traffic, and the results as far as circumstances have permitted the Commissioners to ascertain them, are referred to under the name of each province.

The Act of 1883, 46 Vic. cap. 30, known as the McCarthy Act, aimed at placing the licensing and regulation of the sale of liquor under the control of the Dominion government.

It provided that a Board of Commissioners should be established by the Governor General in Council; that such board should define the conditions and qualifications requisite to obtain a license, limit the number of licenses that may be issued, regulate the hotels, saloons and shops to be licensed, and fix and define the duties, powers and privileges of the inspectors to be appointed by the Board of Commissioners.

The Act also provided that all hotel, saloon, and shop licenses were to be subjected to a payment of such duty as the legislature of the provinces within which such licenses were issued should impose, for the purpose of raising, or in order to raise, a revenue for provincial, local or municipal purposes, under the power conferred on the provinces by sec. 92 of the British North America Act, 1867.

A fee of \$10 was to be paid by every applicant for a license, to cover the expenses.

The act contained many admirable provisions. Amongst them were the following:—

No saloon license was to be granted in any incorporated village, township or parish.

Licenses were not to be granted for the sale of liquors within the limits of a town, incorporated village, township or other municipality, save and except counties and cities, if in the event of a poll being taken, a majority of three-fifths of the duly qualified electors therein voted in favour of the prohibition of the sale of intoxicating liquors in their locality.

It prescribed the number of licenses of all kinds which might be issued, limiting the number to certain ratios of the population. It provided that no licenses should be issued under the provisions of the Act which should be considered to affect or impair any of the provisions of the Canada Temperance Act, 1878, and that no hotel, saloon or shop license should be issued to take effect within any county, city, town, incorporated village, or township in Canada, within which the second part of the Canada Temperance Act had been brought into force as by that Act provided, or within which any by-law for prohibiting the sale of liquor under the Canada Temperance Act of 1864 (the Dunkin Act), or any other Act, is in force."

In 1884, by 47 Vic., cap. 32, the Act of 1883 was amended, and the following clauses were enacted:—

"26. Whereas doubts have arisen as to the power of Parliament to pass 'The Liquor License Act, 1883,' and the amendments thereof contained in this Act, it is therefore enacted that, until the question of the competence of the Parliament of Canada to pass the said Act, and this Act, be determined as hereinafter provided, no prosecution for the infringement or violation of the said liquor license acts shall be instituted against any holder of a license, for selling liquor, granted to him under the authority of any statute passed in any of the provinces, so long as such license under such authority is in force.

"2. And for the purpose of having the said question determined as soon as possible, the Governor in Council may refer to the Supreme Court of Canada, for hearing and determination, the said question as to the competence of Parliament to pass the said acts, in whole or in part, and such court shall thereupon hear and determine the same and certify their opinion to the Governor in Council; and if, in their opinion, a part or parts of the said acts only were within the competence of Parliament, then they shall certify to the Governor in Council what part or parts thereof are within such competence.

"3. The Lieutenant-Governor of any of the provinces may, with the consent of the Governor in Council, on behalf of the province of which he is the Lieutenant-Governor, become a party to the said case; and in the event of any province thus being a party thereto, it shall be entitled to be heard by counsel on the argument thereof; and all or any of the said provinces may, with the like consent, become parties thereto.

"4. The judgment of the said Supreme Court shall be final, unless, at the request of the Governor General or of the Lieutenant-Governor of any province who may have been party to the case, Her Most Gracious Majesty may be pleased to refer the matter of the said case, and the decision of the Supreme Court thereon, to the Judicial Committee of Her Majesty's Privy Council.

"This Act shall be read and construed as one Act with the Act hereby amended."

In 1885, by 48-49 Vic., cap. 74, it was enacted as follows:—

"1. The operation of such portions of 'The Liquor License Act, 1883,' and of the 'Act to amend the Liquor License Act, 1883,' as the Supreme Court of Canada has decided, by its decision, whereof a copy is in the schedule to this Act annexed, to be *ultra vires*, is and shall be suspended, unless and until the same shall be decided by the Judicial Committee of the Privy Council to be *intra vires* of the Parliament of Canada."

The decision of the Supreme Court referred to in the Act, was as follows:—

"And the said case having come before the court for hearing on the twenty-third day of September last past, whereupon, and upon application of Mr. Bothune, Q.C., one of the counsel representing the Dominion of Canada, the said case so referred was amended by stating that, in pursuance of section twenty-six, subsection three, of the said Act, forty-seventh Victoria, chapter thirty-two, 'An Act to amend the Liquor License Act, 1883,' the Provinces of Ontario, Quebec, New Brunswick and British Columbia had become parties to the said case, and the said case having been subsequently further amended by stating that the Province of Nova Scotia had also become a party thereto.

"And the said case so amended as aforesaid having come on for hearing before this court, in the presence of counsel for the said Dominion of Canada, and for the said provinces, on the twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh days of September last past, whereupon, and upon hearing what was alleged by the counsel aforesaid, this court was pleased to reserve the said case for consideration; And the court, having duly considered the same, do now certify to His Excellency the Governor General in Council, in answer to the questions submitted for the determination of the said court by the said case, that, in the opinion of the said court, the Acts referred to in the said case, namely, 'The Liquor License Act, 1883,' and 'An Act to amend the Liquor License Act, 1883,' are and each of them is *ultra vires* of the legislative authority of the Parliament of Canada, except in so far as the Acts respectively purport to legislate respecting those licenses mentioned in section seven of the said 'The Liquor License Act, 1883,' which are there denominated vessel licenses and wholesale licenses, and except also in so far as the Acts respectively relate to the carrying into effect of the provisions of 'The Canada Temperance Act, 1878.'

"The Honourable Mr. Justice Henry being of opinion that the said Acts are *ultra vires* in whole."

This decision of the Supreme Court was subsequently referred to the Honourable the Privy Council, and the following decision was rendered thereon:—

[L.S.]

AT THE COURT AT WINDSOR CASTLE.

The 12th day of December, 1885.

Present:

The Queen's Most Excellent Majesty,
Lord President,
Lord George Hamilton,
Mr. Plunket.

WHEREAS there was this day read at the Board a report from the Judicial Committee of the Privy Council, dated the 21st of November last past in the words following, viz:

"Your Majesty having been pleased by your Order in Council of the 19th May last past to refer unto this committee the humble petition of the Most Honourable

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Henry Keith Petty-Fitzmaurice, Marquis of Lansdowne, Governor General of the Dominion of Canada, humbly praying that a special case and the decision of the Supreme Court of Canada upon the same, with reference to the competence of the Canadian Parliament to pass the Acts 46 Victoria, chap. 30, and 47 Victoria, chap. 32, in whole or in part, may be referred by Your Majesty to this committee to report thereon, the Lords of the Committee, in obedience to Your Majesty's special order of reference have taken the said humble petition into consideration and having heard counsel thereupon for the Dominion of Canada and likewise for the Lieutenant-Governors of the respective Provinces of Ontario, Quebec, Nova Scotia and New Brunswick, and having been attended by the agents for British Columbia, their Lordships do this day agree humbly to report to Your Majesty as their opinion in reply to the two questions which have been referred to them by Your Majesty, that the Liquor License Act, 1883, and the Act of 1884 amending the same are not within the legislative authority of the Parliament of Canada. The provisions relating to the Adulteration if separated in their operation from the rest of the Acts would be within the authority of the Parliament, but as in their Lordships' opinion they cannot be so separated, their Lordships are not prepared to report to Your Majesty that any part of these Acts is within such authority."

Her Majesty, having taken the said report into consideration was pleased by and with the advice of Her Privy Council to approve thereof and to order accordingly. Whereof the Governor General of the Dominion of Canada, the Commander-in-Chief and the Lieutenant-Governors of the respective provinces of the Dominion for the time being and all other persons whom it may concern are to take notice and govern themselves accordingly.

C. L. PEEL.

CANADA TEMPERANCE ACT, 1878.

This Act, more commonly known as the "Scott" Act, is, perhaps, the most important legislation passed by the Dominion Parliament in regard to the liquor traffic. A synopsis of it is printed as Appendix, No. 49.

Under this Act, counties and cities in the Dominion can, by a majority of those entitled to vote for representatives in the Federal Parliament, prohibit the retail sale of intoxicating liquors within their boundaries. Twenty-five per cent of the electors of any county or city can, under this Act, by petition to His Excellency the Governor General in Council, require that a vote of the electors of the same county or city be taken on the question of the adoption of the prohibitory clauses of the Act. If a majority of the qualified electors of the said county or city vote in favour of the adoption of the Act, it is put in force by proclamation of the Governor General, all legal formalities having been previously complied with.

The Act being adopted, the retail sale of liquor, except by licensed persons for medicinal, mechanical and sacramental purposes, and then only on proper certificates, is prohibited. Quantities of not less than ten gallons can be sold under the following condition:—

"Any producer of cider in the county may, at his premises, and any licensed distiller or brewer, having his distillery or brewery within any county or city, may, at such distillery or brewery, expose and keep for sale such liquors as he manufactures thereat, and no other; and may sell the same thereat, but only in quantities not less than ten gallons, or in the case of ale or beer, not less than eight gallons at any one time, and only to druggists and vendors licensed, or to such persons as he has good reason to believe will forthwith carry the same beyond the limits of the county or city, and of any adjoining county or city in which this part of this Act is then in force, and to be wholly removed or taken away in quantities not less than ten gallons, or in the case of ale or beer, not less than eight gallons at a time." Subsec. 5, sec. 99, cap. 16, 41 Vic.)

It is further enacted that:—

"6. Provided also, that any incorporated company, authorized by law to carry on the business of cultivating and growing vines and of making and selling wine and

other liquors produced from grapes, having their manufactory within such county or city, may thereat expose and keep for sale such liquor as they manufacture thereat, and no other; and may sell the same thereat, but only in quantities not less than ten gallons at any one time, and only to druggists and vendors licensed as aforesaid, or to such persons as they have good reason to believe will forthwith carry the same beyond the limits of the county or city, and of any adjoining county or city in which the second part of this Act is then in force, and to be wholly removed and taken away in quantities not less than gallons at a time.

"7. Provided also, that manufacturers of pure native wines made from grapes grown and produced by them in Canada, may, when authorized to do so, by license from the municipal council, or other authority having jurisdiction where such manufacture is carried on, sell such wines at the place of manufacture in quantities of not less than ten gallons at one time, except when sold for sacramental or medicinal purposes, when any number of gallons, from one to ten, may be sold.

"8. Provided also, that any merchant or trader exclusively in wholesale trade and duly licensed to sell liquor by wholesale, having his store or place for sale of goods within such county or city, may thereat keep for sale and sell intoxicating liquor, but only in quantities not less than ten gallons at any one time, and only to druggists and vendors licensed as aforesaid, or to such persons as he has good reason to believe will forthwith carry the same beyond the limits of the county or city, and of any adjoining county or city, in which this part of this Act is then in force, to be wholly removed and taken away in quantities not less than ten gallons at a time."

The prohibitory clauses of the Act once adopted cannot be voted upon again within a period of three years. After the expiry of that time a vote may be taken upon the question of repealing the Act, the same steps for taking such vote being resorted to as in the first instance.

The statements printed as Appendices Nos. 50 and 50a, show the whole of the counties and cities in which the Canada Temperance Act has been voted upon and the years when such votes were taken.

It may be observed that in the County of Richmond it is the Dunkin Act, and not the Scott Act, which is in force, but hitherto this county has been classed as one of those which adopted the Scott Act. Including Richmond along with the Scott Act counties, there have been in all 135 polls upon the Act. It remains in force in 28 counties and cities, it has been voted upon in 81 counties and cities and in 51 cases the Act was either rejected in the first instance or has been repealed since it was first adopted. In two cases, namely, in Lisgar and Marquette, in the Province of Manitoba, the Act was voted upon and declared to have been adopted, but as will be seen from the subjoined communications, its terms appear never to have been enforced*

The 28 counties and cities in which the Act is now in force, are, two counties in the Province of Quebec, nine counties and one city in New Brunswick, twelve counties in Nova Scotia and three counties and one city in Prince Edward Island. A list of the places in which the Act is still in force is given in Appendix No. 51.

* "WINNIPEG, 16th July, 1894.

"SIR JOSEPH HICKSON,

Chairman of the Royal Commission on the Liquor Traffic, Montreal, Que.

"MY DEAR SIR JOSEPH,—Referring to your favour bearing date the 19th of last month, which has remained unanswered owing to my absence from the city, I beg to say that the Counties of Lisgar and Marquette, prior to the extension of the boundaries in 1881, constituted about three-quarters of this province. That I presume was what was meant by Mr. J. W. Sifton in his evidence before the Commission upon that point. The statement that there was some flaw in the Act in consequence of which it was declared to be invalid, is evidently an inaccuracy in the report of Mr. Sifton's evidence. The fact is, and no doubt he intended so to state, that the Act was declared by the courts not to have been legally carried by reason of the fact that there was some informality in the giving of the notices required to be given before the taking of the vote; in other words, the adoption of the Act was set aside on a technical ground. As a matter of fact the Scott Act was a dead letter for some time, and then the Temperance Alliance took hold of a case for the purpose of enforcing the Act. The case came before the Court of Queen's Bench here, and that Court declared the Act not to be in force for the reasons above given. An appeal was taken to the Supreme Court, and I think the case in the Supreme Court was not decided upon its merits, but was thrown out on some technical ground respecting the proceedings taken for lodging the appeal. I am not quite certain as to the ground upon which it was thrown out, but feel quite sure that the case was not decided upon its merits.

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I will secure a statement and have it sent to you containing the number of municipalities in which by-laws have been adopted forbidding the issue of licenses.* I do not remember at the moment, any case where such by-laws once adopted have been repealed, but owing to the absence of competent legal advice in the submission of the by-laws, informalities have occurred upon which the courts have declared the by-laws to be invalid, and they have accordingly been quashed.

"As to the effect of local option it is difficult to give a very positive opinion. Very reasonable and intelligent men residing in local option districts take very opposite views upon this question, but it does not appear that the adoption of local option in the rural districts has the effect of very largely decreasing drinking. In towns of considerable size the effect is more questionable.

"As soon as the statement referred to comes to hand I will see that it is forwarded without delay.

Yours faithfully,

THOMAS GREENWAY.

(Telegram.)

"P. MONAGAN, Montreal.

"WINNIPEG, MAN. Jan. 22, 1895.

"Do not know whether act formally repealed in these counties. It certainly is a dead letter. License Commissioners pay no attention to it."

"H. A. MACLEAN."

The Act was adopted in the three counties of Prince Edward Island—in one, in the year 1878, in another in 1879, and in the third in 1880. In the city of Charlottetown, it was adopted in 1879, repealed in 1891, and re-adopted by a small majority vote in 1894. The whole of the province may, therefore, be said to have been under a prohibitory law from the year 1880 to 1891. The statistics of crime and the consumption of liquor in the island will be referred to hereinafter.

In the Province of Ontario it was adopted at different times in 25 counties and two cities. It has been repealed in all of them, and the law is not in force in any place in the province at the present time.

In Manitoba, as has been mentioned, the Act was adopted in two counties, but it has not been acted upon and is of no effect.

In British Columbia the Act was not adopted in any city or county.

Appendix No. 50 shows the number of votes cast and the total number of those entitled to vote, as nearly as the latter could be ascertained, at the date when the various polls were taken.

The paper, Appendix No. 17, prepared by the Government Statistician, Mr. Johnson, was received in answer to a request made to the government by the Commission for information touching the effect the adoption of the Canada Temperance Act had had upon the consumption of liquor, and the total volume of offences in the districts in which the act had been in force. It is explained in the paper that the statistics of convictions for offences in the various districts in Ontario which adopted the Act cannot be given, as the returns are made in accordance with divisions of the country provided by the Provincial Government, and the population according to divisions provided by the Federal authorities, and these do not coincide. It may be mentioned that there are no statistics which give the consumption of liquor in cities or counties.

The following statement gives the number of places in which the Canada Temperance Act was in force in each year from 1878 to 1893:

Year.	No. of Places.	Year.	No. of Places.
1879	11	1887	62
1880	12	1888	53
1881	23	1889	34
1882	27	1890	32
1883	28	1891	32
1884	31	1892	30
1885	43	1893	30†
1886	62		

*Not received.

†NOTE.—Includes two counties in Manitoba in which the Act is not operative.

It will be noticed that the maximum was reached in the years 1886 and 1887, and that there was a reduction of nine in 1888. Taking the four years ended 1888, and dealing with the Dominion, the statistics of the consumption of liquor show that in those years the entries for consumption, reduced to an alcoholic basis, were 0.626 parts of a gallon per capita of the population. In the four years preceding, the entries for consumption were 0.699 parts of a gallon, and in the four years succeeding the year 1888, they were 0.640 parts of a gallon per capita of the population.

The license year in Ontario and Quebec begins on the first of May. The statistics of the liquor entered for consumption are for the year ended the 30th June. There was a large decrease in the consumption of spirits, and an increase in the consumption of beer, in the two latter periods. How far this can be attributed to the increased production of lager beer (made principally in Ontario) elsewhere referred to, it is not practicable to determine.

With reference to the criminal statistics, if they are taken for the periods referred to above, that is for the four years ended 1888, and for the four years preceding and succeeding that period, they show the following results:—

	All Offences.	Drunkenness.	Offences against Liquor Laws.	
Four years ended, 1884.....	7.04	2.49	0.41	} per 1,000 of the population.
do do do 1888.....	7.65	2.55	0.70	
do do do 1892.....	7.81	2.72	0.50	
They were for 1892.....	7.22	2.35	0.42	
do do do 1893.....	7.21	2.35	0.54	

It will be noticed that the convictions for offences against the liquor laws largely increased in the four years ended 1888—the Scott Act period. They reached a higher figure in 1887 than was ever touched before, and the figures in 1888 were the highest covered by the period for which these statistics have been prepared, being 3,108, against 1,235 in 1885.

The places in which the Canada Temperance Act was abandoned in the years immediately preceding 1890 were almost wholly in the Province of Ontario. The statistics of the consumption of liquor in that province show the following results for the four years, 1885 to 1888, and the four years preceding and succeeding:—

Four years ended 30th June, 1894.....	0.768	} Gallons of alcohol per capita.
do do (Scott Act years) 1888.....	0.702	
do do 1892.....	0.705	
It was in the year... .. 1892.....	0.622	
do do do 1893.....	0.652	

The statistics of convictions for offences are:—

	All Offences.	Drunkenness.	Offences against Liquor Laws.
Four years ended			
Sept. 40th, 1894.....	8.76	2.75	0.47
do 1888 (Scott Act period)	10.22	2.97	1.06
do 1892.....	9.53	2.67	0.64
For the year 1893.....	8.06	1.75	0.62

In Ontario very elaborate statistics are kept of commitments to the jails for different offences.

Tables showing the total commitments for all offences, and the commitments for drunkenness in the province, from 1876, will be found among the Appendices to this report, Nos. 52 and 53. Another table, No. 54, divides the periods between 1881 and 1892 into three sections of four years each. Analyzing them, as has been

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done in the case of the convictions for the dominion reported to Ottawa, they show the following results:—

	Per 1000 of Population. For all Offences.	For Drunkenness.
Four years ended 30th September, 1884.....	5·22	1·96
“ “ “ “ “ 1888.....	5·61	1·95
“ “ “ “ “ 1892.....	5·19	1·86
For year “ “ “ 1892.....	4·22	1·28
“ “ “ “ “ 1893.....	4·00	1·23

The period in which the Canada Temperance Act was in force in the largest number of places was the four years ended 1888. The returns show the number of commitments for drunkenness in that time to have been about the same as in the previous period, and the average in the succeeding four years to have been the lowest. The ratio in each of the years 1892 and 1893 continued to decrease. Commitments for all offences were largest in the Scott Act period. In the years 1892 and 1893 there was a large decrease in the commitments and they were lower than in any previous period.

Witnesses before the Commission, who were in favour of a prohibitory law, claimed that the reduction in the commitments for drunkenness resulted from the operation of the Canada Temperance Act. On the other hand, it is certain that the number of prosecutions for breaches of the law, as has already been mentioned, largely increased in that period. That drunkenness was not put an end to by the operation of the Act in the places where it was adopted, is established by the criminal returns, and by evidence presented to this Commission. That the effect of the law, when first put into operation, was to reduce the number of committals for drunkenness is probably a fact; but the statistics indicate that commitments for that offence again increased in several places in the last year in which the law was in force.

Taking the whole province, the statistics show that the convictions for drunkenness reached the highest figure in 1889. They increased from 4,694 in 1884 to 6,633 in 1888 and 7,059 in 1889, but went down to 3,967 in 1892 and 3,787 in 1893. Of course, there was an increase of the population in those years. Taking the convictions per 1,000 of the population, it will be seen that there was a large increase between 1884 and 1889, but a great decrease in 1892 and 1893. Taking the whole of the convictions for offences in the province, they rose from 16,276 in 1884 to 23,017 in 1888, and have since gradually declined, being in 1892, 17,081, and in 1893, 17,362.

The committals to jail for all offences, and for drunkenness, for the districts in which the Scott Act was in force, have been taken out, and they are shown in Appendices Nos. 55, 56 and 57. It will be noticed that in some of the counties there are included cities in which the provisions of the Canada Temperance Act did not apply. An examination of the statements shows that in very many cases the commitments were in the last year greater than they were in the first year in which the act was in operation. The maximum number of places in which the Act was adopted in the province was reached in 1887. Summarizing these returns, the results are:—

AVERAGE commitments for all offences.

Period.	Halton.	Oxford.	Bruce, etc.	Brant, etc.
For 6 years ended 1881	223 16			
" 6 " " 1887*	210 66			
" 6 " " 1893	334 83			
" Year " 1893	225 00			
For 4 years ended 1884		261 25		
" 4 " " 1888*		420 25		
" 4 " " 1892		245 50		
" Year " 1893		167 00		
For 3 years ended 1884			700 00	
" 3 " " 1887*			678 66	
" 3 " " 1890			682 00	
" 3 " " 1893			564 00	
For 3 years ended 1885				3,621 46
" 3 " " 1888*				3,386 46
" 3 " " 1891				3,518 33
" Year " 1892				2,594 00
" " " 1893				2,556 00

* Scott Act years.

AVERAGE yearly commitments for drunkenness in Scott Act Counties.

Period.	Halton.	Oxford.	Bruce etc.	Brant etc.
For 6 years ended 1881	9 00			
" 6 " " 1887*	7 33			
" 6 " " 1893	10 00			
" Year " 1893	4 00			
For 4 years ended 1884		39 50		
" 4 " " 1888*		40 75		
" 4 " " 1892		41 00		
" Year " 1893		38 00		
For 3 years ended 1884			140 66	
" 3 " " 1887*			47 33	
" 3 " " 1890			83 66	
" 3 " " 1893			64 00	
For 3 years ended 1885				1,190 33
" 3 " " 1888*				1,088 33
" 3 " " 1891				1,295 33
" Year " 1892				712 00
" " " 1893				774 00

* Scott Act years.

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The Dominion Government issued to vendors of liquor for mechanical, medicinal and sacramental purposes in the Scott Act counties in Ontario, during the time the McCarthy Act was in force, licenses as under:—

District.	No. of Licenses.
Brant.....	1
Bruce.....	18
Carleton.....	1
Dufferin.....	13
Dundas.....	4
Glangarry.....	2
Lambton.....	1
Norfolk.....	10
Oxford.....	14
Renfrew.....	8
Simcoe.....	21
Stormont.....	4
Total.....	97

The Ontario Government issued the following licenses:—For the years 1885-6, 9; 1886-7, 210; 1887-88, 187; 1888-9, 113.

The evidence taken by the Commission in regard to the causes leading to the repeal of the Canada Temperance Act throughout all the counties and cities of Ontario which had adopted it, is conflicting. The advocates of prohibition, represented by the Dominion Alliance and the Ontario Provincial Alliance, claim and assert that the effect of the Act was highly beneficial; that it reduced the number of commitments to jail for drunkenness, and conferred other advantages. The Alliance appears to have urged upon the friends of temperance throughout the Province to vote for the continuance of the Act, to persevere in their attempts to effectively enforce it, and not to be discouraged by the difficulties which had been encountered in carrying it out. When called upon to explain why, in the face of these facts, the various communities voted to repeal the Act, the general reply was that it had not been efficiently enforced; that the people had become discouraged, and could not be induced to continue their efforts to give effect to the law; that this state of things had been brought about by apathy, or something worse, on the part of the officials whose duty it was to administer the law, and that the conflict of jurisdiction between the Dominion and Provincial Governments, arising out of the passage of the Act of 1883, (the McCarthy Act), paralyzed the efforts of those who sought to have the law efficiently administered. On the other hand, it was shown that prosecutions for breaches of the law were numerous; that between May, 1884, and May, 1889, the inspectors appointed by the Ontario Government had laid 9,457 informations, and obtained 5,663 convictions.

The following extract is from a letter dated December 21, 1893, written by the head of the License Branch of the Ontario Treasury, Mr. Henry Totten:—

"I beg to say that in February or March of 1885 the Ontario Government undertook to enforce the provisions of the Scott Act. About that time inspectors were appointed for a great many counties for the express purpose of enforcing that law. They were appointed, in very many cases, upon the express recommendation of the temperance people, for the reason, as they represented, that an officer who was in sympathy with the law should be specially required to enforce it. Having been appointed, instructions were given to the Inspectors to enforce the law, and, from time to time, circulars were issued having that express object in view. The convictions were obtained by these officers in the ordinary discharge of their duties."

At one time in Ontario twenty-five counties and two cities were under the Scott Act. This represented, according to the evidence of Mr. Totten, three-fourths of the whole province.

In February, 1886, a gentleman was placed in the head office who was thoroughly in sympathy with the views of the supporters of the Scott Act, and whose duty it was to see to the enforcement of the law. Concerning him, Mr. Totten, who has been chief officer of the License Branch for 17 years, in giving his evidence said:—

At the head office, a well-known, tried and much respected temperance man, who had some experience, was employed, whose duty it was to supervise the conduct of the inspectors, and see that they faithfully discharged their duties. This officer is now deceased, but he lived to see the Scott Act repealed in all the counties of Ontario. He faithfully, and to the best of his ability and he was a man of much ability, discharged his duty."

In 1886 the law was amended, so as to enable the Governor in Council to order the payment of fines collected to be made to the province, municipality, or local authority incurring the expense of prosecutions, and from November, 1886, according to the same witness, there was no difficulty arising out of the laws about funds to meet expenses; but, continued Mr. Totten,—“Many of the County Councils in the Scott Act counties, delayed, objected, or absolutely refused to contribute anything towards the expenses of enforcing the Act, although it had been carried by a liberal majority, and a Provincial Act had been passed requiring them so to do.”

Another difficulty met with in carrying out the law was the objections taken to the decisions of justices having years of experience in the administration of the laws. These decisions, when appealed from, were almost invariably quashed by the courts, and, pending such appeal cases, prosecutions were deferred. To meet this difficulty, suggestions came from various quarters that the remedy lay in the appointment of police magistrates. Down to May, 1887, the Provincial Government had no power to appoint police magistrates with salaries. Salaries could only be paid by resolution of the county councils; but the council, as a rule, refused to pass such resolution.

Mr. Totten, in his evidence, said:

“Although a majority of the electors voting on the question had been favourable to the introduction of the Scott Act, the representatives of the people in the Councils refused for a long time either to contribute funds or pay salaries of the police magistrates for the purpose of enforcing the law. To meet some of these difficulties, the Provincial Government was empowered by an Act passed in 1887, 50 Vic. chap. 2, to appoint police magistrates in Scott Act districts and to fix their salaries to be paid by the counties. Under this act a large number of police magistrates were appointed, having been recommended by representative temperance people in sympathy with the proper execution of the Scott Act. The organization was from that time complete: 1st, the board of commissioners; 2nd, the inspector; 3rd, the police magistrates; 4th, representative in the head office. All these were officers recommended by, or acceptable to, the temperance people. 5th, there was then plenty of money.”

It would appear, therefore, that not only was exceptional machinery created to enforce this particular law, but the magistrates and the officers were selected, at any rate in great measure, on account of their well understood sympathy with the objects of the enactment.

Mr. Totten went on to state that, notwithstanding all these measures, “The difficulties still increased. Defects were discovered in the law that could be remedied only by legislation; rulings in the lower court stayed proceedings in that class of cases until reversed on appeal. The complaints of inspectors were almost universal. ‘We stand alone, no one supports us in this community.’ They had frequent occasion to complain of the conduct of many of those who voted for the Act. The peace, good-will and neighbourly feeling existing in many localities prior to the introduction of the Act were destroyed. In such localities perjury was common, arson was suspected, and buildings were injured or destroyed by dynamite explosions, and life was endangered. Public sentiment was at first shocked by this state of affairs, but did not manifest itself in such a way as to prevent their recurrence, and, eventually, it became apathetic.”

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Mr. Totten most emphatically denied that there was any want of energy or any apathy on the part of the officers entrusted with the administration of the law. He stated that, notwithstanding all efforts, "illicit traders in intoxicating liquors sprang up everywhere" in the Scott Act counties.

It is a feature which is brought out very prominently in most instances where prohibitory legislation has been put in force, that it has been considered by those promoting such that the ordinary officials and tribunals cannot be trusted to give effect to it, but that men with well-known and openly-declared proclivities must be selected to administer the law.

In the State of Massachusetts a joint committee of the Senate and Legislative Assembly, appointed to investigate certain petitions praying for the enactment of a law for the regulation of the sale of spirituous and intoxicating liquors, and the petition of the Massachusetts College of Pharmacy, asking for alterations in the then existing laws, together with various remonstrances of legal voters, etc., etc., in their report made in 1867, said :

"These statutes (the statutes relating to the sale of spirituous and intoxicating liquors), have constituted a prominent feature in the criminal legislation of the state for many years. Enacted originally with the sincere belief on the part of many good men that they were right in principle, and would prove successful in operation, they were designed, undoubtedly, like other criminal statutes, to promote the good order, peace and security of the community.

"In our republican form of government we have always recognized the fact that no criminal laws can be faithfully executed, (and therefore should not be enacted), which are not sustained by the moral convictions of the people. When we make changes in them from time to time, we are content to leave the execution of the new laws with the ordinary instrumentalities. For the administration of our entire code, old laws and new laws, we have relied upon the vigilance of ordinary municipal officers to complain of violations; the fidelity of prosecuting officers, elected by the people, to take charge of the complaints or indictments, when made or found; the honour and good sense of juries, selected under long-established and well-known rules, to convict or acquit, according to the law and the evidence, and the discretion of the judges, in case of conviction, to impose reasonable sentences. All these regular and ordinary methods were open for the execution of the statutes upon the sale of liquor. If the moral judgment of the people approved the law, there was no sufficient reason in the nature of things why police officers, district attorneys, juries and judges should not be as prompt and decided in doing their respective duties by this as well as other laws. Yet the course of the supporters of the present statutes seem to indicate great distrust upon their part of all these parties, or, rather, there is something in the law so different from the principles of our ordinary criminal legislation, and so repugnant to the popular instincts, that new and arbitrary methods are necessary to enforce it."

And again:—

"It was believed that juries in various parts of the commonwealth, selected and empanelled in the ancient way, under a system entirely satisfactory until the enactment of the present law, would not sometimes convict in liquor cases upon proper evidence, through the opposition to the law on the part of some of their number. Accordingly, during many sessions of the Legislature, attempts have been made, in several instances well-nigh successful, for the avowed purpose of procuring more convictions in liquor cases, to change the system of trial by jury, either by excluding liquor dealers from the panel, or all whose opinions would prevent them from convicting, or by giving to the prosecuting officer the right to challenge too peremptorily."

And, again:—

"We have referred to them (various enactments) simply as indicating the judgment of the most prominent and earnest supporters of the present prohibitory law, that its execution cannot safely be entrusted to the ordinary officers and methods, sustained by the moral convictions of the people; and, again, as indicating that the reason why its execution cannot safely be entrusted to them is because

in principle it differed so widely from other criminal legislation. Surely if the people thoroughly approved the law, there would seem to be no occasion for these departures from our long established system in the administrations of criminal statutes."

It may be mentioned that since the year 1888 no attempt has been made to put the Canada Temperance (Scott) Act in force in any city or county in which it had not previously been, at some time or other, voted upon, so that the advocates of prohibition, in so far as that legislation supplied them with the machinery for carrying out their views, have not done more than attempt to keep the law in force in such communities as had previously adopted it. In short, the law, as an aggressive weapon, has been abandoned.

Of the expenditure incurred by the Dominion and Provincial Governments and the municipalities through the liquor traffic, it has been already remarked that it is impracticable to make even an approximate estimate.

The expenditure of the Dominion consists of that part of the expenses of collecting the revenue from the excise and customs duties on liquors, the cost of inspection, and the prevention of smuggling, etc.

The expenses of the penitentiaries are borne by the Dominion, but the population of these institutions consists of those who have been guilty of the more serious class of crimes, and it is probable that only a comparatively small proportion of the offences for which they are incarcerated are to be attributed to intemperance.* The evidence taken by the Commission goes to show that those who are convicted for the graver crimes are not generally persons of intemperate habits.

The Provincial Governments were appealed to to supply information in regard to the following:—

(a) The cost to the province of the criminal classes whose offences could be attributed to intemperance.

(b) The cost of maintaining the poor whose poverty could be attributed to the same cause.

(c) The cost of maintaining the insane whose insanity was attributable to over indulgence in intoxicants.

(d) Any information in regard to the expenditure of the municipalities (if any) within the province, for the same purposes, and which might be in the possession of the Provincial Governments.

In no instance has any one of the provinces been able to supply the information. Statements were, in some cases, sent in, giving the total expenditure on jails and asylums, and, in the case of Prince Edward Island, of the poorhouse; but no attempt at classification was made. In some of the provinces, as has been already mentioned, the Provincial Governments are without information of any kind on these subjects.

There are no general statistics of the expenditure by municipalities from which even an estimate could be made of the expenditure incurred in connection with the liquor traffic. If complete statements of all the disbursements of the municipalities did exist, it would be hardly practicable to extract, with any degree of accuracy, the portion of such due to that traffic.

If we take the expenditure of cities and towns, it is probably true that if drunkenness could be entirely put an end to, a reduction would be possible in the police expenditure. In the country districts a complete cessation of the traffic would probably have no appreciable effect on the charges for police services. The Recorder's and Police Courts throughout the country could not be wholly discou-

NOTE.—* In the reports of the Kingston and St. Vincent de Paul Penitentiaries, the prisoners committed were classified as follows:

Kingston, 1891-92.....	351	per cent intemperate.
1892-93.....	294	" "
St. Vincent de Paul, 1891-92.....	54	" "
1892-93.....	447	" "

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tinued if there was no liquor traffic, and it is doubtful if the expenditure in connection with them could even be appreciably reduced. A very large number of the cases which come before these courts arise out of municipal laws, which have no connection whatever with the liquor traffic.

There are a considerable number of persons committed for drunkenness to the various jails in the provinces, and probably some portion of the vagrants, of whom there is always a large number in the jails, got there through intemperance. There are also other cases which may be classed as resulting from over-indulgence in intoxicants. To the extent by which the number of the population of the jails could be reduced, the expenditure for food and lodging would probably be reduced. There are cases where the prisoners who are made to work earn something towards their maintenance. It is certain that the jails could not be discontinued. The lower grades of the staff could, probably, if there was a considerable diminution in the number of the prisoners, be reduced.

As regards the expenditure in connection with the insane asylums of the country, it is probably only very slightly increased from cases arising out of the liquor traffic.

There is, of course, a large expenditure incurred on reformatories, but, again, it is next to impossible to form any idea of the proportion of that expenditure which is chargeable to intemperance.

A very large proportion of the indigent poor are taken care of in charitable institutions, the funds of which are supplied by voluntary contributions.

A statement has been prepared, Appendix No. 58, of the expenditure for one year of the Dominion, provinces and municipalities, as far as it has been obtained, in connection with all these institutions.

It is almost unnecessary to say that economies in the direction indicated could only be effected if drunkenness were either extinguished or materially reduced. Hitherto the prohibition system can hardly be credited with having accomplished either of these results.

A perusal of the statements in Appendix No. 48 will show that there has been a steady increase in the imposts charged upon liquors, and also generally in the fees imposed for licenses, where such are issued.

The figures indicate that there has been a reduction in the consumption of spirits and of imported wines, and a large increase in the consumption of beer. About the year 1860 lager beer began to be made on a moderate scale, but it was not until 1876 that it reached any considerable proportions. The quantity has since then continued to steadily increase, until in 1893 it reached 5,368,652 gallons, or about 32 per cent of all the malt liquor made. Reducing the whole quantities consumed to the basis of alcohol, as set forth in the following table, the figures show a considerable reduction in the average consumption of the ten years ended 1890 from the average consumption of the ten years ended 1880, and a reduction in the consumption in the five years ended 1890 from the average consumption in the five years ended 1885.

The ratio of alcohol adopted as the basis of calculation is not an absolutely exact quantity, but it is considered by those having long experience of the business to be a reasonable estimate. Inasmuch as the basis is the same in all the periods, it should not materially affect the comparison of one with another.

The average consumption in the years 1891, 1892 and 1893 was again lower than it was in the five years ended 1890.

DOMINION OF CANADA.

Consumption.	Galls.	Alcohol, say	Consumption per capita in Alcohol.	
Average 10 years ended 1880	Spirits.....	1 148	50 per cent.	574
	Wine.....	145	20 "	629
	Beer.....	2 273	6 "	136
				739
Average 10 years ended 1890	Spirits.....	922	50 "	461
	Wine.....	112	20 "	622
	Beer.....	3 654	6 "	183
				666
Average 3 years ended 1893	Spirits.....	721	50 "	360
	Wine.....	103	20 "	621
	Beer.....	3 599	6 "	216
				597
Average 5 years ended 1885	Spirits.....	1 046	50 "	523
	Wine.....	119	20 "	624
	Beer.....	2 747	6 "	165
				712
Average 5 years ended 1890	Spirits.....	799	50 "	399
	Wine.....	104	20 "	621
	Beer.....	3 362	6 "	202
				622
Average 3 years ended 1893	Spirits.....	721	50 "	360
	Wine.....	103	20 "	621
	Beer.....	3 599	6 "	216
				597

The weight of the evidence taken by the Commission is to the effect that there is less drinking, and less drunkenness throughout the Dominion at the present time than there was formerly. The statistics presented show that there is a smaller consumption of liquor; at the same time they indicate an increase in the number of convictions for offences against the laws, if the returns for 1881 are taken as the starting point. As that was the first year in which the returns were collected, the apparent increase may be attributed in a great measure to:

1st. More accurate returns being made in the subsequent years covered by the statistics.

2nd. An increase in the number of offences against municipal ordinances, in part arising from the enactment of ordinances creating new offences, and the increase of population in cities.

3rd. The more efficient enforcement of the laws.

Municipal offences can hardly have more than a remote connection with intemperance in most cases.

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The following statements are given in order to show, in as succinct a manner as possible, the great result indicated by the statistics presented. The Commissioners desire to repeat that the proportions of alcohol in the liquors consumed are arbitrary quantities; that cider and domestic wines are not included in the calculation, and that, as regards the consumption of liquor in the various provinces, the gallons taken are those entered for consumption in each province. As regards the Dominion at large, the quantities are taken from the official returns, and are, the Commissioners believe, accurate.

STATEMENT showing the estimated, per capita, consumption of alcohol, the convictions for all offences, convictions for drunkenness, and convictions for offences against the liquor laws in the Dominion and in the several provinces thereof during the undermentioned periods.

DOMINION.

	Gallons alcohol per capita.	Convictions for all offences per M. of the population	Convictions for drunkenness per M. of the population.	Convictions for offences against the liquor laws per M. of the population.
Ten years ended 1890.....	666	7.51	2.61	.56
Five years ended 1890.....	622	7.87	2.72	.69
Three years ended 1893.....	597	7.40	2.46	.48

ONTARIO.

Ten years ended 1890.....	738	9.71	2.95	.77
Five years ended 1890.....	677	10.37	3.10	1.02
Three years ended 1893.....	654	8.40	1.98	0.56

QUÉBEC.

Ten years ended 1890.....	764	5.55	1.75	.35
Five years ended 1890.....	728	6.26	2.22	.36
Three years ended 1893.....	672	6.87	2.61	.24

NOVA SCOTIA.

Ten years ended 1890.....	330	3.21	1.39	.14
Five years ended 1890.....	319	3.06	1.30	.19
Three years ended 1893.....	306	3.73	1.66	.29

NEW BRUNSWICK.

Ten years ended 1890.....	432	6.80	4.07	0.50
Five years ended 1890.....	390	6.81	3.97	0.67
Three years ended 1893.....	362	7.60	4.44	0.99

PRINCE EDWARD ISLAND.

Ten years ended 1890.....	212	4.99	2.62	0.67
Five years ended 1890.....	187	4.86	2.81	0.70
Three years ended 1893.....	153	4.55	2.57	0.61

MANITOBA.

Ten years ended 1890.....	774	15.81	8.64	0.61
Five years ended 1890.....	669	8.24	4.34	0.21
Three years ended 1893.....	671	7.18	3.55	0.18

BRITISH COLUMBIA.

	Gallons alcohol per capita.	Convictions for all offences per M. of the population.	Convictions for drunkenness per M. of the population.	Convictions for offences against the liquor laws per M. of the population.
Ten years ended 1890.....	1.088	10.58	4.75	1.35
Five years ended 1890.....	1.113	11.16	4.60	1.22
Three years ended 1893.....	1.262	13.98	6.26	1.52

NORTH-WEST TERRITORIES.

Ten years ended 1890.....		3.60	0.60	0.78
Five years ended 1890.....		4.33	0.82	0.91
Three years ended 1893.....		6.57	1.70	0.61

NOTE.—Spirits are computed at 50 per cent; malt liquors, of which a large quantity is lager beer, 6 per cent; wines, 20 per cent.

The quantities are those entered for consumption. In the case of the Dominion, they are supposed to be correct. Between the provinces there are interchanges—more particularly in the east—of which no records are kept. The returns are, as regards the provinces, therefore only approximations.

The preceding tables present several interesting results. Taking the Dominion at large, and the average of the consumption of alcohol, convictions for offences of all kinds, convictions for drunkenness, and for offences against the liquor laws, it will be observed that the averages of the three years which ended in 1891 were smaller under every one of the heads mentioned, than the averages of the ten years preceding 1891.

British Columbia has the largest ratio of consumption and the largest ratio of convictions for offences in the years subsequent to 1890, and it is only exceeded by Manitoba in the ratio of convictions for all offences and for drunkenness, during the ten years preceding 1891. The return of convictions includes many for offences committed by Indians and Chinese. It will be observed on examination of the returns that the consumption and convictions have increased, and that they were higher in every year subsequent to 1890 than they were on the average of the ten years preceding 1891.

In Manitoba, the ratios of convictions for the ten years ending in 1890 were very high, but subsequently they steadily declined, and in the years after 1890 down to 1893 were each year lower than the averages of the ten years preceding. The highest ratios were reached in the first five years when the results were probably affected by the large influx of immigrants and the population temporarily employed on railway construction. The consumption in the three years ending 1893 slightly increased over that for the five years ending 1890.

In Quebec the average consumption was higher in the ten years preceding 1891 than in the three years subsequent to 1890. Convictions, however, increased, and they were lower on the average of the ten years prior to 1891 than in the three years subsequent to 1890, excepting in the case of offences against the liquor laws, which were lower in the later period.

In Ontario there was a reduction in the consumption of liquor and in convictions under each of the three heads of the return.

In Nova Scotia the consumption slightly decreased; but convictions under all the classifications of the return very materially increased.

The same remark applies to New Brunswick. It will be observed that the ratio of convictions for all offences in this province is larger than the ratio in any of the provinces east of Ontario. If the last period shown in the return is taken,—although the consumption is less per capita,—the convictions are higher than those in any of the provinces east of British Columbia, excepting only Ontario, where the

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total convictions are largely affected by the convictions for breaches of the municipal laws, as may be seen from the following figures:—

	All offences per 1,000 population.	
	New Brunswick.	Ontario.
For three years ending 1893... ..	7.50	8.40
Deduct municipal and minor offences.....	0.83	3.67
	6.66	4.73

The ratio of convictions for drunkenness in this province is larger than the ratio in any of the other provinces, with the single exception of British Columbia.

In Nova Scotia the ratios under all the heads of the return are low, being, for the ten years ended 1890, the lowest on the statement (the Territories being left out as incomplete), but it is a noticeable fact that they have all increased since that date.

In Prince Edward Island the average consumption of liquor, as shewn on the return, is lower than in any of the other provinces, and it decreased in the three years ending 1890, as compared with the average of the ten years up to and including 1890. Charlottetown had unregulated free trade in liquor from the date of the repeal of the Scott Act in 1891, and up to July 1st, 1892, from which date it was under police regulation. The ratio of convictions increased 1891 and 1892* above the ratio of the ten years; but in 1893 it fell below that of the ten years and of the two years immediately preceding and the average of the three years was the lowest on the return.

An interesting table of the consumption of liquor by the people of the different nations is published by Mr. Michael Mulhall, a recognized authority, in his "Dictionary of Statistics." The following is a copy of it:—

	Millions of Gallons.				Gallons per Inhabitant.			
	Wines.	Beer and Cider.	Spirits.	All Reduced to Alcohol.	Wines.	Beer and Cider.	Spirits.	Equivalent in Alcohol.
United Kingdom.....	14	1,020	34	71	0.4	27.0	0.9	1.9
France.....	750	410	40	131	19.0	11.0	1.9	3.5
Germany.....	120	880	60	86	2.5	18.0	1.3	2.2
Russia.....	40	80	91	52	0.5	0.9	1.0	0.6
Austria.....	200	250	30	45	5.2	6.5	1.6	1.6
Italy.....	480	30	13	56	16.5	1.0	0.4	1.9
Spain.....	260	5	5	29	15.0	0.3	0.3	1.7
Portugal.....	60	1	1	7	12.7	0.2	0.2	1.5
Sweden.....	2	30	20	11	0.4	6.2	4.2	2.3
Norway.....	1	10	7	4	0.4	5.0	3.5	2.0
Denmark.....	1	25	8	5	0.5	12.5	4.0	2.5
Holland.....	3	40	12	8	0.7	8.8	2.6	1.8
Belgium.....	4	170	10	14	0.7	28.5	1.6	2.0
Switzerland.....	30	10	5	6	10.0	3.3	1.7	2.0
Roumania.....	16	10	4	5	3.0	1.8	1.0	1.0
Servia.....	10	4	2	3	5.0	2.0	1.0	1.3
Europe.....	1,991	2,975	342	523	6.0	9.0	1.1	1.6
United States.....	21	630	76	73	9.4	10.5	1.3	1.2
Canada.....	3	40	5	5	0.6	8.0	1.0	1.0
Australia.....	2	40	3	4	0.6	12.0	1.0	1.2
Total.....	2,017	3,685	426	605	5.0	8.8	1.1	1.4

*The Scott Act was again brought into operation in the city of Charlottetown on the 28th July, 1894.

The dates to which these figures refer are not given, but the work was published in 1892.

The statistics which have been collected by the Commission, published with this report, and also those published by Mr. Mulhall just referred to, show that the people of Canada consume as, compared with those of other countries, a small amount of alcohol per capita; in short, they appear to consume a smaller quantity than any other community of whose consumption there are reliable statistics.

The arrests for offences of all kinds and for drunkenness, have been obtained from a number of places in the Eastern and Western States, and they will be found in appendices numbers 137 to 168.

The arrests in certain places in Maine are hereinafter referred to, but for the purpose of more easy comparison of arrests in Canada and the States a summary of the whole is given in appendix number 136.

Taking the Dominion as a whole, the statistics of convictions for offences show that in the years subsequent to 1890, the ratio of convictions to the population for all offences, for drunkenness, and for offences against the liquor laws, decreased, and this notwithstanding that there was an increase in the convictions for offences against municipal laws and minor offences.

There was a decrease in the number of commitments to jail for all offences, and, where it has been practicable to obtain the information with any degree of accuracy, as, for instance, in Ontario, the returns also show a large decrease in the commitments for drunkenness.

In the later years there has been a decrease in the consumption of liquor.

If the results, as shown in these returns, have not been as satisfactory in some of the other Provinces, as in Ontario, the Commissioners believe the fault does not rest so much with the laws as with the administration of them.

It is hardly practicable for your Commissioners to say to what cause or causes is to be attributed the more generally satisfactory state of affairs above indicated, but they are very clear that the control of the liquor traffic should always be removed from party political influence, Dominion, provincial or municipal, and should be committed to a Board of Commissioners entirely free from partizan influences either as to its mode of appointment or its composition.

PROVINCES.

Such information in regard to the laws of the various provinces, and the results which have flowed from their enactment, as far as the Commissioners have been able to gather these results together, are given in the following pages.

NOVA SCOTIA.

The Commission opened its sittings, for the purpose of taking evidence, at Halifax, on the 25th July, 1892. An analytical index of the evidence taken in that city, and other places in the Province of Nova Scotia, is included in volume one of the evidence.

A summary of the liquor laws of this province and the changes which have taken place in them since the year 1749 is given in appendix No. 59.

Such licenses as are granted in the province for the sale of liquors are issued by the municipal councils.

The law provides that the council in any municipality, city, or town where licenses are not issued, may appoint agents for the selling of liquors for medicinal purposes, etc. No such appointments are to be made in any polling district, or ward within which, or within reasonable distance from which, a drug store is situated. Properly qualified druggists may sell in quantities of not more than six ounces at one time to one person, and are not required to take out liquor licenses, (Act 1886, section 59; Act 1888, section 9).

The law prescribes the mode in which applications for licenses are to be made. The municipal council has, under the law, to appoint a license inspector, whose duty

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it is to examine all applications for licenses and to report upon them. He is authorized to take evidence on oath, and no license is to be granted without a report from the Inspector being first obtained. But the council may, in its discretion, refuse to grant any license, notwithstanding that it may be favourably reported upon by the Inspector, (Section 25, sub section 2, Act 1886). Every license inspector has to be a member, in good standing, of some recognized temperance organization within the municipality, or, if there is none within the municipality, then of a recognized organization within the province. He holds his office at the pleasure of the council; but his appointment, and also his removal, are subject to the approval of the Governor in Council.

The councils have to meet on specified days in each year and decide upon all applications for licenses. In the municipalities where all licenses are refused, there can be no legal selling for beverage purposes. A succeeding council may, of course, reverse the decision of the preceding one, except where the refusal to grant a license is for cause, in which case no license can be issued to the applicant for two years thereafter.

The law provides (section 39, Act of 1886):—

"No hotel-keeper shall sell liquors in any bar in any hotel licensed under this Act, or otherwise in section 5 provided, under a penalty of one hundred dollars, and for a second, or any subsequent offence, he shall pay a penalty of one hundred dollars, and be imprisoned two months in the county gaol."

Section 5 provides that the council may direct the issue of licenses; describes them as hotel licenses, shop licenses, and wholesale licenses.

"A hotel license shall authorize the licensee to sell and dispose of liquor, in quantities not exceeding one quart, to bona-fide guests in his hotel, and during the regular meals, to be drunk or used by such guests, at their meals at the table, and not otherwise, and to bona-fide guests or lodgers in their rooms in such hotel, to be drunk in such rooms, and not otherwise."

"A shop license shall authorize the licensee to sell and dispose of any liquors not to be drunk in or upon the premises for which the license is granted, provided that not less in quantity than one pint shall be sold or disposed of at any one time to any one person, nor more than two gallons.

"A wholesale license authorizes the licensee to sell and dispose of liquors in his warehouse, store, shop or place defined in the license, in quantities of not less than an octavo in each cask or vessel, and in the case of bottled ale, porter, beer, wine or other fermented or spirituous liquors, in quantities of not less than one dozen reputed quart bottles, not to be consumed on the premises."

It will thus be seen that outside of an hotel there is no legalized sale for beverage purposes in Nova Scotia of a less quantity than one pint, and bars are prohibited.

Every hotel authorized to be licensed must contain, and, during the continuance of the license, continue to contain, in addition to what may be needed for the use of the family of the hotel-keeper, in cities and towns not less than six bed rooms, and in other places not less than three bedrooms, together with in every case, a suitable complement of bedding and furniture, and, except in cities and incorporated towns, must have attached to the hotel proper stabling for at least six horses, besides the proprietor's, and must be a well-appointed and sufficient eating-house, with the appliances requisite for daily serving meals to travellers. No license shop is to communicate by any entrance with any shop or store where any goods or merchandise are kept for sale.

The Canada Temperance Act is in force in twelve out of a total of eighteen counties in the province. It has only been repealed in one instance since being adopted, viz., in the County of Colchester. In that county it was adopted in 1881 by a majority of 1,234 of those voting (1,602), the number on the register at that time being 3,914. In the year 1889, it was repealed by a majority of 1,064 out of the total number of those voting (1,150), the electors on the register at that time being 5,010. The statement, Appendix 60, shows the counties in which it is

still in force, and the dates when it was adopted, and the map on page 155 shows the territory covered by the Act.

In the neighbourhood of the coal mines in Cape Breton, where the population is largely under the control of those working the mines, the Act, which is in force, appears to have been fairly well observed.

The evidence taken at North Sydney tended to show that the Scott Act was fairly well enforced in Cow Bay, but in North Sydney it was not observed, although many of those who gave evidence, while stating that the act had done nothing to suppress liquor in North Sydney, were in favor of a general prohibitory law. It was stated that the expense incurred in carrying on prosecutions, having for their object the punishment of offenders against the law, had led to their being discontinued, although it appeared that a considerable balance available for the carrying on of such prosecutions, remained in the hands of the municipal authorities.

The Rev. Isaac Murray, D.D., Presbyterian Minister, resident eight years at North Sydney and previously for thirty years in Prince Edward Island, stated that he was heart and soul in accord with the deliverance of his church on the subject of the liquor traffic; nothing short of prohibition, rigidly enforced by the proper authorities, should ever be accepted as final or satisfactory. He stated that the Scott Act was not enforced; that inasmuch as it allowed liquor to be landed in North Sydney, it was illogical to attempt to stop the sale of it. He said: "Last winter I saw four or five casks of liquor at the door of one house, invading our rights as passengers on the street. A prohibitory law would not allow that, and people reason that there is a lack of logic when the law allows liquor to come in, and yet does not allow it to be sold. Whenever a law becomes illogical, logical men will resist it." (Q. 4014.) And he added: "Mere legislation in itself or legislation in advance of the sentiment of the people, I can have no faith in; but the very community which demands the law we are seeking for must be looked upon as intelligent, and, in order that the law should be operative and effective, we must educate, and the law not only in its first enactment but in its execution must rest upon a strong moral sentiment favourable to the law." (Q. 4032.) Speaking with reference to the non-enforcement of the law in North Sydney, (Q. 4046) and the action of the county councils in reference thereto, he stated that he could only conclude that the councils were not in sympathy with the Act; that they were not appointed for the specific purpose of giving enforcement to the Act, and that other subjects and other interests came in and led to the election to the Council of men who were not in sympathy with the Act. Further questioned on the subject, he said: "I think, undoubtedly, the cause is lack of interest in prohibition in this place, and that is why the act is not enforced." (Q. 4053). Asked if he considered the Scott Act as at present enforced a moral educator, or as tending to improve the morals of the community, he said: "No; I think a law passed and not enforced is educating in the wrong direction; it is teaching us to disrespect law." (Q. 4064).

Many witnesses were examined in Truro; population 5,102. The prohibitive provisions of the provincial law are in force here and no licenses are issued. The County of Colchester, in which Truro is, was under the Scott Act from 1881 to 1889. There is evidently quite a free sale of liquor in the town, and the law is not enforced. The Mayor stated that there was illicit sale to a large extent and by many persons. He spoke of the difficulty of enforcing the law, owing to legal questions being raised and appeals taken. Under the old law, that is the law in existence prior to the coming into force of the Scott Act, there were five or six hotels licensed, and, perhaps, some shops. He said he did not think there was more drunkenness in the town when it was under license than there was at the present time. (pp. 249, 251, vol. 1.)

It was given in evidence that there was a year or two before the coming into force of the Scott Act when no licenses were issued in the town. It was explained that the parties who had promoted the adoption of the Scott Act in Colchester County were those who petitioned for its repeal. The ground for their action was that when they proceeded under the Scott Act, they were met with doubts as to the

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validity of the proclamation, and if they attempted to enforce the Provincial License Law they were met by the declaration that the Scott Act was in force. This state of matters led to the abandonment of the Act in the county.

A statement of the convictions for offences in the town was handed in by the town clerk, and it forms appendix No. 7, vol. 1, of the evidence.

Licenses appear to have been granted in the years 1875-6-7, and for the first part of 1877-8, but from that date no licenses were issued. A statement will be found in Appendix No. 7, vol. 1, of the amount received by the town for fines imposed in the police court, and of the expense of the police force of the town.

Some evidence was taken at Truro having reference to other places in the province.

A gentleman, formerly inspector of fisheries for Nova Scotia, and who occupied the position for twenty years, said that his business led him to travel over all the province, and that he had noticed a marked improvement in the customs of the people in regard to drinking. (Q. 5101-2).

A witness from Stellarton, Pictou Co., where the Canada Temperance Act is in force, stated that he thought the effect of the act latterly had been beneficial; that it was not well enforced all the time; but that it could be enforced with proper officers, if the councils of the municipalities would appoint them. (Q. 5319).

Evidence was given that the Scott Act was well enforced in Ferona, near New Glasgow; that it was not quite so well enforced in New Glasgow; and that there was a good deal of liquor sold there. At Ferona there are large iron works employing between 400 and 500 men. It was stated that it was mainly through the personal efforts of the Rev. H. R. Grant that saloons for selling in Ferona had been closed, and the terms of the Scott Act enforced. (Q. 5412-5462.)

Prior to the Commissioners visiting Yarmouth, it was mentioned to them as a place in which prohibition was efficiently enforced. It was stated that in Yarmouth, even before the Scott Act went into operation, there was no opportunity of getting liquor, except in the most indirect manner, although it was not claimed that the law had absolutely prohibited the sale. On arriving at Yarmouth the Commissioners found that long before the Scott Act was adopted, no licenses had been issued in that town.

Rev. William McIntosh, Congregational minister, stated that he thought the inhabitants of Yarmouth county, compared very favorably with any part of Ontario or Quebec, which he had visited, and he had visited nearly all parts of these provinces. He was an advocate of general prohibition. (Q. 6825-6830).

Mr. Nathan Hilton, Stipendiary Magistrate at Yarmouth (pp. 309-314) stated that there had never been a license issued in Yarmouth as far as he could recollect. He had been told that there were two or three, but his recollection extended to nearly seventy years. He had been on the Bench of Sessions for forty years, and in other ruling bodies in the county, and he had never known a license to be issued in Yarmouth. He was personally quite sure that no license had been issued for forty years. He remembered, when a boy, that many people got drunk, very respectable people. Almost all the people were drunk at times; but the temperance sentiment had been so pushed into the people and the children that the people now did not either drink or favor drinking, much less the illicit buying or selling of liquor. Drunkenness had never been prevalent in Yarmouth for the last forty years, except that now and then there had been a "kind of wave." Mr. Hilton is at present the stipendiary magistrate for the town, and also the municipality of Yarmouth, and his writs run over the whole county of Yarmouth as stipendiary magistrate for the municipality. With regard to the floating population, he stated that he had not many sailors before him, except for running away, and he experienced no special difficulty in dealing with them on account of drunkenness. He stated that people were frequently charged with the sale of intoxicating liquors, and that there were as many as twenty or thirty cases a year. In 1891 he had 154 cases in his court, and he divided them as follows:—Thirty for violation of the Canada Temperance Act, 52 for other offences, and cases occasioned by liquor, 26; or, in other words, about one-half of the whole number of cases arose directly or indirectly from the use of

liquor. He thought that the convictions for drunkenness which he had mentioned did not include more, perhaps, than 20 separate persons, as there were several "repenters," and that there were, perhaps, 30 more cases which originated out of over-indulgence in drink. He intimated that he had been informed that the liquor sold was bad stuff, and that it generally cost about 75c. per gallon. He did not think over 25 per cent. of the population were in favor of rum selling. He stated that there were some "bottle peddlers." There was some illicit sale in hotels, and in a certain kind of boarding-house, and some of the vendors kept what were known as "holes." He did not believe that the druggists who had a right to sell under the Canada Temperance Act had gone beyond the limits of the law.

Mr. Hilton, when asked if he had reason to believe that perjury was committed in any of the cases relating to selling liquor illicitly, said that he did not wish to be cross-examined upon that subject, but he had no doubt of it; there would be no difficulty in stamping out the liquor trade in Yarmouth in a month but for that. When asked if he thought that there were more cases of perjury in connection with the liquor traffic cases than there were in other summary cases which came before him, he said that he thought perjury more frequently occurred in liquor cases.

The population of the town of Yarmouth in 1881 was 3,485, and in 1890, 6,089. Taking the number of cases mentioned as coming before his court by the Stipendiary Magistrate as 154 in 1891, the ratio would be 25.27 per thousand of the population.

Homan Gardner, of Yarmouth, was clerk of licenses from 1873 to 1882. His duty was to prosecute offenders against the law. He said that there had been no licenses issued for fifty years, but continued: "I had a good deal to do. I cannot tell you the number of convictions. I suppose the record of the court would show. Many were fined and many went to jail. I shall be eighty-four years of age on the 23rd September, 1892. I had great difficulty in enforcing the law. My property was burned, my windows were broken, and I was personally assaulted on the street. The guilty parties were punished." (Q. 6284-6303).

A large number of members of the medical profession and several druggists were examined. They largely concurred in pronouncing the liquor sold in Yarmouth as being very vile stuff.

One gentleman, who had been in practice in Yarmouth for fifteen years, stated that he thought there was an honest attempt to enforce the Scott Act; but he did not think it was efficiently enforced, and it was almost impossible to enforce it. He thought that the temperance societies had done more to promote temperance than had been accomplished by legislation. He considered there was less drinking in Yarmouth when he first came to the town than there was now. There were times in the past when no liquor was to be had, but of late years there had been plenty. (Q. 6359-6408).

Another member of the medical profession who had been twenty-seven years in the town, said that he did not consider that drinking had increased in Yarmouth more rapidly than the population, and that the prohibitory laws had some effect in restraining it. (Q. 6435-6445).

The evidence of these gentlemen tended to show that there is a somewhat large use of drugs as stimulants in the town.

In Halifax county licenses are issued, and three appear to have been three taken out in 1892. There were in the same year 31 prosecutions for infringements of the law and 24 convictions. The clerk of the municipality remarks in regard to these prosecutions:—

"The result can scarcely be considered satisfactory. Each year (and 1892 is no exception) a large portion of the fines are not or cannot be collected. The county has to bear the expense of parties incarcerated in jail and the deficit on inspector's expenses. Parties refused licenses go on selling all the same, as the sale of liquors is connived at by friends and patrons of the seller, and even those who do not sign the certificates refrain from giving information such as will warrant the inspector instituting prosecutions. Various means are taken to evade the law and its penalties. Councillors complain that the license fees and fines, which formerly

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went to improve the roads and bridges, go now to the Inspector and to pay costs of ineffective actions, &c."

In Richmond County in 1891 no licenses were issued, but in 1892 it would appear that the council reversed the policy of the previous year and issued three shop licenses,

In the Province there are five licensed browries and one distillery.

In the city of Halifax the number of licenses issued in 1892 was 108, about equal to one license to every 361 of the population. The amount received by the city for license fees is between \$10,500 and \$11,500 per annum.

The evidence taken by the Commission tends to show that the law is not strictly observed by those licensed to sell in the city of Halifax, and, further, that there is a large illicit sale.

A table showing the arrests for offences of all kinds, and the arrest for drunkenness, etc., in the city of Halifax, will be found in appendix 18.

It will be found that the ratio of arrests compares favorably with such cities as Portland and Bangor, Me., and St. John, N. B. Many of the cities in the Dominion, however, show a lower ratio of arrests than Halifax.

The gentlemen occupying the position of License Inspector for the city when the Commissioners were in Halifax, was a total abstainer, and was then a member of two temperance organizations.

The Rev. John Lathern, D. D., of Halifax, editor of the *Wesleyan*, and an ex-president of the Methodist Conference, spoke strongly in favor of prohibition, and of the beneficial effects which had followed the adoption of the Scott Act in many districts in the Province. He put in, in his evidence, resolutions passed by the Methodist Conference, one of which was:—

"With respect to political action, we declare our unalterable resolve to accept no compromise with the drink evil. Unconditional surrender and complete extirpation is our demand. We regard with utter condemnation the acceptance of monetary consideration, whether as license fees or federal revenue, as any sufficient justification for the perpetuation of this trade in drink in any of its forms." (Q. 1-8.)

He stated, with reference to prohibition, that, possibly, if a general law were not enacted at once, there might be one made permissive to provinces at least, and such a law might pass the Dominion Parliament, allowing any province, upon a majority vote to adopt it. Asked if such a law could be efficiently enforced in the city of Halifax in the present state of public opinion, he stated that his opinion was that there would always be difficulty in the enforcement of any such law in the city but outside the city the permissive clauses of the law at present in operation had resulted in there being large sections of the province where there are no licenses, and where no licenses have been granted for years, and, further, that he had no doubt, in regard to the Province of Nova Scotia, that, outside the city of Halifax, a prohibitory law could be efficiently carried out. (Q. 16-30.)

Rt. Rev. Frederick Courtney, D. D., Lord Bishop of Nova Scotia, who also gave evidence before the Commission, stated that he considered the people of the province and of Prince Edward Island of temperate habits; that he did not consider legalized prohibition would be an efficient remedy for intemperance; that the conscience of the people was not in a condition to enforce the law—it would enforce it in individual cases, but it would not enforce it practically and as prohibitionists wished to see it enforced, and that he did not consider a Dominion law prohibiting the manufacture, importation and sale of intoxicants as a beverage, desirable. Speaking of the Scott Act, his Lordship said: "With respect to the liquor traffic itself, and the possibility of a prohibitory law, it is notorious from what I have been told, even much more than what I have observed, because I have had opportunities of observing the operation of the Scott Act in many places, that it is, I will not say a dead letter, I will not say a failure, but it is not observed, and that breaches of it are shown in all sorts of directions, and that places which are supposed to be under the Scott Act, are places where, as a previous witness stated, people can get liquor." (Q. 1842.)

His Lordship further proceeds to say:—"Perhaps I may be allowed to say in regard to prohibition, this, and to answer your question in the shortest way possible by merely a monosyllable. I do not conceive it to be in the interests of the people that any law (I am now talking of the liquor traffic) should be on the Statute book which the conscience of the community will not endorse. It weakens the majesty of the law in the estimation of the whole population, and it is most desirable, perhaps I may say especially so in the present case, that the majesty of the law should in no sense be weakened, and in no particular be weakened in the minds of the people." (Q. 1842.)

His Lordship further said that prohibition prohibited a great many people who otherwise would engage in the traffic, either by way of selling or buying, but that it had not succeeded in shutting liquor out from all the towns of Maine, and that people who went there and wanted drink could get it; that they could get it in all sorts of ways. Efforts had been made to solve the question in the United States, where he had resided twelve years. In all the three places in which he had resided when there, namely New York, Chicago and Boston; Chicago was the first to lead the way, and the people there tried high license, the idea being that by exacting such a high license as \$1,000, the sum mentioned, and for beer licenses alone \$500, the sale would be restricted to the hands of proper people, and they of reputable character. But the law had not stopped illicit selling, and in that respect it resembled in its practical working the prohibitory law, but it had reduced selling tremendously. (Q. 1842.)

In Boston he had been a member of the Citizens' Law and Order League, organized for the purpose of securing the enforcement of the law. The programme of the league was not to get the law altered, but to get the provisions of it enforced. The League had done good service in securing a reduction in the number of licensed places.

His Lordship explained the basis of the Church Temperance Society in the States, which is similar to that of the Church of England Temperance Society. There are three pledges, the first for abstinence, the second a pledge for abstinence from certain kinds of liquor, and the third a pledge of moderation in the use, or in other words, restraint in the use. (Q. 1845.)

The Rev. D. Stiles Fraser, of Stewiacke, Colechester, Co., Convener of the Temperance Committee of the General Assembly of the Presbyterian Church in Canada, explained the attitude of the Presbyterian Church on the subject of prohibition as being in favor of the entire prohibition of the liquor traffic. He handed in certain deliverances of the Assembly of the Church, which will be found in Appendix No. 5, Vol. I. Mr. Fraser stated that there was a minority in the Assembly, who did not agree with the views expressed by the resolutions. He held that the selling of liquor was a sin and he put the selling of intoxicating liquor and theft on the same footing, although admitting that the community generally did not look upon the two things in the same light. (Q. 4971.)

Rev. E. M. Saunders, of the Baptist Church, of Halifax, also gave evidence before the Commission. He expressed himself in favour of prohibition. When questioned as to the possibility of efficiently enforcing a prohibitory law in the city of Halifax, he admitted that he had doubts as regarded that city. With reference to the enforcement of a general prohibitory law, he stated: "I think, after all my enquiries, from the way in which the Roman Catholic priests in different parts of the country, and the clergymen of other denominations are acting, and from the fact that the public sentiment is encouragingly favourable to prohibition, that if there were a good prohibitory law for the Dominion of Canada, and if there were careflessness and wisdom observed in regard to the provisions of the law and in regard to appointing officers to carry it out, as a rule in these provinces (meaning the Maritime provinces), and I cannot speak beyond them, the law would be enforced with a high degree of efficiency." (Q. 616.)

Pressed to say if he thought, in the present state of public opinion, a prohibitory law would be efficiently enforced, he stated that, "if a law were passed by the Dominion Parliament simply to get rid of an ugly question that was pressing upon

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them, that of prohibition, and there was not any special interest taken in the details of the law, and of the officers appointed to carry out the law, then I am ready to believe that the law could not be enforced very generally. However, if the very best safeguards and protective provisions were put around it, it would be generally enforced in these Lower Provinces. There might be times in Halifax, and perhaps in St. John, when it would be difficult to enforce it, and when there would be obstacles in the way, and indeed, it would be some years before the public sentiment would be strong enough to enforce it there, but I am speaking generally of the lower provinces." (Q. 617-618.)

The Provincial Government has not collected any fees for licenses since the year 1884, when \$1,900 was collected under the Dominion Liquor License Act of 1883. Such licenses as are now in force are issued by the municipal councils, who collect the fees, which are: for a hotel, \$150; for a shop, \$100; for a wholesale license, \$300; for a brewer, selling wholesale, \$150.

There appear to be very few licenses issued outside the city of Halifax.

The Commissioners have endeavoured to get an accurate statement of all the licenses issued within the province, and the amount collected for fees, but they have not found it practicable to do so. Such information as has been collected is given at page 171.

The law provides that:—

The municipal council shall report annually to the provincial secretary, and its report shall contain:—

"(a.) A statement of the number and description of licenses and of the names of applicants to whom licenses were granted during the year.

"(b.) The names of those to whom licenses were not granted.

"(c.) Any other statement required to be entered in the register of licenses.

"(d.) The prosecutions for infractions of this Act, and the results of the same.

"(e.) General remarks as to the working of the law within the district.

"(f.) It shall also report as to the moneys received and expended during the year.

Such returns have not been made, and apparently have not been asked for by the government. In a letter addressed to the prime minister of the province (April, 1892), the request was made on behalf of the Commission, to be supplied with statements of the amounts received annually by the government and the municipalities, separately, from the granting of licenses for the sale of liquor. The deputy provincial secretary, replying, wrote:—

"I am directed to say that no money has been received by the government of Nova Scotia for liquor licenses, excepting in the year 1884. In that year the following sums were received from the treasurers of the undermentioned places as provincial revenue from licenses issued under the Dominion Liquor Licenses Act:—

The County of Halifax.....	\$ 350 00
The City of Halifax.....	1,350 00
The Town of Dartmouth.....	200 00
Total.....	1,900 00

"The most of the counties in Nova Scotia are under the Scott Act. In the city of Halifax, and in several of the counties, licenses are issued under the Nova Scotia Liquor License Act. As the operation of this Act is a municipal matter, this department is not in a position to afford the information desired by your letter.

The Nova Scotia Liquor License Act was passed in 1886; but I regret that I am unable to send you a copy, as I find, upon enquiry of the Queen's Printer, that the Acts of that session are out of print."

On applying to the municipal councils for information in regard to the traffic, in many instances the Commissioners have not received any replies to their communications, and in others they have been informed that the accounts from which the information could be compiled are not available. The following statement,

made up from the returns received, contain all the information on this branch of their enquiry which the commissioners can give:—

NOVA SCOTIA.

Partial statement of amounts received by municipalities for licenses for the sale of liquor, the number of such licenses issued, and the amount received for fines for infractions of the liquor laws, in the undermentioned periods.

Year.	No. of all licenses.	Amount Fees.	Amount Fines.	Remarks.
		\$ cts.	\$ cts.	
1870	9	1,197.00	490.50	Halifax city not included.
1871	14	981.00	229.00	" "
1872	14	1,058.25	140.00	" "
1873	12	847.00	275.00	" "
1874	12	776.63	228.00	" "
1875	10	893.44	136.00	" "
1876	7	763.75	214.00	" "
1877	78	8,716.50	2,415.85	Including Halifax city.
1878	93	9,100.00	3,073.45	" "
1879	112	11,620.50	4,023.50	" "
1880	110	11,580.00	6,993.57	" "
1881	108	11,230.20	6,429.00	" "

The amounts collected for fines in the counties from which returns have been got would indicate that there are many breaches of the laws.

The Scott Act has never been submitted to a vote in the city of Halifax. Much conflicting evidence as to the prevailing sentiment in the city was given before the commission. It was claimed by the advocates of prohibition that the sentiment in the city was in favour of prohibiting the traffic, but there does not appear to have been at any time on the part of the City Council which is the licensing body, a disposition to avail itself of the powers to refuse licenses conferred by sub-section 2, of section 25, of the Act of 1886, which is as follows:—

"If the said pre-requisites have been complied with (but not otherwise) the Council may, in its discretion, entertain the application." (i. e., an application for a license).

And it is further difficult to understand, if such is the prevailing sentiment, how the applicants for licenses succeed in meeting the requirements of the law, the tenth section of which provides,—

"The petition (for a license) must be accompanied by a certificate signed by two-thirds of the rate-payers of the polling district in which the premises sought to be licensed are situated. Such polling district shall be established by law for the purposes of an election for the House of Assembly, or if none such be established, then the polling district used for the last election to the House of Assembly."

The statistics of the consumption of liquors in the province for the ten years ended 1880 and 1890, respectively, were, per capita, as follows:—

	Galls.
1880—Spirits.....	0.683
Wine.....	0.083
Beer, &c.....	0.940
1890—Spirits.....	0.528
Wine.....	0.054
Beer, &c.....	0.926

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These figures indicate a consumption much below the average of the whole Dominion, and below that of any of the other provinces with the exception of Prince Edward Island. Reduced to alcohol, on the basis of 50 per cent of alcohol in spirits, 6 per cent in beer, and 20 per cent in wine, the consumption in the two periods would be,—

Ten years ended 1880.....	0.414 gallons per capita.
“ “ 1890.....	0.330 “ “
It was in 1891.....	0.318 “ “
1892.....	0.311 “ “
1893.....	0.286 “ “

Turning to the criminal statistics, page , it will be found that the ratio of convictions per thousand was as follows:—

	All offences	Breaches of municipal laws.	Drunkenness.	Offences against liquor laws.
Five years ended 1885.....	3.36	0.79	1.47	0.10
Five years ended 1890.....	3.06	0.69	1.30	0.19
Three years ended 1893.....	3.73	0.86	1.66	0.20

It will be noticed that the ratio of convictions increased in this province in the period between 1890 and 1893, the highest figures in the whole period covered by the returns, being those for the year 1893. In that year the ratio for drunkenness was 2.07.

A strong temperance sentiment has prevailed in Nova Scotia for many years past, and the efforts of the temperance organizations have been continuous and vigorous. A statement of what these efforts have been will be found in Appendix No. 61. Practically the people of Nova Scotia have under the Provincial License Law, the control of the traffic in their own hands. The council of any municipal district may, by simply refusing to grant licenses, prevent any legal sale of liquors for beverage purposes within the boundaries of the municipality.

The Commissioners were desirous of obtaining full information in regard to the cost to the Province of maintaining the poor, their numbers, the number of prisoners in jails, insane in asylums, etc., and the cost of these classes to the province and municipalities. The numbers of the insane and the amount paid for transient poor were supplied, but the cost only in part. The Deputy Provincial Secretary writing to the Chairman of the Commission, July 6th, 1892, said:—

“ I am directed to acknowledge receipt of your letter of the 1st. instant, and to inform you that no letter of the date 27th. April has been received at this Department from you. The blank form you enclosed in your last was handed to the Commissioner of Public Works and Mines, who has filed in as much of the information desired by you as he could obtain. This Department has no statistics from which can be supplied replies to any of the other questions.”

The following statement contains the information supplied :—

PARTIAL STATEMENT of the cost to the Province of Nova Scotia of maintaining the transient Poor and Asylums for Lunatics, for the years 1876 to 1892, (inclusive).

	Number of Lunatics.	Number of Poor receiving relief.	Cost of maintain- ing Lunatics.	Amount paid on account of transi- ent Poor.
			8 cts.	8 cts.
1876	337	Number varies from 250 to 300 in different years.	55,766 00	*
1877	351		54,182 00	*
1878	362		55,163 00	2,234 09
1879	364		56,000 00	1,425 37
1880	361		57,900 00	1,629 89
1881	382		60,204 00	1,334 55
1882	382		63,554 00	1,357 73
1883	399		69,400 00	1,324 46
1884	400		69,400 00	1,491 53
1885	384		71,641 00	1,491 53
1886	419		71,821 00	994 12
1887	396		73,400 00	1,372 73
1888	396		69,700 00	515 78
1889	407		69,000 00	1,524 42
1890	395		66,800 00	7,666 11
1891	372		72,411 00	1,989 43
1892	348	66,812 00	4,275 02	

* Record not kept previous to 1878.

Such information as has been obtained in reference to prisoners in the common jails of Nova Scotia, will be found in Appendix No. 1. The returns are not complete, as some counties have not made returns at all, whilst others have made them for only a portion of the period embraced in the statement.

A statement of the insane in the Provincial Asylum is given in Appendix No. 9. It may be mentioned that part of the harmless insane are maintained in the almshouses of the province. The number of inmates in the Provincial Asylum fluctuates considerably. The municipal authorities, when they consider that the charges for the maintenance of the insane in the Provincial Asylum are too high, resort to placing as many of them as they practically can, in the almshouses, where it is, in some cases at least, asserted they are maintained at a lower rate.

Mr. Alexander P. Reid, M.D., who has been in charge of the asylum for the insane in Nova Scotia for many years past, gave evidence in reference to the number of the insane whose condition could be traced to intemperance. He expressed the opinion that the statistics generally published on the subject were quite unreliable, and stated that he had personally attempted to classify the insane, but very ineffectively, and that he could not classify more than 10 per cent of the patients. He said: "We assume that the statements we receive are correct. I am morally certain they are incorrect. 'Drunkenness' is the most unreliable form of classification we have. Very often we find a man's drinking is the result of insanity, and not the cause, and that a very great number of those who come to us, and are presumed to be temperate, are men who drink all the time, but their names never appear in such a list; never appear even indirectly in our papers. The only way we know is from previous personal knowledge of the man's habits. For that reason our statistics are absolutely unreliable and I would not believe any conclusions drawn from them, from the fact that frequently, when the cause is given as drunkenness, that drunkenness is the result of insanity, and those who become insane as the result of drinking are never mentioned." (Q. 1883.)—"As an exciting cause of insanity, I think religion is a long way ahead of any other." (Q. 1891).

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Dr. Reid stated that his experience in the General Hospital at Halifax was that a very large number of the cases which came there resulted from drink. He said:— "When I figure up the results of sickness I come to the conclusion, I may be wrong, but I really think not, that if there were any means, by any possibility, of excluding the effects of alcohol on humanity, the hospitals would have to be closed, for no one would have to go there, because those who go there now would be able to pay there way, for accidents and a large proportion of the disease result from the use of liquor. As superintendent of the asylum I was very much astonished to find that liquor had a much smaller influence on insanity than on almost any other social question that I am acquainted with." (Q. 1906).

"Take the children of drunkards,—I will not say drunkards exactly,—but take the children of those who have destroyed themselves through the influence of liquor, and it interferes with the nervous condition of the children. I think we have quite an amount of predisposition to nervous affections as the result of strong drink."

NEW BRUNSWICK.

A summary of the law relating to the liquor traffic in New Brunswick and the changes which have been made from time to time therein will be found in appendix No. 62.

The province collects no fees for licenses, excepting those for vendors for medicinal purposes. The municipalities determine the amount of the fees within the limits laid down by the legislature, collect whatever fees are imposed, and they have to provide for inspection and see that the provincial law is observed.

The fees in New Brunswick are:—

In incorporated cities and towns.—For taverns, not less than \$50, or more than \$200; for wholesale places, not less than \$100, or more than \$400.

In other districts.—For taverns, not less than \$25, or more than \$200; for wholesale places, not less than \$50, or more than \$200.

No shop licenses are issued. For a transfer of a license a fee of \$10 is exacted. An inspector is appointed by each municipal district who has to report on all applications for licenses, hear in open court objections made to the granting of any license and make a full report, accompanied by evidence, to the council.

The process by which licenses are obtained is by petition to the council of the district in which the license is to have effect. The petition must be endorsed by one-third of the ratepayers in the polling subdivision in which the premises sought to be licensed are situated, which polling subdivision shall be that established by law for the election of members of the House of Commons.

Tavern-keepers have to provide certain accommodation, but may be given exemption, under certain conditions, by the municipal council. They are prohibited from selling to minors or interdicted persons, and are liable to damages resulting from the sale to intoxicated persons, or to an extent to cause intoxication.

In cities and incorporated towns the number of licenses issued is not to exceed one for each two hundred and fifty of the first one thousand of population in any ward of such city or incorporated town, and one for each full five hundred over one thousand of population. The number of tavern licenses to be granted in the parishes shall not in any year be in excess of one for each four hundred, up to twelve hundred of population, and one for each full thousand above twelve hundred. One tavern license may be granted in any parish, notwithstanding the population of each parish shall not amount to four hundred.

The council of any municipality may, by by-law to be passed before the first day of February in any year, ordain that no tavern licenses shall be issued therein for the then ensuing year, or for any further license year until such by-law is altered or repealed. (50 Vic. cap. 4, sec. 39.)

Objections to granting any license may be made by a resident or residents in the district where the place proposed to be licensed is situated. Proceeding is by petition to the council, who instruct the Chief Inspector of Licenses to investigate

and report. Every such investigation is to be open to the public, and the evidence taken by the Chief Inspector, which may be under oath, is, with his report to be submitted to the council, "who shall, nevertheless, exercise their discretion on each application for a license."

No licenses shall be granted if the majority of the ratepayers in any city or incorporated town or parish, petition against it. (Sec. 31.)

Out of fifteen counties in this province, nine have adopted the Canada Temperance Act (Dominion). One city has also adopted the Act.

The ratio of convictions, and also the ratio of the consumption of liquors are both high. The convictions were as follows:—

	Per 1,000 of population.			
	All Offences.	Breaches of Municipal Laws.	Drunkenness.	Offences Against Liquor Laws.
5 years ended 1885.....	6.97	1.16	4.18	0.32
5 " " 1890.....	6.81	0.85	3.97	0.67
3 " " 1893.....	7.50	0.84	4.44	0.99

The highest ratio of convictions for all offences was reached in the year 1890; the lowest in 1887. From 1890 there has been a slight decrease, the ratio for 1893 being 7.54, a figure only exceeded by the ratio in Ontario and British Columbia. The highest ratio of convictions for drunkenness in this province was reached in the year 1891; the lowest was that of 1887, when the figure was 3.14 per thousand. In 1893 it was 4.24 per thousand, a figure which was only exceeded by the ratio in British Columbia. The ratio of offences against the liquor laws in the province are also very high; that for 1893 being 1.38 per thousand of the population, which was again only exceeded by the ratio of British Columbia.

The section of the province in which the Canada Temperance Act is in force is indicated on the map, page 155.

Turning to the returns of arrests by the police, it will be observed that the ratios in St. John and Fredericton are comparatively high. In Fredericton the Canada Temperance Act is in force. It was adopted in the year 1878 by a majority of 200 of those voting. It was re-submitted in 1882, and confirmed by a majority of 41; again submitted in 1885, and re-affirmed by a majority of 13; again submitted in 1889, and re-affirmed by a majority of 68.

The Canada Temperance Act was adopted in Portland in the year 1886, and repealed in 1890. Portland was incorporated with St. John in the year 1889, and it now forms a part of that city.

The Act was voted upon in St. John City in the years 1882 and 1886, and on both occasions it was defeated. The city is now under license.

The average ratio of the consumption of liquors in the province was as follows:—

	Gross galls.	Galls. Alcohol.	
5 years ended 1885.....	1.567	.475	per head of population.
5 " " 1890.....	1.712	.390	" "
3 " " 1893.....	1.694	.362	" "

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The following is a partial statement of the number of licenses issued and the amounts collected for fees and for fines respectively:—

Year.	Number of Licenses.	Amount from Fees.	Amount from Fines.	Total.
		\$ cts.	\$ cts.	\$ cts.
1880	219	10,960 00	17 75	10,977 75
1881	225	11,120 00	110 00	11,230 00
1882	265	9,820 00	15 00	9,835 00
1883	210	9,995 00		9,995 00
1884	149	10,308 00	35 00	10,343 00
1885	110	10,084 00	16 66	10,100 66
1886	138	11,733 00	300 00	12,033 00
1887	142	11,802 00	435 00	12,237 00
1888	117	13,395 00	360 40	13,655 40
1889	117	13,659 00	280 00	13,939 00
1890	164	21,210 00	400 00	21,610 00
1891	172	21,805 00	175 00	21,980 00

NOTE.—(1.) Returns have not been received from all the municipalities. Westmoreland County makes no return for fees, but received between 1888 and 1892 \$2,240 for fines for breaches of the Canada Temperance Act, not included above, as the amounts received annually are not given.

(2.) Two counties return amounts received for fees without giving the number of licenses issued, in which case the number has been estimated.

(3.) The city of Portland was annexed to St. John in 1889, and the Scott Act, which had been in force in Portland, was repealed.

(4.) The Provincial Government received for licenses under the Canada Temperance Act in 1887 \$45, 1888 \$40, 1889 \$10 and 1890 \$75. The fee is \$10.

(5.) The number of licenses issued in St. John in 1883 was 173, in 1891 103 (including Portland). The total number of licenses issued in the province is probably from one hundred and seventy five (175) to one hundred and eighty (180) annually. In 1892 St. John City issued 104 licenses and collected \$20,495, and in 1893 103 licenses and collected \$21,310.

The law of 1887, (50 Vic., 1887, cap. 4), provides that:

"The council shall report on or about the first of January in each year, or such other time as the Governor in Council may prescribe, annually, to the Provincial Secretary, and its report shall contain:—

"(a) A statement of the number and description of licenses, and the number of applicants to whom licenses were granted during the year.

"(b) The names of those to whom licenses were not granted.

"(c) Any other statement required to be entered in the register.

"(d) Prosecutions for infractions of this Act, and the result of the same.

"(e) Any remarks as to the working of the law within the district.

"(f) They shall also report in detail as to the moneys received and expended during the year.

"(g) Also, any other matters asked for by the Provincial Secretary."

In response to applications for information, letters were received from the Hon. Mr. Blair the Prime Minister, and from the Hon. Provincial Secretary.

Mr. Blair, writing on the 15th August, 1882, stated:—

"A communication dated the 2nd July, was received from you in connection with the Royal Commission on Liquor Traffic, and enquiring as respects the returns from municipalities. Being absent from home at the time, not returning until last week, your letter has just passed under my observation, and in reply I hasten to say that there have never been any returns made by municipalities in this province of their receipts and expenditures in connection with the liquor traffic, although I believe information on the subject will be readily available on application to the Secretary-Treasurers of the different councils."

The Hon. Provincial Secretary, writing on the 22nd April, 1892, said:—

"I have to reply that the Government of New Brunswick has not received any revenue from the granting of licenses since 1867.

Licenses are granted by the municipalities, and they have the whole revenue therefrom. We have no data from which to give you information as to the amount. This would have to be obtained from the treasurers of municipalities, and I enclose a list of their names and P.O. addresses.

"I have directed that copies of the Liquor License Act of New Brunswick be sent to you under separate cover."

The Province of New Brunswick has had an experience in the matter of the prohibition of the liquor traffic which is exceptional. In the year 1855 an Act was passed by the Legislature of the Province to prevent the importation, manufacture, and traffic in intoxicating liquors (18 Vic., cap. 36). A short synopsis of the Act will be found in Appendix, No. 62. It went into operation on the 1st of January, 1856, and in July of the same year was repealed.

A statement by the Hon. Sir Leonard Tilley, who, at the time this prohibitory Act was passed was the Provincial Secretary of New Brunswick, and Clerk of the Crown, will be found at page 554 of vol. 1 of the evidence taken by the Commission. The matter is also referred to in the evidence given by the Hon. Mr. Anglin, which will be found at page 914 of vol. 4.

The putting into operation of the prohibition Act brought about a political crisis in the province, and led to a change in the administration. Only two of the members of the Assembly who had voted for the passage of the Act were returned after the general election which followed the resignation of the provincial ministry. The vote in the Assembly for its repeal was 38 yeas to 2 nays.

Sir Leonard Tilley stated that the prohibition bill was passed by three-fifths of the members in both branches of the Legislature, and that the majority of the Upper House, which was not expected, was a little larger than it was in the Lower House; that the question was discussed at the general election of 1854, but was not, perhaps, a leading question at that election; that there was a party question more prominent, but still prohibition was a prominent question in several constituencies, and many men were elected to the Assembly in that year to sustain prohibition; that the law was practically in force only four months, because, after the Lieutenant-Governor had accepted the resignation of the Ministry, and it was understood that an appeal was to be made to the people, everything was chaos, and no effort was made to enforce the law.

Sir Leonard added: "I have since then counselled our friends, in moving in the direction of prohibition of legislation for the suppression of the traffic, to be quite sure that the public sentiment was strong enough to enforce the law if enacted."

And, further, in reply to a question as to the effect of what had taken place on the temperance movement, Sir Leonard said, "it was not beneficial at that time, because a great number of people got discouraged and disheartened. It put back prohibition sentiment somewhat, but it did not, after a year or two discourage the temperance people in the advocacy of the cause of temperance. It was rather a shock, a disappointment at the time."

On the question of the advisability of enacting a general prohibitory measure for Canada, Sir Leonard expressed himself as follows:—

"My opinion as to the advantage of prohibition has never changed, except to become stronger, if it can be enforced. The strength of a chain is established by the weakest link, and we have two weak links in the Dominion of Canada. One of them is the Province of Quebec; the other is at the further extremity, British Columbia. In these the sentiment is not as strong as in the other provinces. In the Province of Quebec there is a growing temperance sentiment, which I think will come to be a prohibition sentiment. The prohibition sentiment requires to be cultivated in the Province of Quebec, and we want the generation now growing up educated as to the evils of alcohol on the human system. With these and other influences, the time will come—it may not be during my time—when the public sentiment will be such that prohibition may not only be enacted but enforced, and from my experience in the past I would say: "Don't be in a hurry—that is, have ammunition, your guns and everything ready for the engagement when it comes, and

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don't run the risk of a defeat by premature action; but when you have enacted the law, make it a success by its enforcement.' That is the advice I give our people. I do not think the whole Dominion is quite ripe at this time for prohibition legislation. I may be in error and may not have gauged public sentiment correctly.

* * * * Of late years I have not been brought so closely in contact with the public sentiment on this question as formerly; but I think that if you were to take the Provinces of New Brunswick and Nova Scotia, the overwhelming majority in these two provinces are in favour of prohibition, and I think it might be enforced in them. I am not so sanguine in regard to the other provinces and the sentiment there, but to have it a success, it would not do to have any one province allowing the liquor to come in and the law to be violated. It would lead to reaction and repeal. But the temperance sentiment in the Province of Quebec has increased, and is growing in a manner that has astonished me. The way in which the clergy have taken hold of the matter is remarkable of late years. They have not espoused prohibition yet, but they are laboring to curtail and limit the sale in every way."

An index and summary of the evidence taken in the Province of New Brunswick will be found in vol. 1 of the evidence.

The great bulk of the evidence taken goes to show that the Scott Act, although in force over a large portion of the province, is in reality not enforced in most of the counties, and that in almost every part of the province a plentiful supply of liquor is to be had by those who desire to get it. Very many of the witnesses expressed the opinion that the act ought to be enforced by Dominion officials. Some thought it had not been enforced because of a want of sympathy with its conditions by the population; others, a more numerous class, expressed the opinion that it had not been enforced owing to the expense of carrying on prosecutions and unwillingness on the part of the authorities to incur that expense. The opinion was expressed very generally that if a prohibitory law should be enacted, the Dominion government ought to undertake the enforcement of its provisions.

The evidence generally went to show that the license law was well enforced in the city of St John.

A witness who had travelled over the province as an officer of the Good Templars organization, and who was at the time of giving his evidence, City Marshal of St. John, stated with reference to the action of the "temperance people," that "When the Scott act came into force, and when they had the law in their own hands they did not go to work as they might have done as temperance men. They did not show their colors as plainly as they ought to have done * * * * If the Scott Act had been left alone when the bar rooms were closed in Portland, and if the temperance people had gone to the front as they should have done, and enforced the law, I say it would be enforced to-day, and that part of the city (the north end) would not have a rum shop in it." This opinion may or may not be well founded, but it tends to confirm the opinions expressed elsewhere, that prohibitory enactments have a tendency to relax the efforts of the temperance organizations to secure voluntary total abstinence.

The sheriff for the county and city of St. John stated that of 1,000 persons committed to prison in 1891, he thought 90 per cent were so committed for drunkenness or cases arising out of drunkenness. (Q. 6908, vol. 1.)

The same gentleman said he did not think there was so much interest taken in the Scott Act elections as in political elections, and the reason he gave for so small a vote being cast, was that "very few people cared to say they would vote against a prohibitory law, but they would let it go. They would say, we are doubtful as to the benefit and as to the success of it, but we will not array ourselves as opponents to it." (Q. 6936, vol. 1.)

It was stated that in Moncton, population 9,138, where the Scott Act was in force, that there were as many as fifteen places where liquor was being sold, and it was notorious that there was no difficulty at all in purchasing liquor in the town. The opinion was expressed, however, that there was less drinking at the present time in Moncton, in proportion to the population, than there was when the traffic in the town was regulated under a license system.

A gentleman strongly in favor of prohibition, who had lived in Moncton when the license system prevailed, said: "I am satisfied that the liquor sold to-day cannot compare at all with the liquor sold forty years ago. The liquor then was comparatively pure, but now, and it is from my own knowledge I speak, coloring matter and various materials are put into liquor to raise a head and give it colour. I have seen men paralyzed, not by an overdose, but by the extreme strength of the compound. If the government does not take action to grant prohibition, it is its duty to see that we have as pure liquors as can be obtained."

In Moncton the Collector of Customs stated that for the year ended 1st July, 1892, 2,624 gallons of spirituous liquors had been imported, and that it was principally Scotch whiskey. There was some brandy in casks.

It will be noticed that the City Marshal stated that in 1887, \$950, in 1888, \$1,050, in 1889, \$2,000, in 1890, \$1,800, in 1891, \$1,650, and up to August, 1892, \$1,900, had been imposed for fines for breaches of the Canada Temperance Act.

As evidence of how openly the liquor traffic is conducted in the city of Moncton, it may be mentioned that the city marshal stated that, acting under the instructions of the Mayor, in regard to the 12th of July, he had issued a notice requesting illicit sellers in the town to close their bars on that date.

The following is a copy of the notice, which appeared in the Moncton "Times" on July 11, 1892.

"CAUTION."

"All proprietors of bar rooms are notified to close their respective places of business on Tuesday, July 12.

"CHARLES FOSTER,"
"Police Marshal."

He stated that he knew there were bar rooms because fines were received from them. He could not say whether the suggestion had originated with the Mayor or himself, but it had been concurred in by the Mayor.

The same gentleman stated that the fines collected amounted to about \$1,012, per year. He gave the following statement of the number of arrests made in the city:—

1885	335	1889.....	309
1886.....	311	1890.....	278
1887.....	205	1891.....	263
1888.....	206	1892 to July.....	123

He said; "Taking the average of arrests from 1885 to 1891, I think that two thirds of them were for drunkenness. This year we have not had as many drunken men in the streets as in previous years. I do not think there is as much drunkenness this year." (Q. 13529-13532). The number of arrests in 1877 was 205. (Q. 13555).

Taking the population in 1891 as 8,765, the ratio of arrests per thousand for that year (total 263) would be 30.00, and if two thirds of them were for drunkenness, the ratio for that offence would be 19.85. These figures compare very unfavourably with many license places throughout the Dominion.

The Pastor of the Baptist Church stated that at one time a citizen's committee had been formed in Moncton; that it lasted two years; that it had a guarantee fund, but collected enough in fines to enforce the law; that they closed up the public sale of liquor, and then stopped. (Q. 753, vol. 1.)

The representatives of various churches were heard before the commission.

The Rt. Rev. Hollingworth Tolley Kingdon, Coadjutor Bishop of Fredericton, expressed his adherence to the plan pursued in temperance work by the Church of England, of which he had knowledge through his connection with the Church in England. He stated that he had never joined any particular temperance organization, because he thought the church was the chief organization that was required; that he had never advised any one to take the pledge, unless by way of protection to himself, and then only for a limited period. In his experience he had always

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found it better, if the man could not restrain himself, that he should be helped by taking the pledge for a limited time, and that it was much more likely to be kept than if he took it for life; that he had found the results morally good. He considered there had been a great increase in the temperance and sobriety of the people both in England and in this country, within late years, which he attributed to the influence, in a great measure, of religious teaching. He was not in favour of prohibitory legislation, and thought that no law could be placed on the Statute Book and not kept without doing harm.

A resolution of the Synod of the Church of England, of Diocese of Fredericton to the following effect, was submitted:—

"That this Synod deploras the evils caused by intemperance and excessive indulgence in intoxicating liquors, a frightful source of poverty, suffering, disorder and crime in the Dominion, and hindering the church. Therefore,"

"Resolved that it is the duty of the church, and of every member of the church, to use every effort to promote the principles of temperance and sobriety, and to use every legitimate method to check this great evil."

The clergymen of the Church of England in Fairville, St. John County, where he had been for about seven years, and who had also resided at Canterbury, in the County of York, for about a year, stated that the Scott Act was in force at Canterbury; that Fairville was not under the Act at first, but it was afterwards, but not now, for which he was thankful, because he thought the Scott Act had been a curse wherever he had seen it in force. "Drink," he added, "is blamed for a great deal, but I think the Scott Act has opened a way to, I was going to say, hatred, malice and all uncharitableness; it has bred deceit and has increased the sale to women and children, and the people take liquor now to satisfy their taste, and every man's hand is turned against his neighbour. That has been my experience in Canterbury and in Fairville; others may have had better experience in regard to the Act. People who were friendly now pass each other by, and no man dare call his soul his own. That is my experience of the Scott Act. It has been an utter failure in every place where I have seen it. While I would engage in practical work in the cause of temperance, I would be the first to rise against a prohibitory measure."

This gentleman describes the steps which had been taken to enforce the law, and stated that before the adoption of the Scott Act there were three liquor stores in Fairville; after its adoption liquor was sold in almost every house.

The attitude of the Methodist, Baptist and Presbyterian churches of the province was explained by clergymen of these denominations, and it was practically that of these churches generally throughout the Dominion.

The parish priest of St. Bernard's Roman Catholic Church, Moncton, gave evidence before the Commission. He said he had resided in Moncton about ten years. He stated that he would like to see the existing law, the Scott Act, thoroughly enforced; that, in his opinion, it was not enforced at all, but, on the other hand, was perfectly disregarded, as far as he could see. He thought it would be a blessing to the community if it was enforced. He frequently asked his people to take the total abstinence pledge. Many of them did so, and nearly all kept it. He advised his people to keep the law as "the law of man must be God's law." He had worked for the adoption of the Scott Act. He said if he were in a policeman's position he would enforce the law, being paid for the work. He did not see the necessity for any more officers to enforce the law. He thought the Scott Act was now a farce, though he had been in favour of it, and supported it. He would repeal it now. If the law could be enforced, he would prefer its enforcement to its repeal. (Page 720, vol. 1.)

The High Sheriff of the County of York, who has held his position for ten years, stated that in 1890 the number committed to the common jail for infringement of the Scott Act was 6, and for drunkenness 26, the total committals for that year being 50. In 1891 the committals were 61, and for drunkenness 20. He stated that the committals for five years before the Scott Act came into force, and for five years afterwards, could not be given, as he had not the books; the administration was quite different now, and he did not know what had become of the books. He said he had lived in Fredericton for twenty-five years, and he thought there was not anything

like the drunkenness now that there was previous to the passage of the Scott Act. He said that the conditions fifteen or twenty years ago as regarded the floating population were somewhat different. There was then a great deal of rum selling on Regent Street, largely to lumbermen, but there were not so many of that class now visiting the city. He expressed the opinion that the Scott Act was remarkably well enforced in the County of York.

The efforts to enforce the law in the City of Fredericton led on one occasion to the arrest and incarceration of several of the hotel-keepers, who apparently had either a very large number of friends or a very large number of sympathizers, as they are said to have been visited when in jail by hundreds of people. They are stated to have been allowed to supply their own meals and to have a telephone placed in the jail.

Much drunkenness is said to have prevailed in Fredericton during the period when the city was under license. (Page 665, Vol. I). It is evident that there is still a great deal of drunkenness, from the number of arrests made for that offence by the police; that, notwithstanding very vigorous measures taken at different times for the enforcement of the law, there must be a very considerable amount of illicit sale of liquor. One witness stated that there was not so large a floating population in Fredericton as formerly; that the opening of railways had diverted a certain portion of the travel from the city, and that this fact had in some degree contributed to the reduction in the number of offences for drunkenness.

The following information was given in evidence by Daniel Crilley, Police Magistrate and Commissioner of the Parish of St. Stephen's Circuit Court in regard to the arrests in that town, the population of which was, in 1891, 2,680.

From March, 1886, to end of year, 162 convictions, 125 for drunkenness.

1887	93	78
1888	112	104
1889	103	82
1890	128	112
1891	126	100

The number of convictions for infringements of the Scott Act from March, 1880, to the 1st, August, 1892, was 203.

A statement will be found amongst the appendices, number 10, showing the population of the provincial insane asylum. The ratio of those remaining in the asylum at the end of each year increased from 1.01 in 1881, to 1.40 per thousand of the population, in 1892.

According to the Census report for 1891, the insane increased in exactly the same ratio as the population in this Province, namely 12.04 per cent.

New Brunswick had, according to the same authority, 27 insane persons per thousand of the population, which ratio was higher than that in British Columbia, Manitoba and the North West Territories, but lower than Nova Scotia, which had 30, and Ontario which had 28, Prince Edward Island, which had 30, and Quebec which had 30.

According to the figures supplied to the commission, the number of the insane in the provincial asylum at the close of 1891 was 53 per cent of the insane population as shown by the census return for that year.

According to the census returns, in the year 1871 there were 788, and in 1891, 886 persons of unsound mind in this province.

The provincial government supplied a statement showing that the cost of maintaining lunatics in the province ranged from \$97.50 to \$125.91 per capita per annum.

Dr. James P. Steeves, superintendent of the asylum, stated that the statistics kept showed that about one eighth of the insanity of those admitted to the asylum was due directly to intemperance, and about one eighth indirectly; but statistics were very uncertain things, and when persons were engaged to establish a certain conclusion they were very apt to get the statistics warped considerably to suit pre-conceived notions. His statistics were prepared with no pre-conceived intention. He considered that intoxication or intemperance was the leading cause of insanity, and stood prominently above any other cause. He thought that habitual drinking,

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though it had not reached the point of actual drunkenness, had an effect on the children of those so indulging. He stated that statistics demonstrate that there is an increase in the occurring cases, and that the accumulation of the insane is very widely increasing. He said he thought that about one-sixteenth of those admitted were classified under the head of "predisposing cause unknown."

The returns of prisoners committed to the jail in this Province are imperfect. From some of the counties no returns have been received at all. Others have no records. The statement, Appendix No 2, contains all the information on the subject which the Commissioners have been able to collect. It will be observed that the ratio of those remaining in prison slightly increased in the later years covered by the returns.

In appendix number 63 will be found a short statement of the efforts of temperance societies and the churches to promote total abstinence in New Brunswick.

A letter was received from the late Justice A. L. Palmer of the Supreme Court of New Brunswick, dated 30th. July, 1892, which is printed as appendix No. 170.

PRINCE EDWARD ISLAND.

A brief summary of the laws which have been in force in regard to the liquor traffic in Prince Edward Island from the year 1770 down to the present time will be found in Appendix No. 64.

The abstract, although brief, is highly interesting, because it is seldom that such complete historical information in regard to the liquor laws of any self-governing community is to be obtained.

The Commissioners desire to express their obligations to the Hon. Frederick Peters, the Prime Minister, and Mr. Arthur Newbery, the assistant provincial secretary of the province, for the prompt manner with which they have complied with requests for information made by the Commissioners, and the very ample way in which such information has been supplied.

The Province of Prince Edward Island is really the only one in the Dominion which made what might be considered a full response to the first enquiries of the Commission for information. A form was sent to each province with a request that it be filled up and returned. That received from Prince Edward Island, which is printed as Appendix No. 66, supplied the fullest information which has been obtained.

In the year 1878 the Canada Temperance Act was adopted in Prince county; in 1879 in King's county and in the city of Charlottetown, and in Queen's county in 1880. The numbers voting for and against the adoption of the act in each will be found in Appendix No. 50.

In Prince county the act was re-submitted in 1884, and the vote was in favor of its continuance. In Charlottetown it was re-submitted in 1884, 1887 and in 1891. It was sustained on the two first-mentioned occasions, and defeated on the last. It was voted upon again in 1884, and, it is understood, re-adopted by a small majority.

After the repeal of the act in 1891, no licenses were issued, and there was practically unregulated free trade in liquor in the city. On 1st July, 1892, it was put under regulation by act of the Provincial Legislature, the terms of which are briefly: The only entrance to a place where liquor is sold is to be from the main street; no screen or curtain is to be placed on the windows, and there shall not be any partition or stalls inside; there shall be no sales on Sundays; all places where liquor is sold are to be closed at 10 p.m. on all working days, excepting Saturday, on which they are to be closed at 7 p.m. No licenses are issued.

From what has been stated it will be seen that practically the whole island was under the Canada Temperance Act from 1880 to 1891.

Looking at the fact that, owing to the isolated position of the province, one of the main difficulties experienced elsewhere in the enforcement of the act, that arising out of immediately contiguous territory being under a license system, does not exist. The experience of Prince Edward Island deserves to be very carefully studied. It is fortunate that the records of information bearing upon the subject have been kept, with greater care and accuracy than is generally the case.

Prior to the coming into force of the Canada Temperance Act licenses were issued, and the following statement supplies information in regard to the number thereof, the fees charged, and the revenue derived from 1874 down to 1881, as also the revenue derived from licenses for distilleries, stores, taverns, and hotels between 1867 and 1873.

"Statement prepared in compliance with a request contained in a communication from the Chairman of the Royal Commission on the Liquor Traffic, dated Montreal, 14th April, 1892, showing the amount annually received by the Government of Prince Edward Island within the Province, exclusive of Municipalities, for the granting of liquor licenses from 1867 to 1881, both inclusive, since which date no Provincial liquor license law having been in operation:—

1867—	From distillers, store, tavern and hotel licenses.....	\$	1,552	64
1868—	" " " " " " " "		2,202	98
1869—	" " " " " " " "		1,920	72
1870—	" " " " " " " "		2,225	78
1871—	" " " " " " " "		1,833	11
1872—	" " " " " " " "		2,016	29
1873—	" " " " " " " "		1,893	33
1874—78	tavern licenses @ \$11 36—\$886 08			
29	store " @ 24 33— 486 66			
		\$1,372	74	
1875—78	tavern " @ \$11 36—\$886 08			
24	store " @ 24 33— 583 92			
		1,470	00	
1876—30	tavern " @ \$11 36—\$363 52			
27	" " @ 30 00— 810 00			
		1,173	52	
9	store " @ \$24 33—\$218 97			
2	" " @ 75 00— 150 00			
		368	97	
		\$1,530	00	\$1,542 49
1877—51	tavern " @ \$30 00—			
4	store " @ 75 00—			
		300	00	
		\$1,830	00	
1878—18	tavern " @ \$30 00—			540 00
1879—12	" " @ 30 00—			360 00
1880—9	" " for part of year,—			158 30
1881—1	" " " " " "			37 50
				<u>7,311 03</u>
				\$20,955 88

NOTE. "Owing to the absence of details in the available public records, the amount received on each kind of license mentioned prior to 1874 and the number of such licenses issued, cannot be ascertained."

It will be noticed that the fees charged had been gradually increased, and stores which, in 1874, were charged \$24.33 each, were in 1876 \$75 each, and the charge for taverns had been advanced from \$11 36 to \$30.

There appears to have been issued by Charlottetown and Summerside, in addition to the foregoing, the following licenses:

	CHARLOTTETOWN.		SUMMERSIDE.	
		Total License Fees.		Total License Fees.
1876.....	33	\$2,051 81	10	No returns.
1877.....	42	1,866 01	14	do
1878.....	39	2,070 67	12	do
1879.....	39	1,937 11	19	do
1880.....	35	2,372 42	20	do
1881.....	3	64 38		
	96			

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It may lead to a better understanding of the situation in Prince Edward Island, to briefly describe the terms of the Canada Temperance Act, and also briefly to compare it with the law in force in the State of Maine.

The Canada Temperance Act prohibits the retail sale of liquor for beverage purposes within the boundaries of the county or city to which the Act is made to apply, except that sales may take place of not less than ten gallons, or in the case of ale and beer, not less than eight gallons at one time, and only to vendors licensed to sell for medicinal, etc., purposes, or such persons as will forthwith carry the same beyond the limits of the county or city, and any adjoining county or city, in which the Act may be in force. The Provincial Government appoints such last mentioned vendors, and under the law they are required to make a report to the Federal Government at Ottawa, of all sales made by them. Sales for sacramental purposes are only to be made on the certificate of a clergyman, and for use in some art, trade or manufacture, on the certificate of two Justices of the Peace, and for medicinal purposes, on the certificate of a medical man.

The manufacture of liquors is not prohibited under the Act.

The Provincial Government can appoint Inspectors to enforce the law, whose salaries are paid by the city or county in which they are appointed. The law provides for fines for first and second offences, and for fine and imprisonment for third offences against the law. Authority to search and seize extends only to cases where conviction is first had. The fines inflicted for breaches of the law are to be applied to the carrying on of prosecutions and giving effect to the Act.

Under the law in the State of Maine every citizen can import liquor into the state for his own use, in such quantities as he may think proper. The manufacture and sale within the state is prohibited. The law confers extensive rights of search and seizure, and the sheriffs of the different districts are charged with the enforcement of the law. They can employ such assistants as they may consider necessary, and the state authorities can, under certain conditions, appoint officers to enforce the law.

It is manifest to every one who studies the Canada Temperance Act that the communities adopting it have to give effect to the law, unless they are by some special provincial legislation relieved in part or in whole from the obligation of doing so.

The people in a province situated as are those in Prince Edward Island can scarcely be justified in complaining of the non-enforcement of the law, because in their case non-enforcement must result either from the necessary measures not being taken by themselves to give effect to the law, or the impracticability of enforcing it.

The evidence taken by the Commission clearly shows that the law was not enforced either in the city of Charlottetown, or in Summerside, a place of about 3,000 inhabitants, and evidence was given that in some other places, with a population of about 1,000, the law was not observed. It was claimed to have been better observed in the outlying country districts.

Many of those who testified before the Commission, whilst admitting that the Canada Temperance Act was not enforced, expressed a preference for a general prohibitory law which they thought might be better enforced. They preferred the Canada Temperance Act to the system of free sale under police regulation in the City of Charlottetown, but preferred the latter to the license system, although it was affirmed that, under the old license law in force prior to 1881, there were only about 39 licensed places, and therewith the unlicensed places did not make the number as many as sold under police regulation. (Q. 16193). Whilst under the Canada Temperance Act it was stated that from 100 to 150 places were selling, and one witness put the number as high as 200 (Q. 15338, 16188), under the police regulation law the places selling did not exceed 76. (Q. 15326).

The Commissioners are led to conclude that this feeling of antagonism to the license system is prevalent amongst the people of the island, and that it is the outcome of the conviction, or sentiment, that to legalize in any way the sale of liquor is morally wrong.

Many of the witnesses, while desiring to see a prohibitory law enacted, did not speak with confidence of the prospect of enforcing it efficiently, and many others did not hesitate to say that they believed its enforcement impracticable.

The Mayor of the city of Charlottetown, (who has been continuously Mayor since 1886) the hon. Senator Haviland explained that up to the year 1880, licenses were issued in the city. The numbers it appears, were in 1877, 42; 1878, 39; 1879, 39, and in 1880, 35. He also said that from 1880 up to 1891 the Scott Act was in force in the city; that for a year and a half afterwards there was practically free trade in liquor, and that from July 1892, it was conducted under police regulations, without license. He thought the Scott Act had contributed to sobriety in the city; that towards the end of the period the act was in operation it was not rigidly enforced, and he thought the reason was that the majority of the city council were not in favour of the act. He said he could not explain why the liquor interest was so strong in a province which, as a whole, might be considered prohibitionist, and added that there was a period when a special officer was appointed as prosecutor under the Scott Act, but the time came that a majority of the council was adverse to the act, and they dismissed the officer and transferred the duties, with a nominal salary, to the City Marshall. He was strongly in favour of the appointment of officers by the Dominion Government to enforce the law, and thought that the Dominion should bear the expense of their doing so. (Q. 14785-6.) He had known as many as four of the members of the council engaged in the liquor business, and, of course, they were selling illegally. They constituted two fifths of the members of the council. (Q. 14821). The fines collected for infringements of the act were paid into the City Treasury, and a large proportion of them was utilized in paying the expenses connected with the Scott Act: "but it was like a dentist drawing teeth to get the money." (Q. 14762). "I have always been opposed in my elections by the liquor interest. We have a woman franchise, and I was opposed by that." (Q. 14881.) He believed that the liquor traffic was immoral and productive of great evils, and, therefore, objected to licensing the trade. (Q. 14965-6).

Mr. R. R. Fitzgerald, barrister, was appointed Stipendiary Magistrate for Charlottetown in 1875. Previously some of the aldermen acted as magistrates, but that year he was given sole jurisdiction in the city, and that of the magistrates ceased. He handed in the following statistics of arrests, and convictions for drunkenness.

	Total arrests.	Convictions for drunkenness
1876.....	1,290	676
1877.....	1,297	737
1878.....	745	357
1879.....	544	321
1880.....	491	256
1881.....	472	197
1882*.....	404	218
1883.....	526	250
1884.....	481	229
1885.....	640	284
1886.....	592	299
1887.....	516	213
1888.....	598	262
1889.....	483	395
1890.....	510	239
1891.....	566	†304

Statistics since obtained show that the convictions for drunkenness in 1892, were 222, and in 1893, 206. (Letter dated Aug. 15, 1893).

Mr. Fitzgerald explained in reference to the decrease in the number of arrests, "previous to my appointment, at all events, it was generally considered that the criminal business of the city was not well managed, owing to the constitution of the

*First year of enforcement of Scott Act.

†(Q. 14979).

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court. It was not managed properly, for the judges were not legal men, but were aldermen, who took in turn the trial of all criminal cases. The number dropped off after my appointment, and during two years had dropped from 1,200 to 745, and from that time it has still decreased, until it now averages about 400 or 500, and it remains at that number." (Q. 14980). He further explained that it was after his appointment that the issuing of licenses by commissioners was adopted, and he thought the number of licenses was diminished. He thought there was more shipping in the years 1876 and 1877 than subsequently. He considered that the decrease in the number of cases was largely owing to the more strict enforcement of the law. When he took office he had handed over to him notes of hand for \$4,000 as representing fines inflicted, but not collected, and they never were collected. (Q. 14993). He expressed the opinion that, as regarded drunkenness in the city, the license law and the Scott Act had very little effect on drunkards one way or another. He thought the volume of drunkenness was largely dependent upon a small number of people; 20 or 30 separate persons would make up, to a very large extent the volume of drunken cases. The whole amount collected in fines during the nine and one-half years that the Scott Act was in existence was \$12,643.00. (Q. 15012) and the total number of convictions for infringements of the act was 364—243 first offences 65 second and 51 third; 123 of the whole number were actually imprisoned. (Q. 15013-6). When the Act was first brought into force, there was a Temperance Alliance League and prosecutions were carried on by them. The members laid quite a number of informations during the first couple of years. Afterwards they found that it interfered with their private business, and the work was gradually dropped, and at last was left entirely to the police force. There was unquestionably a large amount of perjury committed in connection with liquor cases. He thought the Scott Act was not educational in many respects. There were some senses in which the Act might be called an educator. It prepared people for total prohibition and in that sense, in the eyes of those who desired to see prohibition, it might be considered an educator.

"The Scott Act," he continued, "is neither one thing nor the other, because it permits liquor to be imported into the country, and it then attempts to prevent its sale. * * * It is a workable act, and one that could be enforced in my judgment, especially if all the fines were paid into the Treasury and used for the purpose of enforcing the Act. But * * * I would unhesitatingly express my preference, in the interest of temperance, for prohibition.

Members of the city council were brought before him for illicit selling. Some were convicted and fined, and others imprisoned, and this whilst members of the council. (Q. 15050-1-2.) He did not think an argument of any great value could be drawn from the records of drunkenness as regards the working of the Scott Act or any other measure. (Q. 15065.) The volume of drunkenness, as well as increase in crime was affected by want of proper punishment by the courts. (Q. 15061.) He thought there were fewer people selling liquor in Charlottetown in August, 1892, when the sale was practically free than were selling during the Scott Act period. (Q. 15077.)

There were violations of the law under the license system in regard to the sale to minors or keeping open in prohibited hours, but there was little illicit sale. The licensees objected to the illicit sale, and they assisted in an indirect way to prevent it. (Q. 15091-2-3-4.)

"I say," he added, "that religious training has a great deal to do with it (the promotion of temperance). I know constantly in my practice as police magistrate, that when a priest takes hold of an unfortunate, he has much greater influence with him than I have. My punishment does not reach him as well as personal admonition * * * That is a more practical way than all the legislation that ever was placed on the statute book." (Q. 15113.)

"While the Scott Act was in operation, although drunkenness appears to have been about the same, and although there may have been 100 or 150 people selling, I believe there were times in this city when it was almost impossible to get a glass of ginger ale. I know this, that many men during the Scott Act time, made money by

selling liquor; but I also know that when the law was rightly enforced, it was most difficult for a man to get liquor, and a man had almost to lose his self respect, to descend to trickery, before he could get liquor." (Q. 16220.) He considered the amount of fines imposed was inadequate. He made a statement of the amount of fines imposed, and the number of times some of the offenders were in jail, (Q. 16221) and explained how they were treated whilst in jail, (Q. 16223.) He said: "Application was made to the council several times under the Order in Council for the fines, but the application was refused." (Q. 16239.)

The Hon. Edward J. Hodgson, of Charlottetown, Master of the Rolls, stated that his experience was that the Scott Act in Charlottetown was an unmixed evil; that drinking was increased, and that perjury increased to an inordinate extent; that it produced a class of blackmailers. He considered the Act had done much good in Queen's County. In Prince county liquor drinking had decreased. In Summerside the Act was not efficacious, because in towns it was not well supported. In Kings County it was the same. In Montague and the better parts, he thought there had been a marked decrease in drinking. The trade had fallen into the hands of very disreputable people. To the east where Souris is situated, drinking was unlimited. There was abundance of liquor there. There was a vast difference between the urban and rural population. When he was at the bar he was thoroughly convinced of the evils of the Canada Temperance Act, and spoke and voted against it. He was prepared to vote for it in the country districts, and to speak in favour of it, if occasion arose. He was simply expressing his independent opinion as a member of the community. The blackmailers he referred to, would go and say to a man: "I know you have been selling liquor, and if you do not give me money I will bring you before the court." He thought the best way would be to have prohibition, but, unfortunately, it would not be possible to enforce it, and there would be a vast amount of smuggling. (Q. 15148-54-65-67.) He had been told on what he believed to be good authority, that at one time, whilst the Canada Temperance Act was in force in the city, there were 146 places where liquor was sold; that bedroom and home drinking increased to an enormous extent (Q. 15208) He said that continuous and flagrant violations of the law led to a perversion of the moral sense of the people. "Of that I am quite sure," he continued, "and it is for that reason I know the evils of the Canada Temperance Act are very far-reaching, and we have not seen the end of them yet. I have seen, unfortunately, a weakened sense of respect for the law, and I have been very sorry indeed to see it."

The City Marshal stated he thought that the effect of the Scott Act was to decrease drunkenness amongst a certain class of people, but amongst another class it did not. He had no doubt that drinking in offices and bed-rooms had increased after the Scott Act came into force, and that liquor was sold in grocery stores, and that, during the period the Act was in force, there was a lower class of people selling. The present law (free sale under police regulation) was working well, and he thought drunkenness was steadily falling off.

The keeper of the almshouse in Charlottetown, who had held the office for twenty-three years, expressed the opinion that the population of the house was not greatly increased by the drinking habits of the people, but it was principally infirmity and old age that brought them to the institution; he did not think that drink had anything to do with the people who came there. He was himself a temperate man and a Scott Act supporter, and thought that drinking was going out of fashion in Charlottetown.

Rev. James Simpson, incumbent of St. Peter's Protestant Cathedral and head master of St. Peter's School, expressed the opinion that it required personal contact with offenders, and that it was no use to preach temperance in the pulpit and then go to the drunkard and simply tell him to do better. Temperance ought to be taught to children, and he thought the most successful way of dealing with those who over-indulged was to get them to take a short pledge. He thought the system then in force (police regulation), with a few amendments, would be just as effective as any system which could be resorted to. He would not support a prohibitory law, because it would lead to so much smuggling. He would not desire to see the Scott

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Act re-enacted, as it did not prevent drinking, and encouraged a great deal of sneaking hypocrisy and mean ways.

Rev. George W. Fisher, of Pownal, Queen's County, about seven miles from Charlottetown, a Methodist clergyman, said he had found the Scott Act successful. Inspectors were appointed by the government. The place was a small scattered village, with, perhaps, a population of five or six hundred.—Before going to Pownal he had been at Alberton in the western part of the island (population about 1,000). He had found the Act successful there. He had not had any experience of the license system in the island. The Act had reduced the sale of drink in Alberton to a great extent, and prevented a great amount of drinking. (Q. 15482.) If a general prohibitory law would work as well as the Scott Act had done in Charlottetown, he would vote for it. (Q. 15523.)

Mr. Fisher was recalled and gave the following additional evidence—

"Is the book now shown to you the Journal of the proceedings of the Grand Division of the Sons of Temperance of Prince Edward Island, at the session held at Hamilton, October 28, 1891? It is.

"In the report of the Grand Scribe presented at such session of the Grand Division appears the following:—

"I think I am quite safe in saying that not, for many years, has there been so much drinking among the young. Hundreds, yes thousands, of our boys—boys yet in their teens, many of them belonging to christian homes and christian parents—are fast going the way that leadeth down to death, dragged down by the drink curse.

"The report was, on motion of Rev. G. W. Fisher, referred to the Committee on finance and state of the Order. (Pages 13 and 14.)

"In the report of the said committee appears the following:—

"We agree with your Grand Scribe that the present is a critical time in the history of our order and of the temperance cause in this province. The repeal of the Scott Act in Charlottetown has emboldened the liquor party. From Charlottetown liquor is being distributed throughout the country. Tippling and drunkenness are on the increase. There is great need for a long pull, a strong pull, and a pull altogether on the part of temperance workers." (Page 20, 16836.)

Mr. James H Reddin, of Charlottetown, a practicing barrister, did not consider that the Scott Act had been advantageous to the people of Charlottetown. He preferred a license law; did not think there was much drunkenness in Charlottetown, but that it compared favourably with other cities in the Dominion; that the Scott Act had been generally disregarded, and that it was more easily made efficient if the country districts than in the cities and towns. He thought that the system on regulation by the police in force in Charlottetown promoted temperance more than the Scott Act, though the latter did good where it was enforced.

The manager of the Telephone Company, Charlottetown, thought that the Scott Act had done much good in the rural districts. He said that it had sometimes been observed for a short time in Charlottetown, when the council was in favour of it. At other times the council and authorities would not favour it, and the liquor business would expand. He would prefer Charlottetown as it was under the Scott Act to Charlottetown under the license system. He thought it wrong that a revenue should be derived from the traffic, and was of opinion that the Scott Act was an educator, and educated the people to take a step further for prohibition.

Mr. Benjamin Davis, who had been merchant for fifty years, but is now retired, and who had known Charlottetown when the license law prevailed, said he did not think there had been any great change in the drinking habits of the people. He thought there was not quite as much drinking now in proportion to the population as there was twenty-five years ago. He did not think the Scott Act had suppressed drunkenness, nor that it had any marked effect within the city. It did better in the rural districts. He did not think that the liquor traffic affected business much one way or another, and he did not think that it would affect merchants much one way or another if the liquor trade was shut up in the city of Charlottetown. He thought that the Scott Act caused a great deal of false swearing, and when people

were prohibited from taking what they desired, they took too much when they got a chance, and hence many of the country people who came into the city got intoxicated. He thought that a license system would be better than the free sale. Liquor was freely sold during the Scott Act period. "When you saw a cabbage at the door and a bottle in the window? he said you could get a glass of whiskey there when you wanted it."

The Collector of Inland Revenue at Charlottetown handed in particulars of domestic spirits. (See Appendix No. 18, vol. 1 of evidence). He explained that there was one brewery which continued its operations during the Scott Act period, and it had been regularly at work ever since it was established, many years ago. He handed in a statement of the quantities manufactured from the year 1885—(see Appendix No. 19, vol 1 of evidence)—explaining that they could not be given prior to that date, as the records between 1873 and 1884 had been destroyed by fire.

It will be observed on reference to the statistics of domestic spirits, that the average entered for consumption was less in the Scott Act years than it was in the two years 1891-2, when Charlottetown was selling under police regulation; but the figures are incomplete, and do not include domestic spirits, the duty upon which is paid elsewhere. The statistics of beer made are given from 1885. The production increased from that year, until it reached in 1889, the highest point, and more than double what it was in 1885. The average of the six Scott Act years was slightly lower than the average of the years 1891 and 1892, when there was free trade in Charlottetown. The lowest figures were those of the first two years covered by the return, viz., 1885-1886.

From the Collector of Customs was obtained the importations and the quantity entered for consumption at the port of Charlottetown (King's and Queen's counties),

	For one year and a half before repeal of Scott Act in Charlottetown.	For one year and a half after repeal of Scott Act 1891-92.
Ale.....	7,978	5,655
Spirits.....	34,292	35,572
Wine.....	1,742	2,143

The Collector of Inland Revenue said:—"From observation I have to state that during the Scott Act years in Charlottetown, I lived out of the city on a very quiet road, and, of course, I saw nothing of drunkenness. There are no liquor shops in the country in that direction. During the last two years I have lived in the town on one of the most public thoroughfares, and I fail to see any difference in regard to the travelling public. They are a steady, sober people. The only drunken people are some strangers and the roughs about town." He did not think that those who wanted a drink had any difficulty in procuring liquor during the Scott Act period. He said that the authorities found themselves unsupported by public opinion; that the people would be better pleased if they did not carry out the law too strictly, and that the main reason why they did not carry it out was that they got nothing for it. He did not believe that a prohibitory law could be enforced; publicly it might be, but privately it would be violated, and there would be illicit distilling, as there was then. He had arrested five or six illicit distillers at different times. When he found a man he had him put in jail, which checked the business for a time. He thought that drinking could not be stopped unless distilling were stopped.

Mr. M. H. Wright, of Charlottetown, a manufacturer who had resided there twenty-five years, stated that he would prefer the system then prevailing (free sale under police regulation. He was, on principle, opposed to a license system. He did not think that the people of Charlottetown, when they repealed the Scott Act, declared against prohibition. As regarded his workmen, he saw no difference in

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them during the Scott Act and other periods, except that in the last few years they had been gradually improving in the matter of drinking; they were as temperate under free liquor as they were under the Scott Act. He did not approve of either license or free sale, and thought the State ought to prohibit the traffic. His men were not all total abstainers, but they were largely temperate. Perhaps 10 per cent were moderate users of liquor.

The Hon. Joseph Hensley, Judge of the Supreme Court, said that there were some delays caused by legal proceedings after the Scott Act was adopted. A question was raised as to the constitutionality of the Act, and the Courts suspended giving decisions on cases until that was decided. He thought that took about a year and a half, and then there were some questions raised as to whether a place was a city or town, and whether an election had been properly carried on. Those difficulties impeded the working of the Act for about twelve months; but for the last six or seven years that it had been the law in the province there were practically no legal difficulties impeding its enforcement. A large number of cases, he said, came before his Court and were disposed of one after another. Cases recently had been disposed of much more quickly, owing to the decision being vested in the judges, whilst formerly in some cases there were jury trials. He thought that after the Act first passed there was less drunkenness in some parts of the country, notably in Queen's County and Charlottetown, but he did not see much difference in that respect since the Act was repealed. Public sentiment, he added, was so strongly in favor of temperance, and such societies as the Women's Christian Temperance Union and some other societies had done as much good as the operation of the statute, that, if the Scott Act had been properly supported, it would have been much more efficient than it was, for, though it was carried at elections, there was a lack of public sentiment at the back of it. He had frequently had occasion to tell grand juries in the county "that it seemed to be very strange that they got their Legislature to pass the law, and they adopted it, and then failed to enforce it." He did not think that the delays which took place through the legal proceedings already referred to disheartened those interested in the Act. He did not think that these proceedings had any effect. He thought that prohibition of the manufacture, importation and sale for beverage purposes, well enforced, would be a benefit to the country; but he had very much doubt if it could be enforced. In the Legislature, many years ago, he had brought in license bills, one in particular about local option in school districts, providing for the adoption of prohibition when it was carried by two-thirds of the people within a small radius. He thought that it operated well while it was in force. "When," he said, "you have two-thirds of the people pledged, who live in sight of each other, you must have sympathetic support." He did not think the law helped public sentiment, but that the law was the result of public sentiment. A law on the Statute Book openly and flagrantly violated, he considered a very scandalous state of things. He considered it unwise to maintain a law which was openly violated, observing, "I think it brings about a very immoral state of public feeling. Under the Scott Act there were constant prosecutions and appeals, yet, notwithstanding that, it was said the number of places where liquor was sold was unlimited. That is not a satisfactory state of law. It showed either the law was not efficient or that it was not being efficiently enforced. The principal lawlessness is the fearful amount of perjury in these cases, notorious and evident perjury, and that is most demoralizing and causes the most painful feeling. It does a great deal of harm to moral feeling when evidence is so constantly given in such a way as it has been in my experience in Scott Act cases." (Q. 16056-59).

Mr. Arthur Newbury, Assistant Provincial Secretary, stated that there were only two licensed vendors under the Scott Act in August, 1892, but there were licensed druggists who were vendors under the Canada Temperance Act; these paid \$50 in towns, and \$40 in rural districts. Asked as to the operation of the Canada Temperance Act in Charlottetown he said: "I do not think it has worked very satisfactorily, not from a lack of temperance feeling, but a feeling against the Act." He would favour license law, properly carried out, to the present free sale

under police regulation. He thought that prohibition, if properly carried out, would have a better effect than license. He said that complaints had been made against the licensed vendors for not complying with the terms of the law, and in the past some licenses had been cancelled. There had been times when there were more vendors than there are now. He thought there had been as many as eight or nine throughout the Island, and of that number probably five were in the city of Charlottetown. Of course, since the repeal of the Canada Temperance Act there was no necessity for licensed vendors in the city.

Mr. W. E. Dawson, a merchant in Charlottetown, for forty years, who had known the city under the license system, under the Scott Act, and under the free sale and police regulation system, thought the Scott Act was not enforced; but he did not think there was much difference in the drunkenness prevailing during the Scott Act period and subsequently. He said he would prefer the Scott Act to a license law. He meant the Scott Act properly enforced, not otherwise. (Q. 16107.) If it was not properly enforced, it was a farce, and he would prefer a license law to the Scott Act enforced as it was in Charlottetown. He had been chairman of the commission on licenses, and would prefer total prohibition, properly enforced, to any other system; but to enforce it would require an intense public sentiment at the back of it. Under the old license law they had liberty to grant as many licenses as they thought proper. There was an option law, and the Commissioners were authorized to carry that law out. He thought that public opinion endorsed rigid enforcement of the license law. He stated that he was Mayor in the years 1877-78-79-80, and that the convictions for drunkenness were, in 1877, 729; in 1878, 357; in 1879, 231; and in 1881, 193. He had not the figures for 1880, but they were obtained from another source, and showed the number to be 256. Asked if he thought there was a lack of public sympathy with the Scott Act, he replied, "I am afraid public opinion was not with the Act, that is to say, not as it ought to have been." He thought that the officers to enforce the Act should be appointed by the Dominion Government. The city council had not provided the necessary machinery to carry out the Act. (Q. 16151.) He stated, "I would give them (the people), an education through the Scott Act, and if they did not afterwards want it, all right. But I would blot out free rum. If I had the power to do so I would add some amendments to the Act we have to-day." He thought there were four times as many places selling under the Scott Act as under the license system. In the year 1879 there were only 39 licenses issued. There were some unlicensed places in 1879, but very few. They were sharply looked after. (Q. 16192.)

The Hon. Angus B. Mackenzie, of Charlottetown, member of the Legislative Council of Prince Edward Island, would infinitely prefer the Scott Act, even in its worst stage, to a license law. He would prefer to have the system now in force rather than a license system, if even only half a dozen places were licensed. Licensing made the trade respectable, and he was entirely opposed to the license system on principle. He was in favor of the total prohibition of the manufacture, importation and sale of liquor for beverage purposes; in short, under all circumstances, except for medicinal purposes. He supposed that there would be some difficulty in carrying out the law, but he did not see any insuperable one. He thought it would be no more difficult to effectively carry out a prohibitory law than to carry out the revenue laws. He thought the temperance sentiment was strongly in the Island, outside of Charlottetown. He represented eleven townships, the most populous district of the county, and he heard no complaints against the Scott Act. So far as he knew, there was not an illicit house in the whole of that county. He could not give any reason why the Act was not effectively enforced in Charlottetown. He thought the law was good enough, if the parties who had had the carrying of it out had the moral courage or the will to do it. He expressed the opinion that if the people of Charlottetown had the opportunity presented to them of voting for the Scott Act, they would carry it by a decided majority. A general prohibitory law would have to be enforced by the Dominion Government. He was one of the eight Legislative Councillors who had declared they would not give a license law to

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Charlottetown. (Q. 16411). The council consisted of thirteen members. He thought that the effect of fifty places selling liquor, instead of twenty, would be just the same if they were under proper restrictions. He thought there was a marked improvement in business while the Scott Act was in force. Even when there were exhibitions in Charlottetown it was a rare thing to see a drunken man on the streets. Previous to the Scott Act there could be seen scores of carts, trucks and wagons around the licensed taverns at all hours. People became drunk and after they got home would be useless for next day. There was nothing of the kind under the Scott Act. He thought it an admirable Act, because it put rum sellers in a very awkward position. No one who had any regard for his character would be seen going into their places. (Q. 16332). He supposed that those who were found drunk on the streets got the liquor in the lower stores, where it was being sold illicitly. When requested to look at the list of convictions for drunkenness which had been handed in by the Stipendiary Magistrate, and were in 1881 197, and had gone up to 395 in 1889, and to explain, he said he could not account for it, but he thought that all the whiskey and rum brought into the Island was not, perhaps, drunk there, but some of it was shipped off to the northern boundary of Nova Scotia or New Brunswick. He could only say that he supposed those who were found drunk on the streets and were apprehended, got the liquor in the dens where it was sold illicitly. "When they went into those places the men would look around and see that no one was watching them, and if they got drunk they would stay there until they got sober." When it was pointed out that if they remained indoors they would not be arrested on the streets, and that would tend to reduce the number who were over-indulging, he said he could not account for it. He added, "I have heard people say when they got into one of these places, that a man might get his dram and go out, and when he got dry again, come back; but if they run the risk of detection, they would take three at a time, and would get drunk."

"Then the present is a better plan?—I think it is. Of course, you should have no such places under the Scott Act." (Q. 16342).

The Honorable Thomas W. Dodds, of Charlottetown, a member of the Legislative Council for eighteen or twenty years, did not think the Scott Act diminished drinking in Charlottetown, but he thought that there had been a decrease in the drinking habits of the people in the country districts. He did not think that a law prohibiting the manufacture, importation and sale of liquor in the Dominion could be effectively enforced, unless there were so many officers along the coast that the expense would exceed the whole revenue. He was of opinion that smuggling would increase, and did not think that the sentiment in favour of prohibition was sufficiently strong to make a prohibitory law a success. (Q. 16440). He believed the Scott Act was a benefit to the country people. When they came into Charlottetown and found that they were liable to be brought up before the Stipendiary Magistrate if they over-indulged, and to be called upon to give evidence in regard to the selling of the liquor, it deterred some of them from over-indulging. They bought liquor, however, and took it home if they wanted it. He thought that a general prohibitory law, if it could be carried out, might do good, but he was only speaking of it as if it were well enforced. (Q. 16426). He did not think that a general prohibitory law, which would prohibit the importation as well as the manufacture, could be carried out. (Q. 16464). He expressed the opinion that if the Scott Act was to be carried out properly, the Dominion Government should appoint a sufficient number of officers and pay them to look after it. He would not prefer a license law to a prohibitory law well enforced; but he was of opinion that it could not be enforced. He could not therefore say that he would prefer a prohibitory law, because he was satisfied that it could not be carried out.

Mr. Charles C. Gardner, of Charlottetown, was in the Island as far back as 1854. He remained there several years, went away, and came back again twenty years ago. He had lived in the Royalty five years, and in the city fifteen years. He had not held any official position. He said that formerly the conditions under the license law were altogether different to what they were now. He never was a

temperance man or belonged to any temperance organization. In the days of the license there was much drinking, and sometimes it was dangerous to drive on the country roads after dark. Farmers and others would be found driving out at a fast rate, and there was great danger of being run into. He had lived in Summerside and had personal experience of what he was describing. The Scott Act, he considered, worked a great change for the better, and people who formerly went home drunk, during the Scott Act period now went home sober. He thought there were ten men who went home drunk under the license law to one who went home drunk during the Scott Act period. He was speaking of the country people, and so far as they were concerned he believed the Act had done a great deal of good. He thought that in one way it had also done good to the town people, and in another way it had not. The lower classes got liquor more easily under the Scott Act than they did under the police regulation arrangement, and in this way: "A man could go in and get a drink and pay for it. The next day he went to the same place for liquor without having any money. He told the seller, if you do not want me to inform against you, you must give me some liquor. By using threats in this way, they usually obtained it." (Q. 16492). He stated that he preferred any system, to the license system, and a municipality by granting a license virtually became a partner in the trade. (Q. 16509-10). He thought the present system of regulation was better for the man who sold liquor, because he was free from paying a license, in addition to which he was not responsible for the evils that might result from his selling. (Q. 16512).

Mr. John Kelly, commission merchant, had resided in Charlottetown for seventeen years, had been a representative in the city council for two terms, and was now a water commissioner. The commissioners are elected by the city as a whole. He thought that the Scott Act had been about as well enforced in Charlottetown as in other places. The sale of liquor was not stopped. He had heard the evidence of other witnesses about the number of places selling. He did not personally know the number, but it was very large, and he had no reason to think the witnesses stated anything but was true. He would prefer a good license system, with the number of licenses limited. He did not consider the fee charged was of much consequence. A license having proper restrictions was what was desirable, and he thought that to make a license law a success, it should deal with the persons who drink, as well as the persons who sell, and have the places closed not later than nine o'clock at night, opened not earlier than seven o'clock in the morning, and closed on Sundays. He thought there was really a stronger temperance sentiment in Charlottetown when the Scott Act came into force than there was at the present time, (August, 1892). There was a strong temperance wave all over the Island, the movement being supported by all the churches and temperance societies in all parts of the Island. That was before the introduction of the Scott Act, (Q. 16567). The way the Scott Act was enforced he thought had a bad effect on the community, and brought law generally into disrepute. He thought the Act was responsible for much perjury, and said that he would prefer a prohibitory law if it could be enforced. He thought, however, that it would be some time before that period arrived, (Q. 16593). He was of the opinion that there were not so many temperance societies in the town as there were before the inception of the Scott Act. Asked if he thought if money had been expended for the appointment of efficient officers to enforce the law a better result would have been obtained, he answered, "No; I think it would have been very difficult to enforce the law, because there was no sentiment behind it. I think it was a law in defiance of public opinion."

Mr. Frederick H. Beer, of Charlottetown, grocer, said that there were times when the Scott Act was fairly well enforced, and his opinion was that when it was fairly well enforced there was not as much liquor sold as at other times. Had it been well enforced, it would have produced a good effect. There was a strong feeling raised against the Act, not only by the liquor dealers themselves, but by some of the newspapers. A man could not be arrested for drunkenness, but the Act was held up to disrepute, and a good many of the com-

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munity got disgusted. The city council could not enforce it, and would not appoint a prosecutor. The last city council dismissed the one appointed by a previous council, and the prosecutor was then nominally the City Marshal. He believed that the Marshal did good work, but the arrangement did not work well. He had heard numbers of people say that it was not fair to allow liquor to come in when it was not allowed to be sold. He thought the sentiment was stronger in favour of general prohibition than for the Scott Act. There were certain districts in the city which had elected opponents to the Act. He did not know any city in the world where a council was elected by the whole body of citizens, but it was being agitated for. He mentioned, however, that in Summerside, with a population of four to five thousand, the council was elected by the entire population entitled to vote.

The Collector of Customs at Charlottetown, a gentleman who has held the office thirteen years, explained that there are in the Island twelve outports under Charlottetown and four or five under Summerside. The Scott Act had been very badly enforced. He thought it would have proved a good law, and that it would have been better enforced but for the insincerity of a great many of its friends. (Q. 16744.) He gave particulars of liquors imported, and stated that it must not be supposed that they were all consumed in Charlottetown. He could not tell what quantity was consumed in the rural districts. He stated that the quantity entered for consumption from 1st July, 1889, to 31st December, 1890, was 43,012 proof gallons. That was at Charlottetown. The figures were for the year and a half prior to the Scott Act being repealed. The quantity entered for consumption since the repeal of the Act and up to the 30th June, 1892, was 43,370 gallons. The sale was practically free during the last mentioned period. He could not account for increase under free sale being so slight. "except that the people are beginning to see, or at all events a great many who are in the habit of drinking are beginning to see, that excessive drinking is to their injury." He thought that there were not four out of every ten supporters of the Scott Act who had not drank while the Scott Act was in operation under some excuse or other. (Q. 16782.) He had no idea what quantity of liquor, the duty upon which had been paid elsewhere, was brought in, but he believed that there was a very large quantity brought in duty-paid, from Halifax, St. John, and also from Montreal. The quantity so brought in, if it could be ascertained, should be added to the quantity shown in his statement in order to get at the total consumption. He thought that they had a very good Act now, if it was made a little stricter, and was enforced with all the strictness with which it was possible to enforce it. Under the present circumstances it would be better than the Scott Act. Those who thirsted after liquor could go and get it, while those who thirsted for liquor when the Scott Act was enforced had to "act as sneaks" in order to get it. Now they did not divest themselves of their manhood if they wanted a drink, for they could go and get it, but previously they would sneak in through a back door. The closing of the houses at six o'clock on Saturday night was an excellent arrangement. "Anyone," he remarked, "who has been residing in Charlottetown for a length of time, as I have, and who has seen the conduct of the men who drank under the Scott Act and under the License Act, must say that this is a most excellent Act. I have noticed, since this Act came into operation, that a den in Charlottetown, which I believe is one of the worst places in the province, or even in the Dominion, and which during the time the Scott Act was in force was a complete pandemonium, has been very much improved. That den, I believe, is owned by a reverend gentleman, who has allowed his sub-tenants to go to the devil while he himself has gone somewhere else to make converts to the gospel. I have been taking notice of the behaviour of these unfortunate people during the last month, and their conduct is admirable. (Q. 16793.) I cannot tell you about those who frequent the place. There is peace and quietness and apparent sobriety, and the people appear to be more decent, and seem to be more inclined to be industrious. (Q. 16796.) Prohibition is the law we want and require, but we are not prepared for complete prohibition. If the temperance lecturers are active, and if the indus

trious and temperate people work hard, perhaps in the course of ten years the people may be more ripe for prohibition than they are to-day. Prohibition in this province, from its unusual position, would be very hard to carry out. There would be smuggling, there would be illicit stills, and to carry out prohibition it would be almost necessary to have the co-operation of other places; that is to say, if prohibition existed in other places this province could not get its supplies from any other country, but so long as it can get its supplies from any other country a prohibitory law would be evaded and broken, just as the Scott Act was." He did not think the Scott Act was effective in country places. The habit was to go into some place and purchase a bottle, and then the persons would drink all of the bottle and get into a state of intoxication before they started homeward. He thought the fines for drunkenness were too small—they should be increased 100 per cent. The character of the liquor sold in the "dives and places" was "villainous," and in proof of this he cited the case of a man whom he personally knew, a man who did not drink to excess, who was deprived of his mental powers and temporarily paralyzed by some of the stuff he had taken in one of these places.

M. Michael P. Hogan, of Charlottetown, lumber dealer, thought the Scott Act was enforced as far as it was possible to enforce it, but it was not well enforced, because one-half of the community did not back it up. He thought the majorities in favour of the Act were reduced on each occasion; that some of those who voted for its introduction the first, and its re-introduction the second time, voted against it the third time. He regarded the last vote as an honest expression of the people of Charlottetown against the Scott Act. He stated that men had been induced to vote for the Act by giving them liquor. (Q. 16841-42). He would not favour re-enactment of the Scott Act, because he believed it had a great tendency to perjury. He believed that some of those who voted for the Act were in the habit of taking liquor. He was in favour of a stringent license law, and did not approve of the present system of free sale under regulation. He supported the Scott Act when it was first submitted, but did not support it now, because he found it made enemies of neighbours socially, and he had known of considerable perjury. (Q. 16879). He saw as much drinking in the town during the time of the Scott Act as there was previous to it. There was no doubt the conditions had changed. Seventeen years ago there was a large amount of shipping in the port, and trade was pretty good. The young men of the town had plenty of money. This was just after the building of the railway, and there was a large amount of employment offered. "Money," he said, was plentiful and liquor cheap. Liquor was manufactured on the Island at that time, and there was a great deal more drinking then from those causes." He did not think that the people had the money with which to get liquor to the same extent now as previously. From what he had seen at one or two places in the United States, he thought the high license system worked satisfactorily; but he had not had much experience. He had been a witness to liquor being used by Scott Act supporters to secure votes in favour of the Act. (Q. 16892-5).

Rev. W. W. Brewster, Methodist clergyman, of Charlottetown, considered that the operation of the Scott Act in Charlottetown was beneficial. During a residence in the city of twelve months, during the period the Scott Act was in force, he had observed that when the Act was not enforced, it was owing to local causes, and, perhaps, to some extent to the apathy of some temperance people. He did not know of more than one place in which liquor was reported as being sold in the district in which he laboured, namely, the upper end of the city. He and others had been especially engaged in a work amongst working men, the object of which was to promote social purity and temperance, and they had a membership at one time of 480. "About 150 during the winter and early spring months took the pledge and kept it; that is to say, 75 per cent of those who took the pledge kept it." These were men who were not in the habit of attending church regularly. He thought 75 per cent of them did not attend any place of worship. The work was carried on on undenominational lines. The Methodist church had no official connection whatever with the movement. He found that drink was altogether responsible for the reckless and uncared-for condition of these people. This was not during the Scott

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-Act period. He referred to the place which had been mentioned by the Collector of Customs, which he said had been a menace to all Christian work and morals in the City, and said that there had been quite an improvement during the last few months (prior to August, 1892), which he attributed to the action of the police, backed up by active christian effort. He had observed the working of the Scott Act in Fredericton and the operation of the license law there. He considered there was an improvement all around the city in the Scott Act period. He was also familiar with Marysville, and it was greatly improved under the Scott Act. He preferred the present system of regulating the liquor traffic in Charlottetown to a license system. He said his church had pronounced against license in any form, and as a minister of that church he took that position. If he had his choice, he would prefer prohibition to the Scott Act, the Scott Act to license and free sale, but free sale over license. Though in favour of prohibition, and his church did not use fermented wines, he would allow the importation of them for other religious bodies. He desired liberty for himself, and would accord it to others. His idea of prohibition was a law which would prohibit the importation of intoxicants for beverage purposes. He would not go any further under any consideration.

The Rev. Alexander Macaulay, a Roman Catholic priest, who had been a priest about 2½ years, and a resident of Charlottetown for about ten years, said the Scott Act had not had the effect of stopping the use of liquor. He thought it was not enforced in Charlottetown at all, and that it was not enforced because at least a majority of the people considered it an irrational law, that restricted their natural rights, and consequently they could not be educated up to the point of supporting a law which they considered restricted those rights. The law fostered perjury to a great extent, and also deceit and some other abuses of the worst kind, such as immorality. The trade went into the hands of low people, who had no moral responsibility. The sale of liquor was removed from the public part of the house into the back part, and in those places many other abuses crept in besides drunkenness. "I think the habitual violation of one law will lead people to violate others as well. Their conscience becomes more lax when they habitually violate a law, so that they will not observe other laws, at least so well." Temperance societies did a great deal of good before the adoption of the Scott Act. A great temperance wave had just passed over the island, and was one of the principal causes of the adoption of the Act at the time. "I know myself" said the rev. gentleman, "that in the parish where I was born, there were perhaps six or seven liquor stores in it, and the pastor who had charge of the parish interested himself in the temperance societies, with the result of doing away with all the liquor stores that were in the place. For a couple of years between that time and the adoption of the Scott Act there was no rum, but some years after the adoption of the Scott Act two parties went there and sold on the sly. Where the sentiment of the people is not in touch with the law, the law cannot be enforced * * * * The Divine law looks upon drunkenness as the sin of the drunkard, not of the drink, as the abuse of one of God's gifts. If the people can be educated up to the point, if moral suasion can educate them to such a degree as to voluntarily adopt such a law as that or to impose it on themselves, that is all right; the more temperance we have the better." He did not believe that prohibition could be efficiently enforced. He thought the effect of the Scott Act, so far as the character of those engaged in the liquor trade in the city of Charlottetown was concerned, was mainly to drive the trade into the hands of many disreputable persons. There were many persons who would not pay a license. When there was free rum, which it practically was under the Scott Act, such persons got into the trade.

S. W. Crabbe, of Charlottetown, was a member of the council and a License Commissioner under the old law. He had no personal knowledge of cases of violation of the license law, but believes that there was selling on Sunday and after hours. "I think," he said, "the Scott Act did good. It was poorly enforced at times, and well enforced at others. The enforcement depended on whether the city council was for or against the Act * * * * The Act was repealed on account of votes being left off the list at the time of revision. The Liberal party

had a number of votes left off which were for the Act. This I believe was the cause of the Act being defeated. The vote does not show there was a great revolution in public opinion." He preferred the present system of free sale under police regulations to a license law.

When recalled he said that, on looking over the records, he found that the first prosecution made by Mr. Hudson, who was appointed prosecutor by the city council, was on the 16th April, 1887. During that year and all of the year 1888 he held office, but was dismissed in February, 1889. He said the arrests ran up in 1889 to 395, as compared with 262 for the year previous. Then in 1890 the ladies took the matter in hand, and brought the number down to 239.

Thomas Morris, of Charlottetown Royalty, had been in business as a partner in a brewery for about 40 years. He was also engaged in the liquor business. He sold wholesale during the Scott Act times. "The Scott Act did not affect the business much," he observed, "but we had to be more careful to whom we sold. We sold as much beer during Scott Act times as we do now. A quantity of beer comes here from other provinces." He did not think that the sales of other liquors increased after the Scott Act was defeated. He was a member of the city council for eighteen years. He sold to any one he thought proper; would violate any tyrannical law, and did not think a prohibitory law could be enforced. "We changed," he remarked, "the character of our beer to avoid the law; perhaps it is a little stronger now; we called it hop beer."

The Hon. James Ross, of Mount Stewart, said the Scott Act had been in force at Mount Stewart ten or twelve years. When the prosecutor was spurred on he did his duty. It had worked well for the past six months. License law, prior to the Scott Act, did not work well. There was ship-building there at that time, and quite a lot of drinking. He thought that the Scott Act had had a beneficial effect on business all round, also morally. He believed total prohibition would be a benefit, and could be enforced as well as the Scott Act. He preferred the present free sale under police regulation to a license system.

Mr. Ewan McDougall, of Charlottetown, liquor dealer, had been engaged in business for about twenty years, all the time in Charlottetown, with the exception of a few months. The Scott Act did not put a stop to the drinking of intoxicating liquors. "I stopped the sale of liquors," he said, "when the Scott Act came into force; but I found my customers wanted the class of liquor I sold, and I opened up again." He sold liquor in connection with groceries. He closed his store altogether, and stopped the sale of groceries, as well as the sale of liquor; was importuned to open again, and did so. He had sold more liquor since the repeal of the Scott Act, but made more money when the Scott Act was in force, as the profits were greater. Under the license law there was sharp competition, and the profits were small. Under the license law, in the eastern half of Charlottetown, there were only three places under license where liquor was sold in the street in which he lived, which was a great church street. That was when licenses were granted by the license commissioners. Things were not so well done when the licenses were granted by the mayor and council. The license commissioners placed the trade on a better system. After the license law was abandoned and the Scott Act came into force there were ten places in one block in the eastern half of the city where liquor could be bought. There was as much drinking during the period of the Scott Act as there had been since its repeal. The reason why his business had increased was that his premises opened on the street, while during the Scott Act time his place was not open to the street and business was done in a round-about way. The liquors did not come in his own name, duty was paid on them principally in Halifax. They came to the shipper's order, with an endorsed bill of lading, and so no person knew to whom they came. He thought that the only proper way to regulate the sale of liquor was to place it in the hands of good people, who would respect themselves at least. He thought that high license would have that effect, if it limited the number of licenses and placed the trade in the hands of respectable people. He thought that by the pulpit, the temperance lecturer, and the school, the education of the people would proceed, and the drink traffic would regulate itself. He acknowledged that

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he had violated the law, and said: "When you know that the law is not upheld by public sentiment, when the very best classes of the community ask you to violate it, and will offer you money as inducement to break a law, you must come to the conclusion that the law is an iniquitous one." (17612). He was convicted once for selling under the Scott Act, that is, once during the nine or ten years the Act was in force. He believed total prohibition impracticable.

The Rev. James Simpson gave evidence in regard to the Gothenburg system. He had visited Sweden in 1885, and found the system worked exceedingly well, and that it reduced the amount of drunkenness. He said it had been pointed out in evidence that, during the year there was "free rum" in Charlottetown there were 304 convictions, compared with 239 for the previous year, but it had not been brought out that in that year (1891) there had been six elections.

Mr. Alexander McKinnon had carried on business as an iron founder for twenty years in Charlottetown. The Scott Act was sometimes vigorously and sometimes indifferently enforced. When it was enforced vigorously, he thought there was very little drunkenness. He never made a record of the time which workmen lost through over-indulging in drink. He kept clear of workmen who were in the habit of getting drunk on Saturday night and Sunday, as they were not fit for work on Monday. The habits of the men had changed; but he did not know whether to attribute it to the Scott Act or not. (Q. 17,244). The Scott Act might have helped, also religious influences; at any rate, the views of many had changed with respect to drinking. (Q. 17,246.) He believed a general prohibitory law would have a good effect, if it were well enforced. He preferred the free sale under police regulation to license. He would prefer to have 78 or 80 places selling liquor, and no control over them by legislation, rather than half the number licensed. He thought that a prohibitory law could be as easily enforced as the Scott Act.

Mr. John Quirk, baker, of Charlottetown, had been on the City License Board from 1870 to 1873. He preferred total abstainers as workmen. He had not noticed that the drinking of liquor had affected the bread trade; never took much notice of that. When the Scott Act first went into operation the people were afraid to buy liquor, or at all events to do so openly. They were bound to have it, but they did not seek it as much as they did when the license law was in force. He thought the Scott Act had done good. He thought that there was not as much public drunkenness, though he was of opinion that there was as much drinking. He thought the present system of free sale under police regulation better than the Scott Act; the Scott Act better than license; and the present system better than both. (Q. 17,294-5). The present law seemed to work very well. There were some things about the Scott Act that he did not like. "Among other things, it was educating the people to be perjurers right straight through." He thought that local officers would enforce the Scott Act better than Provincial or Dominion officers. (Q. 17,305). He thought the present system favored temperance more than the Scott Act did.

The Mayor of the place stated that they had a Stipendiary Magistrate appointed by the Local Government, whose salary was paid by the people of the town. He might say that liquor was sold openly in violation of the law (Q. 17,352-3-4); but that there was less liquor sold now than formerly, and that a drunken man was rarely seen on the streets. He thought the Scott Act was entitled to some credit for this, but the conditions had greatly changed during the last twenty or twenty-five years. He thought there were, perhaps, half a dozen places known to the police where liquor was sold. The people were arrested and fined occasionally. He did not know the number of times they had been fined, but he should think five or six times in a year; \$50 was generally the fine for a first offence, and \$100 for a second. He thought no attempt had been made to bring them up during the past year. The previous year there was an inspector appointed by the town council. This year, 1892, there was no inspector; the police had to look after the business. There were two policemen and one of them was considered to be the inspector to look after the enforcement of the Scott Act. Judging from the good order of the town, he supposed the people were satisfied with the manner in which the law was enforced; though offenders, when arrested, were treated in the matter of fines

as having only committed a first offence. (Q. 17385). The fines received were, for the year ended 31st January, 1892, \$600. He produced some figures of arrests for drunkenness. A statement of these will be found in Appendix 27, vol. 1. He thought the Scott Act had restricted the consumption of liquor. As an elector he would vote for a general prohibitory law; but he doubted if it could be more successfully carried out than the Scott Act. He thought the Scott Act was fairly enforced, except in a few small towns. People travelled now more by railway, and there was less business for wayside inns. The convictions for violations of the Scott Act, he said, were:—

1880	5	1887.....	14
1881	6	1888.....	12
1882	20	1889.....	17
1883	7	1890.....	25
1884	17	1891.....	17
1885	19	1892.....	9 to August.
1886	12		

He was sure there was less drunkenness in Summerside now than formerly, but whether it should be attributed to the Scott Act or not, he could not say. (Q. 17483.) He said that, comparing the condition of the town under the old license law with its conditions under the Scott Act during the last ten years, he thought there was very little difference in the social condition of the community. He thought the Scott Act might be so enforced as to make it next to impossible for a man to continue in the business of selling liquor; but he thought the community would be indifferent about it. (Q. 17501-5.) He thought that prohibition, if it could be enforced, was desirable, but that there would be difficulty in getting the people to fall in with the law. He would leave it for two years, but he believed that the majority of the people were in favour of the Scott Act. He thought a general prohibitory law would be more difficult to enforce than the Scott Act. (Q. 17531.)

The licensed vendor for the sale of liquors under the Scott Act for the County of Prince was examined before the Commission. He said he paid duty in Summerside on the greater part of the liquors he sold. There was some which came from St. John and Halifax, and a little from Montreal, the duty on which was paid. He got some liquor from Glasgow, on which the customs duties were paid in Summerside. His sales for 1891 he supposed would amount to \$8,000. He stated that he had not made any return to the Dominion Government, as provided by law, of his sales. He had no registry of his sales. The orders were strung on fyles, and he thought they were probably 5,000 in two years. Some orders were written on scraps of paper, and were evidently parts of a larger order covered by some former certificate of a medical practitioner. Some of these orders were for "eight bottles of brandy," "eight bottles of spirits for medical use," "gallon of whiskey for medical use," "ten gallons ale for medical use," "three quarts of spirits." The sales were for the whole County of Prince (population 36,470). There were some consumed in the town, but the greater quantity went to the country. There were places selling in town, selling illicitly, which interfered with his business, and the authorities knew it as well as he did. If it was not for their selling, he would do a much larger business. The vendor stated that it occurred to him sometimes that the liquor orders were for beverage purposes, but it did not occur to him that he was violating the law in selling for beverage purposes. (Q. 17763.) The appointment was in the gift of the Provincial Government. He belonged, at the time of his appointment to the office of licensed vendor, to the Order of Good Templars, and a division of the Sons of Temperance. He did not belong to them now. He was partly recommended by them and partly by others for the position.

The stipendiary magistrate, who was appointed to his office in 1885, handed in a statement of the convictions, which corresponded with the figures given by the mayor. He stated that in 1885 all the convictions were for first offences; in 1886 all first offences; in 1887 one second offence; in 1888 all first offences; in 1889 all first offences; in 1890 sixteen first offences, five second offence and four third

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offences; in 1891 fifteen cases. He thought that the figures for 1890 and 1891 were not quite correct. For the current year, 1892, there were eight first offences and one second. When the Scott Act first came into force in the county there were a good many small places selling. He thought at the present time most of them had gone out of business. The sellers in the county were, he thought, pretty nearly limited to the villages of Tignish and Alberton. He did not think the Scott Act was an honest and straightforward law, because, morally speaking, the buyer must be equally guilty with the seller; but the law said such is not the case, and he did not think that was in harmony with the moral sentiment of the people. "If the people," he said, "are not ready for the law adjusted in this way, and made fair and square, they are not ready for anything. In so far as regards legislation respecting temperance or any other subject, the law should do right, because it has often been said that those who sell are engaged in a not strictly moral business. If there is anything in that contention, they should not be surrounded with temptation. I did not consider the Act carefully until it became my duty to pronounce judgment in cases brought before me under it. I have found that sometimes witnesses have induced parties to sell liquor for the purpose of securing conviction against them. That, however, occurs very seldom now. Speaking from recollection of the cases coming before me, those for petty larceny, for example, are not due to liquor; and I cannot say outside of the convictions for drunkenness, that liquor is an element in the criminal calendar. The only cases flowing from drunkenness that I can recollect just now are a case or two of assault. One case of grievous assault was the result of being drunk. The party is now in jail, and serving his term. It was an assault on a police officer. (Q. 17896.) The general view is that the Act has given rise to perjury; but I do not think that that is invariably the case. Of course there may be some men who are rather defective in regard to morals, but beyond that I do not think I am prepared to go." He thought that there was far less drinking done than formerly; that the temperance sentiment was growing, and that the temperance organizations were promoting temperance. He said that in the practical working of the Act he found the imposition of fines for the first offence was, perhaps, more effective than imprisonment for a third offence. Charges for a first or second offence could be proven more readily, and convictions were more easily obtained. He thought the Scott Act was class legislation, and that the state had no right to pass class legislation. He did not think there was any law so openly violated in Summerside as the Scott Act.

The Collector of Customs for Summerside supplied information as to the importations of liquor. He thought the condition of the town had much improved since the old license system was in force, and he attributed some of the improvement to the prohibition provided for in the Scott Act, which he thought had, in spite of violations, a beneficial effect. He did not know about places selling illicitly in the town, but it was common report that there were several.

The following is a statement of the importations of liquor:—

Year.	Gallons Imported.	Gallons entered for Consumption.
1878	*1857	
1879	228	384
1880	76	232
1881	276	246
1882	574	348
1883	411	553
1886	934	932
1890	589	296
1891	1795	1351½

There had been a steady increase in the quantity imported. There were some still in bond. He had not had time to take out the quantities imported between 1883 and 1888 separately. At one time the importers might buy more liquor, duty paid in Halifax, for instance, than at other periods. He did not think it would be

*This year June to 31st December.

more difficult to prevent smuggling under a prohibitory law than it was now. He thought the feeling of Prince Edward Island was in favour of a general prohibitory measure.

The Sheriff of Prince County, who had held the office for twelve years, stated that he thought there were about six persons in the county jail at the present time. Sometimes there were as many as twelve. Sometimes the rooms were entirely empty. The principal offences for which prisoners were committed were breaches of the Temperance Act and drunkenness. He thought, perhaps, that an amendment to the Scott Act which would be of any service had already been made. He thought that the punishment of purchasers, as well as sellers, of liquor would be just and have a wholesome effect. He thought the Scott Act had been beneficial to the community, both in Summerside and throughout the county, but more so in the country parts. He thought there were half a dozen places selling liquor illicitly in Summerside. He believed a prohibitory law was desirable, and that it could be more easily enforced than the Scott Act, and that the liquor trade as it flourished under the license law had an injurious effect upon the business community. He also thought that a prohibitory law could be enforced, and that the country was ripe for it.

The Hon. Benjamin Rogers, of Alberton, merchant, and a member of the Legislative Council of the Province, thought the Scott Act was well observed in the rural districts. He thought that in Alberton, since the adoption of the Scott Act, there had been a very great change in the condition of the town for the better, and he attributed it largely to the Scott Act. He thought that the moral and religious influences without the Scott Act would not have brought about an improvement to the same extent. He preferred the Scott Act to a license law, and considered that a general prohibitory law would be preferable to the Scott Act, in that it would be better enforced, or, at any rate, it could be more easily enforced than the Scott Act, for the Scott Act was a very difficult law to carry out. He thought that from business principles, and outside of moral considerations, prohibition of the liquor traffic would be beneficial to the community. He did not think that high license would have the effect of restraining the trade, as there would be illicit selling, even if there were high license. He said: "I do not like free trade in liquors, nor do I like a license. I think that if liquor has to be sold, it is better being sold illegally than legally, for this reason, that the responsibility for wrong doing would rest on one party's shoulders, while under the license, it would rest on the whole community. Besides, the business would be more disreputable when it was not protected by the sanction of the law, and a great many people who would go to a tavern to drink, if the tavern were legally established, would not go into places that were selling contrary to the law." (Q. 18334). He thought that the feeling in the country outside of the town was almost entirely in favor of prohibition, but that the feeling in the town was, perhaps, rather different, and he did not know that he could give a reason for it. Asked, "Supposing the case of Charlottetown were the case of Alberton, where you reside, would you rather that there should be a limited number of places selling under license, to free liquor with police regulations." "I would rather," he replied, "have free liquor. I think the principle of license applied to the sale of liquor is altogether out of place." (Q. 18380). I do not think the guilt of the purchaser at all equals the guilt of the vendor. The bulk of the people who buy do so to satisfy their depraved appetites, and they do it almost as a matter of necessity at the time; and, therefore, we should be willing to adopt almost any expedient to get rid of the liquor. The sellers deliberately carry on the traffic." (Q. 18387).

Mr. David Rogers, M. P. P., of Summerside, stated that he was altogether opposed to the principle of license. He thought that free sale under regulation, as in Charlottetown, was the next best thing to prohibition, and that the Scott Act was fairly well enforced, but that it was a difficult thing to enforce it. He did not think there was any difficulty in purchasing liquor in Summerside, and remarked: "It appears to me it would not make much difference how strictly the law was enforced, for there would still be no difficulty in getting liquor." (Q. 18446). He was in

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favour of a general prohibitory law, and did not think a Provincial prohibitory law "would be worth a cent."

The Rev. John A. McDonald, Roman Catholic Priest in charge of the church at Miscouche and Wellington, who has resided in the district three years, considered the Scott Act well observed. There was no sale of liquor in his parish. When the Scott Act was brought into force in the district there were temperance societies in operation, and the people were temperate. He considered moral suasion to be the chief element in promoting temperance, and that legislation was desirable to back up moral suasion and restrict the sale. He did not consider that Divine law forbade the moderate use of wine. He thought that the reason why the Scott Act was not well enforced in Summerside was that public sentiment was to a large extent opposed to it. He had had very little knowledge of the working of the License Law, but thought that a local option act could be enforced as easily as the Scott Act, and, of course, the authorities would refuse to grant licenses where there was a strong public sentiment opposed to their issue. (Q. 18470). He thought the people were better educated and saw the evils of intemperance, and that they would now enforce more strictly a license law than it was enforced when in existence in the past. He thought that drunkenness had decreased a good deal in the country places, and he attributed this, to a great extent, to moral teaching and moral suasion. He thought that the having of a law on the statute-book which was constantly and regularly violated, had a bad effect on the morals of the people. A great many persons were in favour of having a law on the statute-book to prevent the sale of liquor; but he did not know whether they favoured the Scott Act or some other restrictive law. Personally he did not favour the passage of a general prohibitory law. He said: "I should not consider that it was just towards those persons who differ from me in opinion, moderate drinkers, to advocate such a measure. (Q. 18489-93). I think it would not be just to those persons who use it in moderation. I think it would be an unjust interference with them. I would have the trade so restricted that no abuse would flow from it, and then if the minority wished to have liquor in moderation they could do so." (Q. 18499).

Mr. John F. Gillis, Doctor of Medicine at Summerside, who had been in practice there for fourteen years, said he thought the Scott Act was as fairly and well enforced in Summerside as it could be. He considered it would be better if the traffic was controlled by the Dominion Government, instead of by local authorities. He did not think the Scott Act had curtailed the sale of liquor in Summerside at all. There were other factors influencing the matter. Formerly there were vessels built in Summerside, and a large floating population would be paid off at times, who would spend money in drink. That element had all been removed; but he did not think there was any difficulty in obtaining liquor in Summerside. He was not in favour of a general prohibitory law, as he did not think the people would observe it. He thought they would be very apt, if such a law were put in force, to resort to drinks probably more injurious than alcohol. (Q. 18530). He thought the sale of patent medicines had increased, and that the large consumption resulted from the alcohol which they contained. Perhaps those who bought patent medicines did not know what they contained, but they sowed the seed and gave the appetite for drink. He said he would not think it extraordinary if a doctor gave an order for eight pints of liquor. If the person desiring liquor lived in Summerside, he, the doctor, would order a bottle. He did not consider that the moderate drinker, who took his liquor well diluted, had any less chance of recovery from illness than a total abstainer, nor were the children of moderate drinkers more liable to brain and nervous diseases than others. He did not think that the majority of the people of the whole Dominion were in favour of total prohibition of the liquor traffic. He said that some of the country people manufactured a kind of liquor from blueberries and spirits, and called it "shrub," and that they occasionally used it as a medicine.

Mr. Edwin S. Blanchard, M.D., Superintendent for the Hospital for the Insane, Charlottetown, stated that they had about 140 patients in the asylum, of which he had been the superintendent for eighteen years. The number was divided about equally between males and females. He had kept statistics of the causes producing

lunacy, but would not declare them to be in any way exact. He thought a very small percentage of the cases were due to drunkenness, not more than 5 per cent, if so much. He had no doubt that there were quite a number of cases caused indirectly by drink, more, perhaps, than were caused directly. The number of patients in the hospital had increased, owing to the increased hospital accommodation. A change in drinking habits would have no perceptible effect upon the number; he did not think it would have any effect one way or the other. He thought that children of drinkers were very subject to nervous diseases in different forms. He thought the drinking habits of parents had a predisposing effect to nervous diseases in their children, and to insanity to a very great extent (Q. 15918). He thought that liquors sold by druggists on the orders of medical men were much superior to those sold at other places. He had not observed any decrease in the cases of drunkenness on the streets during the period the Scott Act was in force in Charlottetown. He thought he had noticed a slight increase since the Act was abolished. He thought that during the summer of 1892 especially, there had been a good deal more drunkenness than previously. Asked if he attributed that to free sale, he answered yes, but that it was virtually free sale during the Scott Act. He said he would prefer a rigid license law to either the Scott Act or the present plan of restriction by police surveillance. He thought a prohibitory law would be very difficult to enforce, and probably more difficult in the Island of Prince Edward than in any other province, as it would be next to impossible to prevent smuggling all along the coast. True prohibition would be of immense value. He considered wine useful in certain diseases, and alcohol more so. He was of opinion that the moderate use of wine after a man reached a certain age was beneficial, and he did not think that two or three glasses of beer or wine would injure any ordinarily strong man at all.

A statement of the quantity of liquor entered for consumption in the province will be found at page 31 of this Report. There is no export of liquor from the Island.

The entries for consumption undoubtedly represent a smaller quantity than the actual consumption. It is certain that there would be a disposition to send liquor into the Province duty paid during the period when the Scott Act was in force, inasmuch as importations would be more difficult to trace, and they might be sent in under other designations, if they had not to pass through the Custom House. Under free sale, the tendency would be to send the shipments in bond and pay duties and remove the consignments as they were sold to customers for retail.

Upon this subject the following evidence was given:—

Mr. James Currie, of Charlottetown, Collector of Customs, in answer to the question (Q. 16789, vol. 1). "Do you know whether, after the Scott Act became the law, there were larger quantities of liquor brought in by express or in small packages for private domestic consumption and office consumption and so on? That is, liquor purchased at Halifax and St. John on which duty had been collected there, purchased from the wholesale dealer? Have you any means of knowing that?" says:—"I have no idea of what quantity was brought in in that way. I have no idea, I say, of the quantity; but I believe there was a very large quantity brought in duty paid from Halifax and St. John, and I think also from Montreal."

Mr. Ewan McDougall, of Charlottetown, liquor dealer, stated (p. 888, vol. 1). "My importations were done in a curious fashion. The liquors did not come in in my own name, but duty was paid on them principally in Halifax, and they came to me to the shipper's order, with an endorsed bill of lading, and so no person knew to whom they came. * * * Very little duty was paid on it here. It was the same with the Inland Revenue goods; they came in duty paid. * * * The returns at Halifax would show the entries and they would be credited there."

The Scott Act was put in force in Prince and King's Counties and in the city of Charlottetown in 1879. In Queen's County it was adopted by vote on the 22nd September, 1880. In 1879, therefore, it was in force over the greater portion of the Province, and in 1881, in force over the whole Island. It continued in force down to 1891, when it was repealed in the city of Charlottetown. Last year (1894) it was again voted upon in the city, and was carried by a small majority. From 1881,

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therefore, to 1891, there was in force over the whole of the Province such prohibition as the Scott Act provided. From 1891 to 1894, there was free sale in the city of Charlottetown, the largest city on the Island.

The Provincial Legislature declined to give power to the city to issue licenses after the repeal of the Scott Act, but passed a law which was put in force in 1892 placing the traffic under very stringent police regulations.

It is doubtless the case that there have been very considerable changes in the population of such places as Charlottetown and Summerside, where in former years a considerable business was done in ship-building, which has now been wholly abandoned.

The following figures show the quantity of liquor entered for consumption :—

				Average Consumption per Head of Population.		
				Spirits.	Beer.	Wine.
				gall.	gall.	gall.
For the 5 years ended	1880			508	688	042
" 5 "	1885			445	273	017
" 5 "	1890			319	415	012
" 3 "	1893			257	361	013

These figures indicate that there has been a reduction in the consumption from the average of the first period of five years. They also indicate that, except in the matter of wine, the average consumption of the last three years, with Charlottetown under practically free sale, was smaller than the average consumption for the five years immediately preceding. Wine was very slightly higher.

The statistics of the convictions for offences will be found at page 65 of this report.

The average number of convictions for all offences, for drunkenness, and for offences against the liquor laws was :—

				Ratio per 1,000 of population.		
				All offences.	Drunk- ness.	Offences against the liquor laws.
For the 5 years ended	1885			5.13	2.43	0.62
" 5 "	1890			4.86	2.81	0.70
" 5 "	1893			4.55	2.57	0.61

Appendix No. 21 gives the arrests in the city of Charlottetown for all offences and the arrests for drunkenness from 1880 to 1893, inclusive. The arrests for drunkenness in 1893, when the city had free trade in liquor, were much below the average and, in fact, the lowest on the return, with the exception of those for 1881. The following are the figures for each five yearly period :—

				Ratio per 1,000 of population.	
				All offences.	Drunk- ness.
For the 5 years ended	1884			34.78	20.08
" 5 "	1889			33.07	24.16
" 3 "	1893			26.68	22.06

Appendix No. 11 gives the number of the insane remaining in the Provincial Asylum at the end of each year from 1877. The average for the four years ended 1880 was 0.80 per 1,000 of the population. This ratio steadily increased until, in 1892 it was 1.25 per 1,000 of the population.

The census returns give the following statistics of the insane of the province: In 1881, 351, which was equal to 3.22 per thousand of the population; in 1891, 333, which was equal to 3.00 per thousand of the population.

Appendix No. 3 gives the population of the common jails of the province from 1880. It will be found that the number of committals was in 1880, 3.18; in 1881, 2.25; in 1890, 1.79; in 1891, 2.46; in 1892, 1.73; and in 1893, 1.47 per thousand of the population. For the four years ended 1870, the ratio of committals to the common jails was 3.22, and for the ten years ended 1880, 4.51 per 1,000 of the population. The number remaining at the close of 1881 was 0.25; 1891, 0.22; 1892, 0.22; and 1893, 0.16 per thousand of the population.

The average number of the poor remaining in the Poor's Asylum for 1869-70 was 0.31 per 1,000 of the population. For the ten years ended 1880 it was 0.39 per 1,000 and for the ten years ended 1890, it was 0.42 per 1,000, and for the two years 1891 and 1892 the average was 0.42 per 1,000.

The following figures were supplied to the commission by Mr. Fitzgerald, the stipendiary magistrate of Charlottetown. They were prepared in order to show if any change in the convictions for offences had followed the adoption of free trade in liquor, but the period covered is probably too short to admit of any general deduction being made with safety.

CONVICTIONS in the City of Charlottetown, P. E. I.

	1	2	3	4	5
	July '87 to July '88	July '88 to July '89	July '89 to July '90	July '91 to July '92	July '92 to July '93
All offences	32	44	66	*159	50
Drunkenness	208	257	284	319	186
Breach of liquor law	92	30	28		22
Totals	332	331	378	478	258

- * Includes breaches of liquor law.
- 1, 2, 3, Scott Act periods.
- 4, Free sale.
- 5, Sale under police regulation.

The stipendiary magistrate in transmitting the foregoing opinions, remarks: "I am of opinion that under the present system as regards drunkenness in the city, it is much less than it was during the free rum period—that is the year we had no law; but as compared with the years we were under the Canada Temperance Act, it is of about the same volume, slightly smaller, if anything. There is this, however, to be said, that under the present Regulation Act, the law is being observed, not grossly violated and brought into disrepute as it was under the Scott Act. Our drunkenness to-day is I think largely confined to the town rough and chronic inebriate. There is, I regret to say however, a larger amount of drunkenness noticeable among country people on their way home from town than in Scott Act times. They unfortunately too often fill up and then drive on home."

The following figures of the convictions for drunkenness in the city of Charlottetown for six months following the re-adoption of the Scott Act have been supplied since the foregoing was written. Alongside of them are placed the figures for the corresponding months of 1893. These statistics go to show that the reduction in the

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number of convictions for the year ending July, 1893, continued in an increasing ratio during the six months following:

	1893.	1894.
August.....	20	6
September.....	43	16
October.....	18	11
November.....	22	10
December.....	11	8
January.....	5	4
Total.....	119	55

Appendix No. 65 contains a brief statement of temperance organizations, and efforts made, to promote abstinence.

Appendix No. 66 contains information which has been supplied to the Commission by the Assistant Provincial Secretary of Prince Edward Island in respect to expenditure incurred for gaols, lunatic asylums, and the support of the poor. A portion of this expenditure is recouped in the province.

The preceding statements show a reduction in the quantity of liquor entered for consumption, but it is highly probably that the returns do not correctly represent the total consumption of the province.

The criminal statistics do not show any marked change in the number of convictions for drunkenness and for offences against the liquor laws.

There has been an increase in the number of insane on the Island, as there has been in every other province in the Dominion.

The population remaining in the jails of the province at the close of the year has not materially changed since the adoption of the Scott Act. The Commissioners have not been able to obtain a full return of those remaining in jail for the years prior to 1881.

The number of the poor remaining in the poor asylum has not decreased during the period that the Scott Act was in force in the province.

Taking the average convictions for drunkenness for the ten years ended 1890, Prince Edward Island has a higher ratio than either Nova Scotia or Quebec. For the year 1891, the ratio in the province is above that for the entire Dominion, and is higher than in Ontario and Nova Scotia, and is practically the same as that of Quebec. In 1892, the ratio was higher than that of the whole of the Dominion, and higher than the ratios of Nova Scotia, Ontario and Quebec. In 1893 when Charlottetown had free sale under police regulation, the ratio of convictions for drunkenness in the Island was lower than it had been for any period from 1881, and was lower than the ratio of any of the other provinces, with the exception of Ontario and Nova Scotia.

Taking the convictions for all offences for the same periods, the ratio per 1,000 of the population in Prince Edward Island was lower than the ratio of any of the other provinces, with the exception of Nova Scotia up to the year 1893, when the convictions in Nova Scotia largely increased, and the ratio was higher than that of Prince Edward Island.

After what has been stated, it is almost unnecessary to point out that drunkenness has not been extinguished in Prince Edward Island; that, taking the lowest estimate of the consumption of liquor, it far exceeds what could properly be required for medicinal, mechanical and sacramental purposes; that brewing has been carried on, and a large quantity of liquor made and sold during the time that the Scott Act was in force, and that there has been no pretence that liquor was being shipped to places where the Act was not in force, either within the boundaries of the Island or elsewhere; that the licensed vendors, at any rate in one case, have flagrantly and openly violated the law, and have not made the returns of their sales, as prescribed by the law; and that the effect of the law has not been calculated to elevate the public mind and increase respect for law and authority generally.

PROVINCE OF QUEBEC.

In Appendix No. 67, will be found a memorandum of the existing liquor laws of the province, and in appendix No. 48 a statement of the license fees which are now and have been imposed from time to time since 1876. From the latter it will be seen that the fees have been largely increased at various times. There are some few cases where cities have been authorized in their charters to charge exceptional fees.

An inn, comprising those establishments also called hotels and taverns, is a house of public entertainment, where intoxicating liquors are sold; and houses of entertainment are described as being houses or places of public resort, established for the reception of travellers and of the public, where, in consideration of payment food and lodging are habitually furnished.

A restaurant is an establishment where, in consideration of payment, food (without lodging) is habitually provided, and where intoxicating liquors are sold.

A liquor shop is any store or shop where intoxicating liquors are sold, without food and lodging being provided. They are divided into wholesale and retail shops. A wholesale liquor shop is that wherein are sold at any one time intoxicating liquors in quantities not less than two gallons, imperial measure, or one dozen bottles of not less than one pint. A retail liquor shop is a place wherein are sold, at any one time, intoxicating liquors in quantities not less than one pint, imperial measure.

A special license for the sale of intoxicating liquors at large gatherings, such as picnics, etc., may be granted by the Provincial Treasurer, upon an Order in Council for that purpose, to societies, clubs and corporations, having control of the same, or to the person recommended by them, at such rates and on such conditions, and for such time, as may be determined by the said Order in Council. "No intoxicating liquors shall, however, be sold or given away by any person whomsoever in village or rural municipalities, at any auction sale, ploughing match, exhibition or political meeting, nor during municipal or school elections, excepting beer and wines to be used at the table for meals, under a penalty not exceeding \$50 and an imprisonment not exceeding one month in default of payment." (Art. 857a.)

The cities of Montreal and Quebec are authorized to make a charge for the issuing of certificates, on which the provincial officers grant licenses to sell, of \$8 for each certificate. In other districts the councils are authorized to make a charge for the granting of certificates, etc., to an extent not exceeding \$20 for each license. The restriction does not limit any powers given to such municipalities by their charter or Act of incorporation. (Art. 845.)

A charge of one dollar is payable to the Collector of Provincial Revenue for the granting of each license, in addition to the established license fees (Art. 878), and the law provides that, "it shall not be lawful for any municipal council of a city, town, village or other local municipal authority to levy, by by-law, resolution or otherwise, any license, tax, impost, or duty, exceeding in any one year \$200 in cities and towns, and \$50 in other municipalities, upon holders of licenses under this law, either for the confirmation of a certificate to obtain a license, or otherwise, for the occupations for which they hold such licenses. (Quebec License Law, Art. 927b.)

Security has to be given for good behaviour and for the payment of any fines imposed upon, or damages awarded against the holder of any license. (Art. 846.)

A small force of provincial police is kept in the Montreal district, and it is charged with the duty of preventing breaches of the Liquor License Law, that is, selling without a license, selling in prohibited hours, to minors, etc. It is aided by the city police force.

The law prescribes the accommodation to be provided by tavern keepers; prohibits the sale to minors or interdicted persons; imposes liability for damages resulting from the sale to intoxicated persons, or from the selling in quantities to cause intoxication.

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It also contains a clause under which municipalities can determine not to issue licenses for the sale of liquors within their boundaries. It is as follows:—

"Whenever a municipal by-law shall have been passed, and confirmed, as by law required, prohibiting the sale of intoxicating liquors within the limits of its jurisdiction, and a copy of such by-law has been transmitted to the Collector of the Provincial Revenue entitled to the same, the Collector of Provincial Revenue is forbidden to issue any of the licenses hereinbefore mentioned for the sale of such liquors, excepting steamboat bar licenses, and licenses of railway buffets, such license not being affected by the present restriction." (860.) Notwithstanding the quashing, by judgment of a Court of Justice, of such a by-law, the Collector of the Provincial Revenue shall not grant any such licenses within two months from the rendering of such judgment, unless such judgment is final." (860.)

In each municipal district adopting the foregoing clause, one person may be licensed to sell liquors for medicinal, etc., purposes on the certificate of a physician, for a patient under his immediate charge, or by a clergyman, only for a person whose spiritual adviser he is, in quantities of not more than three half-pints, imperial measure; the vendor has to keep accounts and make reports of the persons to whom, and of the persons on whose certificates, he sells, which certificates have to accompany his report to the Collector of Provincial Revenue for his district.

In the city of Montreal a board, composed of the Recorder and two Judges of the Sessions of the Peace or any two of them, decide what licenses shall be issued. In Quebec the Judge of the Sessions of the Peace or the Recorder, and in the cities of Hull and Three Rivers, the Registrar of the county, the Recorder of the city, and the Clerk of the Circuit Court, or one of them, if there are more than one, are the Commissioners for granting licenses. In other municipal districts the application for a license has to be approved by the council and certified by the mayor and secretary before the license is issued.

The law originally provided that applications for licenses should be signed by one-quarter of the resident municipal electors, or a majority of the resident municipal electors, if they are less than fifty, of the parish, township, village, town or ward of the city within which is situated the house for which such license is applied for, to the effect that the applicant is known to the signers, is honest, and of good repute, qualified to keep a house, and that the house is needed.

The Legislature (52 Vic. cap. 14, sec. 15), declared that the clause requiring a larger number of signatures should remain suspended until put in force by proclamation of the Lieutenant-Governor, and that the number of signatures required in the meantime for the granting of a certificate for an inn license should be 25 municipal electors, and for a license of retail spirituous liquors in shops, three municipal electors.

No license can be issued in the cities of Montreal and Quebec if an absolute majority of the municipal voters residing, or having their places of business within the municipal polling district of the ward shall signify their opposition in writing to the granting of such license.

The statistics of liquors entered for consumption on which duties were paid in the Province of Quebec, given at page 38, show the following ratios *per capita* of the population:—

Year.	Spirits.	Malt Liquors.	Wines.
	Galls.	Galls.	Galls.
Average 1871-1875.....	1 430	2 253	387
" 1876-1880.....	1 045	1 818	233
" 1881-1885.....	1 262	1 960	270
" 1886-1890.....	1 048	2 605	241
" 1891.....	945	2 895	252
" 1892.....	869	2 690	229
" 1893.....	960	2 534	222

As there are large importations of liquor through the port of Montreal, it is highly probable that the consumption of liquor in the province is less than these statistics show. In the matter of foreign spirits, and more especially wines, there is, no doubt, a considerable shipment from the province after duty has been paid. To the extent that such shipments are made in excess of importations into the province from other provinces, the figures quoted would be increased beyond the actual quantities consumed by the population. The population of the province possibly consume a larger quantity of imported light wines *per capita* than the population of the other provinces. The conditions, however, have probably not been materially altered during the period covered by the returns, and therefore the comparison of the entries in one period with another should fairly represent the changes which have taken place.

The Assistant Treasurer, writing by direction of the Honourable Treasurer of the Province, who has on all occasions evinced the most earnest desire to supply the Commission with information and to assist them in carrying on their investigation, on the 14th April, 1892, said:—"The Treasurer spoke to me yesterday about returns that you want. Mr. Brosnan is at work in connection with the receipts of the municipalities from licenses. *I may say, however, that we have no returns from municipalities of what they may receive from licenses, nor have we any returns from them of what they may expend on jails or the poor.*"

A return prepared in the Department of the Provincial Treasurer shows the revenue derived from fees for licenses issued and fines imposed, and the number of such licenses, to have been as follows:—

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STATEMENT of Amounts Received in the Province of Quebec from the Granting of Licenses for the Sale of Liquors, and for Fines Imposed.

Fiscal Year.	No. of Liquor Licenses of all Kinds.	Provincial Government Receipts for Licenses.	Amount of Fines Collected by Provincial Government.	Total.	Salaries, Expenses, and Commission.	Net Receipts.	Remarks.
		\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.	
1887 68.	1,865	66,198 08	2,845 44	68,953 52	10,992 90	57,960 53	The figures given in the fifth column represent the cost of collection, not only of liquor licenses, but of all licenses taken out under the Quebec License Law, and are inclusive of all law costs and fees in unsuccessful prosecutions, and in cases where payment could not be had from the defendants.
1888 69	1,958	70,397 86	3,732 09	74,129 95	10,730 63	63,399 32	
1889 70	2,169	78,224 37	3,330 74	81,555 11	10,465 08	71,090 03	
1876 71	2,222	84,886 90	2,992 54	87,879 44	11,384 96	76,494 48	
1871 72	2,433	93,961 25	4,103 51	98,064 76	12,154 74	85,910 02	
1873 73	2,673	101,338 00	3,801 03	105,139 03	12,831 12	92,307 91	
1874 74	2,698	119,569 00	4,876 62	124,445 62	13,424 50	111,021 12	
1873 75	2,724	153,513 00	8,387 46	162,900 46	16,798 97	146,101 49	
1875 76	2,440	186,382 00	8,940 17	195,322 17	17,664 50	177,657 67	
1876 77	2,260	191,845 00	5,285 49	197,130 49	17,074 26	180,056 23	
1877 78	2,023	173,539 00	7,988 06	183,498 06	16,730 30	166,767 76	
1878 79	2,100	181,792 46	8,395 62	190,688 08	17,957 17	172,730 91	
1879 80	2,237	137,741 50	9,870 24	147,611 74	20,526 76	127,084 98	
1880 81	2,344	216,690 50	14,040 51	230,731 01	19,244 78	211,486 23	
1881 82	2,629	244,107 50	16,846 42	260,953 92	18,715 79	242,238 13	
1882 83	2,465	235,091 50	10,731 06	245,822 56	18,897 32	226,925 24	
1884 85	2,407	258,386 25	8,976 52	267,362 77	18,955 62	248,407 15	
1885 86	2,582	257,530 44	15,061 71	272,592 15	20,519 46	252,072 69	
1886 87	2,851	305,084 00	9,917 71	315,001 71	28,382 16	286,619 55	
1887 88	2,868	312,247 17	13,613 35	325,860 52	28,325 64	297,534 88	
1888 89	2,813	362,380 04	16,787 54	379,167 58	38,292 64	340,874 94	
1889 90	2,761	367,669 84	13,484 48	381,154 32	39,259 68	341,894 64	
1890 91	2,453	536,882 08	15,483 37	552,365 45	43,133 82	509,231 63	
1891 92	2,462	562,237 08	15,687 31	577,924 39	48,690 67	529,233 72	
1892 93	2,567	596,099 78	17,114 52	613,214 30	41,979 04	571,235 26	

The cost of collection of liquor licenses is not stated separately in the public accounts from which this statement is drawn up; but, in point of fact, other expenses of collection of other licenses is less than one-eighth of the total amount of expenses given in the statement.

In the fiscal year 1867-8, the number of licenses issued was 1,886; in 1892-3, the number was 2,567, showing an increase of 36 per cent. The receipts from licenses and fines in the meantime increased from \$69,000 to \$613,000, or 88.7 per cent.

The population of the province, was, in 1871, 1,191,516; in 1893, it was estimated to be 1,515,870, and the increase was therefore 324,354, or 27.22 per cent.

The number of licenses issued reached the highest point in 1887-8, when the receipts were \$333,000. In 1892-3, the number of licenses had fallen from what they were in 1887-8, 321, or 11 per cent, and the receipts had risen to \$613,000, or an increase of 85 per cent.

In the year 1887 an increase of \$10 per license was made to the tariff of fees. In 1888 a further increase of 25 per cent of the fees chargeable in 1887 was made. In 1890 an increase on the fees of 1888 was made, varying from 50 to 100 per cent. In 1892 additions were again made to the fees for sale under municipal prohibitory by-laws, for vendors under the Canada Temperance Act, both wholesale and retail, and some new licenses, were added to the previous lists, for dining cars, sample and commission licenses, etc. (See Appendix No. 48.)

Following the large increase made in the fees in 1890 there was a falling off in 1890-1 of 303 in the number of licenses issued, compared with those granted in 1889-90.

The fees for vendors under the Canada Temperance Act have been as under:

RETAIL.

Year.	Cities.	Towns.	Villages.	Other Organized Territory.	Unorganized Territory.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
1886.....	70 00	50 00	25 00		
1888.....	87 50	62 50	31 25		
1890.....	130 00	90 00	50 00		
1892.....	200 00	160 00	125 00		50 00

WHOLESALE.

1886.....	80 00	70 00	60 00		
1888.....	100 00	87 50	75 00		
1890.....	150 00	130 00	115 00		
1892.....	225 00	200 00	160 00		

The fees imposed on vendors for medicinal and religious purposes in municipalities where prohibitory by-laws are in force have been as follows:

Year.	Cities.	Towns.	Villages.	Other Organized Territory.	Unorganized Territory.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.	\$ cts.
1880.....	20 00	10 00	2 00	1 00	
1888.....	75 00	50 00	25 00	20 00	
1890.....	120 00	75 00	40 00	30 00	
1892.....	200 00	160 00	125 00	125 00	70 00

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Mr. Brosnan, Comptroller of Provincial Revenue, in his evidence, quoted from a report made by himself to the Honorable Treasurer on the subject of the local option by-laws.

The following are portions of that report, made on the 17th June, 1892:—

"I have the honour to report that the working of articles 861 to 865 of the Revised Statutes respecting the sale of liquor under certificate in municipalities where a prohibitory by-law is in force, is very unsatisfactory. A much larger quantity of liquor is sold than can be needed for medicinal purposes; the certificates, which are granted in profusion, are, for the most part, disgraceful scraps of paper, indicative of the carelessness and indifference of those who deliver them, and I am assured that forgeries are not infrequent. But the point to which I desire more particularly to call attention for the moment is that of the number of certificates granted, irrespective of all other considerations, and I shall lay before you a few typical instances, which will serve to show what is generally done throughout the province. During the month of January, 1889, the following liquor was sold in the parish of——— 279 bottles of whisky, 217 bottles of gin, 28 bottles of brandy, 11 bottles of wine, 6 pints of whisky, 1 pint of beer and $\frac{1}{2}$ pint of brandy.

"In presence of the above facts, I confess, as I have already stated to you verbally, that I have no confidence in the certificate system, nor in that of prohibitory by-laws in general, and I would gladly see it done away with, and regular licenses issued in every municipality. This change however, cannot be hoped for at present: but, as the low price of these medicinal licenses is one of the inducements to their being applied for, as such large quantities of liquor are sold under them, and it seems next to impossible to reach the signer of the certificates, I would suggest that the rate of duties payable on such licenses (and what I now say applies equally to licenses issued under the Canada Temperance Act) be raised to the same figure as that fixed by the law for retail shop licenses, viz:—In cities, two hundred dollars; in incorporated towns, one hundred and sixty dollars; in organized territory, one hundred and twenty-five dollars; in unorganized territory, seventy dollars."

With regard to the forged certificates and other matters referred to in Mr. Brosnan's report, this question was put to him:—

"Have you reason to believe that a similar condition of things exists generally where local option is enforced?" To which he replied, "so everybody tells me. There are some parishes where the condition of things is better, but it depends a good deal upon local opinion, and a great deal, of course, on the ecclesiastical authorities of the parish and the physicians."

The following information in regard to the certificates for liquor issued in some districts was obtained:—

	Number of Certificates Issued.	Issued by Clergymen.	Issued by Medical Practitioners.
In one parish †:			
In January, 1892	548	304	244
February, 1892	784	87	697
March, 1892	795	148	647
In another village municipality:			
In February, 1892	281	52	229
March 1892	250	51	199
In another village municipality:			
In February, 1892	136	84	52
March, 1892	90	61	29
In another municipality:			
In February, 1892	213	101	112
March, 1892	150*		
March, 1892	179	80	99
	92*		

The certificates marked thus * are considered to have been forged.

†NOTE.—The population was estimated about 900. (Q. 20343).

With municipal local option by-laws administered as described their existence cannot safely be taken as indicative of a strong feeling in favor of prohibition of the traffic in the municipalities where they exist.

The Scott Act is in force in two counties in this province, viz., Brome, population 14,709; Chicoutimi and Saguenay,* population 28,726. The Dunkin Act is in force in Richmond, population 16,329.

The Scott Act was in force in Arthabaska from 1884 to 1888, when it was repealed; in Drummond from 1885 to 1892, when it was repealed. It was voted upon and rejected in Argenteuil in 1885, Compton in 1884, Megantic in 1879, Pontiac in 1886, Stanstead in 1880, and Missisquoi in 1885.

The vendors licensed to sell for medicinal, etc., purposes, are appointed by the provincial government on the recommendation of the municipal councils. There are eleven licensed vendors under the Canada Temperance Act.

Mr. Alfred Brosnan stated that there were 27 authorized vendors in municipalities which had adopted by-laws prohibiting the sale of liquor for beverage purposes. They were located: two in the district of Arthabaska, six in the district of Beauce, one in the district of Kamouraska, four in the district of Matane, one in the district of Montmagny, two in the district of Quebec, one in the district of Richelieu, four in the district of Rimouski, two in the district of Saguenay, two in the district of St. Francis, one in the district of Temiscouata, and one in the district of Three Rivers. A vendor sells on certificates sent in from other districts than that for which he is appointed, and one vendor may therefore sell to the inhabitants of four or five parishes.

The advance in the license fees made in 1892 appears to have led to a reduction in the number of these licensed vendors, as for the year 1893 only 9 licenses are said to have been issued.

Mr. Brosnan in his evidence stated that there were about 900 municipalities, and of these there were 210 in which a prohibitory by-law was in force.

A return which had to be prepared from information obtained out of the ordinary course, and is probably not wholly accurate, either as regards the places which have adopted local option laws, or the population of the districts in which they are in force, but which the Commissioners believe approximately represents the situation as regards local option laws in the province, shows the following:

	Number.	Population.
Parishes and villages in which local option laws exist.	163	221,593
Parishes and villages in which local option laws are not in force, but in which certificates for licenses are not issued.....	132	116,827
Parishes and villages which have repealed local option laws previously adopted.....	78	101,799

In some of the last-mentioned licenses are not issued although the by-laws have been repealed.

Mr. Brosnan said that there were many parishes in which no licensed vendor was appointed. In answer to the question as to how the districts were provided with liquor for medicinal purposes where there was no licensed vendor, he stated.—“If the people need it, they go to the next village and get it. That very often happens. There is sometimes an understanding between villages. For example, a parish priest at one village says they do not need a license there, and the same statement is made by the priest in the next parish, but at the third parish it is decided to have a licensed place, and when the people in any of these three parishes are sick, they run there and get liquor, and on this account it is considered useless to have a depot in every village. This is what I referred to when I said a moment ago that one licensee may sell for more than one parish.” He further stated that the certificates sent in to the collector of a revenue district could not be taken as

* NOTE.—Since the above was written the Act has been repealed in Chicoutimi and Saguenay.

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representing the liquor sold to the population in the municipality in which the licensed vendor was resident. "Those 548 certificates (which he had previously referred to), which appear as issued in only one parish, might," he said, "represent several parishes. At the same time, what made me use that as a basis for argument was the fact that I happen to know that the doctors who signed those certificates resided in that parish, and that, under the law, a physician can only issue certificates to patients under his immediate care." (Q. 20367.) He also stated that the population of the parish referred to was about 900. (Q. 20343); that 288 of the certificates were issued by the parish priest, 204 by one physician, 40 by another physician and 16 by the vicar. (Q. 20342.) In Chicoutimi, in the month of May, 1892, 232 pints, and in the month of July, 1892, 252 pints were sold by the vendor of one parish. (Q. 20381.) Licensed vendors should make returns to the collectors of provincial revenue for the districts in which they reside, and the certificates handed in to them should be forwarded to the collector, along with a complete statement of the sales.

Mr Brosnan explained that no general return had been laid before the Provincial parliament of the sales through licensed vendors; that they had never been called for, and that the Provincial government only called for returns from the collectors on special occasions. He had recently called for some returns for districts under the Scott Act, and also for districts under municipal prohibitory laws. He added that the government intended to have returns made regularly of the certificates issued, and also to have the certificates honored by the various licensed vendors sent in with the returns. He further added that there were a number of instances where the parish councils refuse to grant licenses. He thought there were about 121 parishes in which no licenses were issued. In a number of these parishes they were not issued because they were not asked for; but he had been informed that there were parishes in which applications for licenses had been made, and refused by the councils. (Q. 20378.) It was probable that in many parishes where the population was small, the amount having to be paid for licenses deterred parties from applying for them.

The evidence tends to show that the places licensed partake of the character of ordinary liquor shops, and that in very few cases is either the spirit or the letter of the law strictly observed.

The population of the counties in which the Canada Temperance Act is in force, the one county in which the Dunkin Act is in force, the municipalities in which prohibitory by-laws have been enacted, and the municipalities in which no licenses are issued, is:

Canada Temperance Act counties....	43,435
Dunkin Act county	16,329
Prohibitory by-law municipalities.....	221,593
Municipalities not issuing licenses.....	116,827*

Mr. Brosnan expressed the opinion that, in the interests of temperance, the power ought to be taken away from the municipalities to grant licenses. He said: "They have a singular idea as to the exercise of that right. I received the following answer to the question as to whether a license should be granted. 'Yes, on condition that the gentleman gives a small present to the council.'" Asked what his opinion was as to the results of the application of the Scott Act, he replied; "I have heard for the first time the following words spoken by a deputy, 'We hear complaints everywhere, not because the law is bad, but because public opinion is not on a level with the law.'"

Of the total number of licenses reported in the year 1889-90 namely, 2,761, there were issued in the city of Montreal, 1,146, and in the district of Montreal, outside of the city, 338, making for the collector's district, 1,484 licenses, or more than one-half of all the licenses issued in the province.

*Deducting Chicoutimi where the Act Scott has been repealed, the population is now 14,709.

The figures from 1890 to 1893 were:—

	Total for the province.	Montreal city.	Montreal city and district.
1889-90	2,761	1,146	1,484
1890-91	2,453	1,138	1,478
1891-92	2,462	978	1,267
1892-93	2,567	962	1,256

The dates for which the licenses in the city of Montreal and in the city and district of Montreal are given vary somewhat from the dates covered by the provincial returns; but that does not materially alter the results, which really show that one-half of the whole of the licenses issued for the vending of intoxicants in the province are issued in the district of Montreal.

The large reduction shown to have taken place in the number of licences issued in the city of Montreal was mainly in shop licenses, which, in 1889-90, were 569, and in 1892-93, 460. There was also a reduction in the number of hotel licenses from 213 to 147. In the district outside of Montreal, hotel licenses were reduced from 195 to 180, and shop licenses from 143 to 111.

The number of licenses issued in 1892-93, throughout the whole province, gives one license for every 581 of the population. In Montreal they are one to every 234 of the population of the city. In the city of Toronto the licenses of all kinds issued are equal to about one to every 860 of the population, and in the province of Ontario, Toronto included, one to every 616 of the population. If the population and the number of licenses issued in the city of Montreal, are deducted from the total population and the total number of licenses issued in the province of Quebec, the ratio of licenses to the remainder of the population is one to every 796 of the population.

Various statements were made before the Commissioners in regard to the manner in which, the license law is enforced in the city of Montreal, and the number of places where sales are illicitly made.

The Collector of Provincial Revenue stated that there were probably 2,000, or even 4,000, places in the city where illegal selling was carried on. This witness stated that the law was as well enforced as it could be with the means at his disposal. The provincial Revenue Police force was under his direction. Six men were employed, and assistance was obtained from the city police, but he depended principally upon informers to detect illicit vendors, and those breaking the law. He handed to the Commission a statement showing the prosecutions for infractions of the Quebec License Law which had been instituted in the district. They were as follows:—1889, about 340; 1890, about 3,970; 1891, about 2,118; 1892, about 212 and in 1893, 312. These prosecutions were for selling on Sundays, selling to minors, selling by glass in retail liquor shops, and gambling. The major part of the prosecutions, it was stated, fell under the first and second classifications. Witness stated that more prosecutions were not entered upon because of the difficulty in obtaining convictions, and that places licensed as groceries were running as drinking shops, but the difficulty was in many cases to prove the sale. He thought a larger police force would not secure more convictions, and that the only chance of securing proof in such cases was by the employment of private detectives and informers. He thought that about one-fourth of the licensees violated the law, and that the law in the city of Montreal was very imperfectly enforced. He further stated that in the district of Montreal, there were sixty-five municipalities, of which nineteen did not issue licenses.

Other witnesses gave evidence on the subject of the number of places where liquor was sold illegally in the city.

The Chief of the Provincial Revenue Police stated he was sure there were not from 2,000 to 4,000 unlicensed places in Montreal—that, at the outside, there were not more than 300 to 400 places. He had authority to engage more men to assist his force when he found it necessary. He considered that there were too many licensed places in Montreal. He could give no reason why the ratio of licenses to the population should be so much greater in Montreal than in Toronto.

The Chief of the City Police, questioned in regard to the places where liquor was sold illicitly, stated: "I am certainly of opinion directly the contrary of Mr.

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Lambe's statement. I do not believe there are 300 places in Montreal where liquor is sold without a license. (Q. 28795.) That is my opinion, and I am ready to swear to it. (Q. 28796.)"

The Inspector of Food for the Province of Quebec said that there was a large illicit sale in Montreal, probably 2,000 places selling without a license. He considered that there was a decided decrease in intemperance, largely due to the efforts of the temperance workers and the clergy.

The Inspector of Inland Revenue for the district of Montreal said, with reference to the statement that there were 2,000 or 4,000 places in which liquor was sold illicitly: "I believe that perhaps there are a thousand, there are at all events hundreds, because prosecutions are taken out every week, and almost every day, against parties for selling liquor without a license." He did not believe, he said, that there were from 2,000 to 4,000 places. (Q. 25198-200.)

The chief officer of the detective force of the city, examined on the subject, said: "The Collector of Provincial Revenue has a right to know, but I would not say that there are 2,000 or 4,000 unlicensed places selling liquor in Montreal. First and foremost, 4,000 houses is a large number, for each of those places must be a dwelling house, and you would scatter 4,000 of these through the city. I know there are some people carrying on little shops that sell liquor, and those may be numbered among them. I would not say that there are 2,000." (Q. 26788.)

The Hon. Senator Thibaudeau, High Sheriff, questioned on the subject of the places selling illicitly, stated that he had no particular means of knowing how many of such places there might be, but added: "I do not think there is anything like that number—i.e., between 2,000 and 4,000."

In the session of the Provincial Parliament, 1893-4, some amendments to the license law were passed, and amongst them, the following:—

"In the city of Montreal, for the year beginning first of May, 1894, the number of hotels and restaurants licensed shall be limited to a maximum of 440, and for the year beginning on the first of May, 1895, to a maximum of 400, and that number shall not be exceeded in any year thereafter." (Q. 843a.) Provision was also made that "any licensee in the city of Montreal or Quebec, of good repute, who has had a license, and who has complied with the law during the preceding twelve months, and has not been convicted of any infringement thereof, may, on making a declaration to that effect under oath, obtain a renewal of his license without being obliged secure any certificate from the electors of the district in which his place is situated."

There does not seem to be any necessity, nor any local demand for such a large number of retail liquor shops and restaurants as exist in the city of Montreal. The reduction of each class to a number not in excess of the number of hotels now licensed, would, in the opinion of this Commission, be attended with beneficial results.

A statement of the number of arrests made by the police for a series of years, and the ratio of these to the population will be found in Appendix No. 19.

A very large number of these arrests result from offences against the city by-laws.

The Chief of the City Police, Col. Arthur St. George Hughes, gave evidence before the Commission, and explained the manner in which these statistics were compiled.

In the matter of arrests for drunkenness, enquiry showed that there was some divergence between the classification of offences in the reports of the police, and the classification made in the Recorder's Court, in which court all cases of drunkenness are tried. The Recorder of the city makes an annual report to the council of all cases dealt with in his court. The following is a statement of the complaints for drunkenness taken from these reports from 1887 to 1892: 1887, 3,741; 1888, 3,089; 1889, 3,091; 1890, 3,432; 1891, 3,694; 1892, 3,095.

Every reasonable effort has been made to obtain correct information as to the amount received by the various municipalities for the granting of certificates, but only a comparatively small number of returns—probably from not more than one-third of those issuing certificates—have been received. The Provincial Government was so good as to send forms to be filled up, and addressed the various municipal authorities by circular on the subject.

The following is a summary of the amounts shown to have been received, for certificates and fines, in the returns sent in. Many of these returns are, however, obviously imperfect.

PARTIAL statement of the number of certificates for the obtaining of licenses to sell Liquor granted, and the amount received therefrom, by Municipalities, in the Province of Quebec.

YEAR.	MONTREAL.		QUEBEC.		OTHER PLACES.		TOTAL.	
	Certi- ficates.	Amount.	Certi- ficates.	Amount.	Certi- ficates.	Amount.	Certi- ficates.	Amount.
		\$ cts.		\$ cts.		\$ cts.		\$ cts.
1880		6,448 00			301	6,813 00	301	13,261 00
1881		5,856 00			312	9,700 00	312	15,556 00
1882		6,232 00			324	9,683 00	324	15,915 00
1883		6,632 00			305	12,320 00	305	18,952 00
1884		6,576 00			274	12,983 00	274	19,559 00
1885	848	6,784 00			314	13,432 00	1,162	20,216 00
1886	970	7,760 00			371	17,175 00	1,341	24,935 00
1887	1,062	8,496 00			371	17,175 00	1,416	27,400 00
1888	1,123	8,984 00			354	18,904 00	1,495	30,310 00
1889	1,092	8,736 00			372	21,326 00	1,478	30,670 00
1890	1,089	8,712 00			395	27,159 00	1,484	35,871 00
1891	942	7,536 00			384	14,428 00	1,326	21,964 00
1892	931	7,448 00						

NOTE.—1. No returns have been obtained from Quebec. The following is a copy of a telegram from the Mayor of that city:

"Cannot supply information asked by Sir Joseph Hickson. Certificates of all kinds are issued, but no distinction is made in our books between license certificates and others."

2. The returns from places other than Montreal are not complete. Many places have not made any returns, and some of those which have been sent are incorrect.

These returns contain the receipts of the city of Montreal for granting certificates, which are a large proportion of the whole amount stated. The remainder, leaving out Montreal, does not probably represent more than a comparatively small percentage of the total sum received by the other municipalities.

It may be mentioned that the fines collected in the Judicial District of Montreal for breaches of the Quebec License Act, were:—

In 1890	\$15,760
" 1891	18,860
" 1892	21,040
" 1893	23,236

The fines for all offences collected in the recorder's court, Montreal, and paid over to the city treasurer, have been as under:—

Year.	Amount received.
1880	\$ 8,296.94
1881	12,475.97
1882	15,654.96
1883	12,956.68
1884	12,616.33
1885	11,239.03
1886	18,148.82
1887	24,719.68
1888	25,259.49
1889	22,845.27
1890	27,019.59
1891	23,767.37
1892	21,695.89

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The returns of convictions in the Province of Quebec (see page 62) for the earlier years covered by the statistics, were, in all probability, incorrect, and in later years they have been much fuller and more accurately compiled. The average ratio of the convictions for all offences in the province, per 1,000 of the population, for the five years ended 1885, was 4.79; for the five years ended 1890, 6.26, and for the three years ended 1893, 6.87. The highest ratio was reached in 1892, when the figure was 7.22 per 1,000 of the population. Since then there has been a reduction, and the ratio in 1893 was 6.43.

For drunkenness, the convictions were:

Five years ended 1895.....	1.26	per	thousand	of the	population.
“ “ “ 1890.....	2.22	“	“	“	“
Three “ “ 1893.....	2.61	“	“	“	“

The highest ratio was reached in 1891, when it was 2.82 per thousand. In 1893 it was 2.49 per thousand.

Convictions for breaches of municipal laws increased, as reported in the criminal statistics, from 1.98 per thousand in the first period, to 2.07 per thousand in the second, and 2.34 per thousand in the last.

According to the criminal statistics, the convictions in Montreal, under the Summary Trials Act, increased between 1887 and 1892 about 13½ %; the summary convictions about 36 %, and the total convictions about 34 %. The population in the meantime had increased about 17 %.

The following statement gives the number of prisoners admitted to the jails of the province from 1880 to 1892, and the number remaining therein at the end of each year from 1883 to 1893:—

Year.	Population.	Number admitted.	Ratio per 1,000.	Number remaining at end of year.	Ratio per 1,000.
1880.....	1,341,250	3,801	2.83		
1881.....	1,359,027	3,340	2.45		
1882.....	1,371,449	3,261	2.37		
1883.....	1,383,985	3,044	2.19	565	0.36
1884.....	1,396,635	3,559	2.54	564	0.40
1885.....	1,409,400	3,397	2.41	493	0.35
1886.....	1,422,282	3,383	2.37	428	0.30
1887.....	1,435,282	3,483	2.42	557	0.39
1888.....	1,448,401	3,973	2.74	541	0.37
1889.....	1,461,639	4,683	3.20	572	0.39
1890.....	1,474,998	4,653	2.47	503	0.34
1891.....	1,488,535	4,175	2.80	507	0.38
1892.....	1,502,140	3,478	2.31	451	0.30
1893.....	1,515,870	3,626	2.39	451	0.30

It will be seen that the ratio of admissions slightly decreased, as did also the ratio of those remaining at the close of the year. A table giving the ratios of those remaining in the jails of the various provinces at the close of each year, and in the jails of the State of Maine, will be found in Appendix No. 70. The figures for Nova Scotia and New Brunswick are not complete, as the commissioners have found themselves unable to obtain full information. The figures for the other provinces are believed to be accurately stated.

It will be seen that the ratio to the population of those incarcerated at the close of each year compares favourably with other provinces and with Maine.

1892.		Per M.
Dec. 31.	In Nova Scotia	0·13
" 31.	Prince Edward Island	0·22
" 31.	New Brunswick.....	0·22
" 31.	Quebec.....	0·30
Sept. 30	Ontario.....	0·38
Dec. 31.	Manitoba.....	0·32
" 31.	British Columbia	1·37
Nov. 30.	Maine.....	0·60

If the total commitments to the jails for 1892 are taken, they will be found to stand as under:—

Nova Scotia	2·30
Prince Edward Island.....	1·73
New Brunswick.....	1·24
Quebec.....	2·31
Ontario.....	4·22
Manitoba	1·50
British Columbia.....	10·88

The returns for Nova Scotia and New Brunswick, as already remarked, are incomplete, but the information received indicates that the ratio of commitments in New Brunswick is much higher than it is in Quebec.

There has been published in the reports of the inspectors of prisons, for the Province of Quebec, a classification of the habits of the prisoners in the matter of the use of intoxicants. The following figures are extracted from these reports:—

Year.	Temperate.	Intemperate.	Total.	Percentage of intemperate.
1888.....	1,907	2,092	3,999	52·31
1889.....	2,214	1,746	3,960	44·09
1890.....	2,197	2,083	4,280	48·66
1891.....	2,392	1,785	4,177	42·73
1892.....	2,088	1,390	3,478	59·96

The following is a statement of the number of juveniles in reformatory institutions in the province —

Year.	Quebec.		Ontario.		Year.	*Maine.	
	No.	Ratio per M.	No.	Ratio per M.		No.	Ratio per M.
1881.....	415	0·305	377	0·195	1880.....	116	0·179
1891.....	631	0·423	306	0·145	1890.....	169	0·235
1892.....	569	0·378	278	0·130	1892.....	162	0·244

*NOTE.—The figures for Maine for 1880 and 1890 are taken from the U. S. census returns; those for 1892 from the State report.

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There has been placed along side the figures for Quebec the statistics for the Province of Ontario and the State of Maine.

It is possible that the methods of treating juvenile criminals in the two provinces and the State of Maine differ in some respects, and that the statistics do not represent exactly the relative numbers of juvenile criminals in the three communities.

Quebec has more places to which juvenile offenders are sent than Ontario, at any rate, more than are distinctly so designated, and it is probable that the placing of juvenile criminals under the charge of the religious communities, as is done in most instances, has a tendency to increase the number committed to such institutions.

The inspector of reformatories for the province of Quebec, in response to inquiries, expressed the opinion that it was probable that juvenile offenders in Ontario were sent in a larger proportion to other institutions than those designated "reformatories." In Quebec there are, in addition to these reformatories, several industrial schools to which unprotected and destitute children are sent, and in which they are cared for mainly at the expense of the Government. It is probably the case that in Ontario this work is more generally undertaken by private institutions, supported to a large extent by private contributions.

The numbers of the insane cared for in the asylums of the province are given in appendix No. 12. The ratio of those remaining at the end of each year has increased from 1.13 in 1876 to 1.67 in 1893, per thousand of the population. The total of the insane population reported in the census returns of 1891 was 4,550, in 1871, 3,300. The population increased in the two decades 25 per cent, the insane 37.8 per cent. The ratio per 10,000 of the population in 1891 was 30.

The statement (Appendix No. 12) includes only inmates in respect of whom the Government of the province makes a payment to the owners of the asylums in which they are, and there should be added, to cover inmates in the same asylums who either pay themselves or are paid for by their friends or relatives, about 6 per cent, both as respects admissions and remaining residents. Of the inmates of private asylums which are not made use of by the provincial Government for the care of the insane, the commissioners have not obtained any returns.

The ratio of the insane per thousand to the population in this province, according to the census return, was slightly in excess of that of Ontario and New Brunswick, and precisely the same as in Prince Edward Island and Nova Scotia.

Dr. Burgess, the medical superintendent of the Protestant hospital for the insane at Verdun, Montreal, stated that out of 377 cases of patients admitted to the hospital from the time it was opened, 24 were attributed to drink, or, in other words, that drink was the exciting cause in 24 cases. He further stated that it was almost impossible to get a correct statement from friends of the patients when they were admitted to the hospital. At Verdun they were in the habit of classifying the patients, when they entered the hospital, as accurately as the circumstances would permit. They had practically no means of verifying the statements of the friends of patients. There were patients in the hospital ranging from 17 to 80 years of age. He stated that it was quite impossible to come to a definite conclusion in each case. The only way that could be done would be by employing experts to investigate each case, a course which was impracticable. He expressed the opinion that a smaller proportion of the cases arising out of drunkenness recovered than of the cases arising out of other causes. He thought that a larger percentage than 24 to 377 would be attributable to drink; but he would not say that the 24 formed only a small percentage of the cases to be attributed to it. He thought that the percentage in which drink was the predisposing cause was a great deal larger than in cases in which it was set down as the exciting cause. He had had 19 years' experience in connection with an asylum, and his own observation went to show that the effect of drink was more marked in the offspring than in the parents. He stated that he was not himself a total abstainer, but he thought that the world at large would be better off if there were no liquor in it. At the same time, in his own experience, he was not able to put his finger on a case where, the parents having been what he would call moderate drinkers, insanity from that cause sprang up in the children.

He thought the greater portion of the patients who sought admission to the hospital were from the agricultural population.

Arthur Vallée, M. D., Quebec, medical superintendent of the Beauport insane asylum, and inspector of Belmont retreat, said that the register kept of the history of cases was not always reliable. The Beauport institution belonged to private proprietors, to whom the provincial Government made a payment for each patient. Cases in which the insanity was caused by alcohol were placed in the Belmont Retreat. Very few were cured of intemperance, due, he believed, to the absence of a law compelling their residence in the institution for a certain period. If they remained sufficiently long, he thought 50 per cent would be permanently cured. A portion of the intimates in the Beauport insane asylum were there for intemperance, but the great majority were not drinkers. He did not consider that the moderate use of alcohol led to insanity; it was not a predisposing cause, but he did think that idiocy was often due to the intemperance of parents.

Several gentlemen who have taken a deep interest in the question of the prohibition of the liquor traffic, not resident in the province, were examined in Montreal, and much of their evidence will be found both instructive and interesting.

Altogether, there were examined 116 witnesses who may be classified as residents in the province. Of this number, 65 expressed the opinion that a prohibitory law could not be efficiently enforced; and the commissioners believe that not only would such a measure, if enacted, be found incapable of being properly carried out, but any attempt to force it upon the population of the province would probably lead to most determined opposition.

Much energetic work is being done in the province by temperance societies, and by the clergy of the various churches. The great majority of the people of the province belong to the Roman Catholic church, and the clergy of that body, as a general rule, look upon a general prohibitory law as undesirable and impracticable. A memorandum will be found, Appendix No. 71, showing what has been done by temperance organizations in this province for several years back. The weight of the evidence taken was to the effect that the offence of drunkenness has been decreasing of late years throughout the district; that there is much need for curtailment of the licensed places in the city of Montreal, for the separation of the sale of liquors from the sale of groceries and provisions in shops, and for more strict enforcement of the law, as well as for a more severe inspection of liquors sold. Two matters of importance will be found referred to in the evidence—which forms volume II, and of which an analytical summary is printed,—namely, the printing indiscriminately of labels for liquor which are used apparently almost as indiscriminately, and the sale of patent medicines, by far the larger portion of which are simply alcohol.

It may be mentioned, as a matter of historical interest, that one of the earliest enactments in regard to the liquor traffic in this province was the Imperial Act, 14 George III, chapter 88, known as "The Quebec Revenue Act, 1774," entitled "An Act to establish a fund towards further defraying the charges of the administration of Justice and support of the Civil Government within the province of Quebec, in America."

Section 5 reads: "And be it further enacted by the authority aforesaid that there shall from and after the fifth day of April, one thousand seven hundred and seventy-five, be raised, levied, collected and paid unto His Majesty's Receiver-General of the said province for the use of His Majesty, his heirs and successors, a duty of one pound sixteen shillings sterling money of Great Britain, for every license that shall be granted by the Governor, Lieutenant-Governor, or Commander-in-Chief of the said province, to any person or persons for keeping a house or any other place of public entertainment, or for the retailing wine, brandy, rum, or any other spirituous liquors within the said province; and any person keeping any such house or place of entertainment, or retailing any such liquors without such license, shall forfeit and pay the sum of ten pounds for every such offence upon conviction thereof; one moiety to such person as shall inform or prosecute for the same and the other moiety shall be paid into the hands of the Receiver-General of the province for the use of His Majesty."

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ONTARIO.

An abstract of the laws relating to the liquor traffic in this province is given in Appendix No. 128.

The laws relating to the liquor traffic immediately prior to the confederation of the British North American provinces (1867) were those of the united provinces of Upper and Lower Canada.

In Appendix No. 48 the license fees which have been charged from time to time are given.

Prior to the confederation of the provinces the legislature of the united provinces of Canada East and Canada West, now Ontario and Quebec, passed an Act in which were embodied clauses conferring local option within certain limits upon communities. A short abstract of the Act will be found in Appendix No. 130.

This Act was passed in 1864, and is 27-28 Vic., chap. 18, and entitled "An Act to amend the laws in force, and respecting the sale of intoxicating liquors and the issue of licenses therefor, and otherwise for the repression of the abuses resulting from such sale." The short title of the Act was "The Temperance Act of 1864," but the Act was more widely and better known under the name of the framer of it, viz., "The Dunkin Act."

The terms of this Act remained in force, as regarded the provinces of Ontario and Quebec, after the confederation of the North American provinces.

The first thirty-eight clauses of the Act comprised what was really a permissive bill, founded upon the plan of local option laws of the United States.

The Act recognized the principle of license. The clauses from number thirty-nine to the end of the Act, entitled "General provisions, irrespective of local prohibition," were designed to regulate, under license, the traffic in intoxicating liquors. In fact, it was simply a license Act, embodying the local option principle.

The Act did not interfere with the manufacture and importation of liquor.

The local option provisions were:—

"First.—The municipal council of every county, city, town, township, parish or incorporated village in this province, besides the powers at present conferred upon it by law, shall have power at any time to pass a by-law for prohibiting the sale of intoxicating liquors and the issue of licenses therefor, within such county, city, town, township, parish or incorporated village, under authority, and for enforcement of this Act, and subject to the provisions and limitations hereby enacted.

"Second.—Such by-law shall be drawn up and passed in ordinary form, and shall not have embodied therein any other provision than the simple declaration that the sale of intoxicating liquors and the issue of licenses therefor is by such by-law prohibited within such county, city, town, township, parish or incorporated village, under authority and for enforcement of this Act."

The municipal council might, at any time, take the initiative and submit a by-law, under the preceding conditions, to a vote of the electors. On the other hand, thirty or more duly qualified municipal electors might, by requisition, demand that at any time within one year from the date of their request, a by-law be submitted for the approval or rejection of the electors, and, in like manner, thirty or more electors might demand the passage of a by-law to repeal any by-law previously adopted under the Act, provided that not less than two full years had elapsed since the date of the submission of the previous by-law.

A by-law passed by the electors might be repealed by a vote of the municipal council, but such repealing by-law was to be submitted for the approval of the electors in the manner and with the formalities prescribed for the submission of a by-law, and such repealing by-law did not take effect unless it was approved by the municipal electors. If not approved, no repealing by-law could be again submitted until after the expiration of two years. (Subsec. 13, sec. 5.)

Two or more municipalities might concur in obtaining a joint by-law, and in the event of such by-law being adopted, it could not be repealed without the concurrence of the electors of each of the municipalities affected.

No license for the sale of liquors was to be issued within any district in which any by-law passed under the authority of the Act was in force; but provision was made for sale for medicinal, sacramental and manufacturing purposes.

Under the Act, licensed distillers were allowed to sell not less than five gallons. Licensed brewers were allowed to sell not less than five gallons, or of bottled ale or porter not less than one dozen bottles, containing at least three half pints each, at one time, the same to be removed wholly from the premises. Wholesale merchants were allowed to sell to the extent of not less than five gallons, and of bottled wine, ale or porter not less than one dozen bottles of at least three half pints each.

This law remains in force, but has practically become inoperative.

Under the existing provincial law a board of license commissioners is appointed by the Lieutenant-Governor for each city, county, union of counties, electoral district or license district, as His Honour may think fit. The board consists of three persons, two of whom are a quorum. They are appointed for twelve months, but may hold office for a longer period. They define the conditions and qualifications necessary to obtain tavern and shop licenses for ale-houses, beer-houses, or places of public entertainment where spirituous liquors are to be sold, the number of tavern and shop licenses, and the persons to whom such may be issued, all within the limits of the law.

An inspector for each district is appointed by the Lieutenant-Governor, and it is the duty of the inspector to report in writing upon every application for a license, and if the applicant is a fit and proper person to have a license.

Every applicant for a license has to proceed by petition to the commissioners in the district in which the license is to have effect. Any ten or more electors of any polling subdivision have the right to object by petition against the granting of any license within such subdivision. The decision of the board with regard to any license is not to be questioned or re-considered, except in cases in which the decision has not been unanimous, in which case the person affected by such decision may petition the board and allege facts or grounds for their reconsideration, not formerly before them, when the board may, by resolution, in which all the commissioners concur, decide to rehear the same. No license is to be granted in any subdivision (chap. 194, subsection 14, of section 11), if a majority of the electors duly qualified to vote as such in a subdivision for the election of a member of the Legislative Assembly of the province petition against it, and set forth the grounds mentioned in the Act against granting such licenses. The grounds of objections are:

(a.) That the applicant is of bad fame or character, or of drunken habits, or has previously forfeited a license, or that the applicant has been convicted of selling liquor without a license within a period of one year; or that he has kept within a period of two years, a place in which the illicit sale of liquors was frequent and notorious; or,

(b.) That the premises in question are out of repair, or have not the accommodation required by law, or reasonable accommodation if the premises be not subject to the said requirements; or,

(c.) That the licensing thereof is not required in the neighbourhood, or that the premises are in the immediate vicinity of a place of public worship, hospital, or school, or that the quiet of the place in which such premises are situate will be disturbed if a license is granted.

Any person who has signed a memorial against the granting of a license may be heard in opposition thereto by himself or his agent.

The clerk of the municipality in which the subdivision is situated is to decide, in case of dispute, as to the number of electors in the subdivision, and the number of those qualified electors who have signed said petition.

The number of tavern licenses to be granted is not to exceed in each year, in each municipality, that is to say, in cities, towns, and incorporated villages, one for each 250 of the first 1,000 of population, and one for each full 400 over 1,000 of the population; but in no case shall the limit authorise any increase in any municipality in excess of the number of licenses therein issued for the year ended the first day of March, 1876, unless the increase of population, in the opinion of the commis-

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sioners, justifies a larger number; but in no case shall the number exceed the limit imposed by the Act.

Every application for a license, and all objections to every such application, are to be heard and determined by the board of commissioners at a meeting open to the public. The commissioners are not permitted to issue licenses for the sale of spiritous, fermented or intoxicating liquors on the days of the exhibition of the agricultural association of Ontario, and industrial exhibition of Toronto, or of any electoral district or township or agricultural society exhibition, either on the grounds of such society, or within a distance of three hundred yards from such grounds. (Sec. 13, chap. 194.)

The council of every city, town, village or township may, by by-law, limit the number of tavern licenses to be issued therein for the then ensuing license year, beginning on the first day of May, or for any future license year, until such by-law is altered or repealed, provided such limit is within the limit imposed by the Act. (Sec. 20, chap. 194.)

"The council of every township, city, town and incorporated village may pass by-laws for prohibiting the sale by retail of spirituous, fermented or other manufactured liquors in any tavern, inn or other house or place of public entertainment, and for prohibiting altogether the sale thereof in shops and places other than houses of public entertainment, provided that the by-law, before the final passing thereof, has been duly approved of by the electors of the municipality. (Sec. 13, law of 1890.)

"No by-law passed under the provisions of this section shall be repealed by the council passing the same, until after the expiration of three years from the day of its coming into force, nor until a by-law for that purpose shall have been submitted to the electors and approved by them in the same manner as the original by-law, and if such repealing by-law (upon being submitted to the electors), be not so approved, no other repealing by-law shall be submitted for the like approval within the full term of three years thereafter." (Sec. 14, law 1892.)

The electors voting for the by-law must be a majority of the total electors entitled to vote for members of the Legislative Assembly of the municipal district.

The following statement shows the number of licenses issued, and the amount collected for licenses and fines, the total collections, the amount paid for salaries, expenses and commissions in collecting the revenue, and the apportionment of the receipts between the provincial Government and the municipalities since 1876:—

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The total number of licenses is shown on the return, including transfers, extensions and removals, as well as the actual number issued from year to year (apart from transfers, etc.) with the number of the population to each class.

In Appendix No. 4, vol. 4, pt. 2, is given a statement of the places in which local option laws have been voted upon, and where they are now in force. On the statement are also mentioned the places which have passed local option laws, but which laws have been quashed by the courts, either for informality in the by-laws, or as being beyond the powers of the municipalities. By-laws are in force in twelve townships.

The Scott Act was in force in 9 districts (counties and cities) in 1885, 27 in 1886, 27 in 1887, and 19 in 1888. The law had, of course, the effect of reducing the number of regular licenses in the districts in which it was in force.

The following statement shows the number of, and the districts in which, licenses were issued by the Provincial Government under that Act for the sale of liquor, and also the number issued by the Dominion Government under the McCarthy Act in the same districts.

STATEMENT showing the number of licenses issued in counties where the Canada Temperance Act of 1878 was in force.

NUMBER OF LICENSES ISSUED.

Counties.	By Provincial Government.				By Dominion Government under McCarthy Act.
	1885-6	1886-7	1887-8	1888-9	
Brant.....		3			1
Bruce.....		8	11		18
Carleton.....		3	4	2	1
Dufferin.....		2	2		13
Dundas.....		3	1		4
Elgin.....		9	14	10	
Glenarry.....		1	1		2
Huron.....	6	13	9		
Kent.....		14	12	12	
Lambton.....		15	14	13	1
Lanark.....		6	7	7	
Leeds and Grenville.....		20	16	17	
Lennox and Addington.....		3	3	1	
Lincoln.....		2	1		
Middlesex.....		7	11	10	
Norfolk.....		5	5		10
Northumberland and Durham.....		16	12	9	
Ontario.....		10	8	10	
Oxford.....	3	11	5	7	14
Peterboro.....		6	4	3	
Renfrew.....		10	8		8
Simcoe.....		20	20		21
Stormont.....		5	4		4
Victoria.....		6	7	6	
Wellington.....		12	8	6	
Total.....	9	210	187	113	97

* Dates not given.

The Scott Act provides that in municipalities in which it is in force sales of intoxicating liquor for exclusively medicinal purposes, or for *bona fide* use in some art, or trade, or manufacture, shall be lawful only by such druggists and other vendors as may be thereto specially licensed by the Lieutenant-Governor in each province, the number not to exceed one in each township or parish, nor two in each town, and in cities not exceeding one for every four thousand inhabitants; such sales, when for medicinal purposes, to be in quantities of not less than one pint. Sub-section 8 of the same Act makes provision for sales by wholesale, in quantities of not less than ten gallons, such sales to be to druggists and others licensed as aforesaid, or to persons who will forthwith carry the liquor beyond the limits of the municipality.

The operation of the Scott Act within the province has been already referred to in another part of this report, and it is only necessary to say here that the Act is not in force at the present time in any part of the province.

The centralization of the supervision of the traffic in one office in Toronto, a branch of the Treasury department, has resulted in more ample and reliable statistics of everything relating to it being kept, and the statutory enactments for the control of the traffic in Ontario are, the commissioners believe, more complete than in any other province of the Dominion.

The conflict of authority between the Dominion and provincial Governments, which resulted from the passage of the McCarthy Act (1883), undoubtedly led to confusion and, probably for a time, embarrassment, in the carrying out of the provisions of the Scott Act (1878). The embarrassments were, however, removed by the repeal of the McCarthy Act in July, 1885, and the leaving of the control of the licensing and regulating of the traffic entirely in the hands of the provincial Government.

Under the system now in force there has been a gradual reduction in the number of places licensed.

Statistics of the consumption of liquor, although evidently not entirely accurate, being made up on the same system for one year as for another, indicate reliably that there has been a reduction in the consumption.

In the province of Ontario the ratio of convictions for drunkenness for the five years ended 1885 was 2.79 per thousand of the population. In the five years ended 1890 the convictions had risen to 3.10 per thousand, the highest ratio in the whole period between 1881 and 1893 being that for the year 1889, the one in which, or immediately following the period when, the Scott Act was finally abandoned throughout the counties of Ontario. The ratio that year was 3.40 per thousand of the population. From 1889 there was a gradual reduction in the number of convictions for drunkenness, until, in 1893, they had reached a ratio of 1.75 per thousand of the population. The convictions for offences against the municipal laws increased, as did, in a slight degree, the convictions for offences against the liquor laws. Notwithstanding this, the total convictions decreased, as will be seen on reference to the return, page (59-61).

The jail statistics (see Appendix No. 5), which are admirably kept, and regularly laid before the provincial Legislature, give the following results:—

Year.	Total population.	Number admitted.	Ratio per 1000.	Number remaining at end of year.	Ratio per 1000.
1880	1,893,719	11,300	5.90	901	0.47
1885	1,990,777	11,426	5.71	983	0.49
1890	2,094,721	11,810	5.63	979	0.47
1893	2,153,915	8,619	4.00	814	0.37

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The committals for drunkenness (see Appendix No. 53), were as follows:—

Year.	Population.	Number committed.	Ratio per 1000.
1880.....	1,893,719	3,795	2.00
1885.....	1,989,777	3,696	1.84
1890.....	2,094,721	4,373	2.18
1893.....	2,153,915	2,652	1.23

In Maine the total committals for the five years ended 1892 were:—

For all offences.....	5.60
For drunkenness.....	2.58

In Massachusetts:

For the year 1891—

All offences.....	12.05
For drunkenness.....	8.58

For the year 1892—

All offences.....	7.52
For drunkenness.....	3.63

In those parts of this report devoted to Maine and Massachusetts will be found comparative statements of prisoners remaining in the common jails, the insane in asylums, etc., etc., in these states, and those in similar institutions in Ontario, and some others of the provinces of the Dominion.

Dr. T. F. Chamberlain, inspector of prisons and reformatories for the province, in his report for the year 1892, made the following observations:—

“I am pleased to report that during the past year there has been a further large decrease in crime throughout the province, the number of committals being 1,412 less than last year, which also showed a wonderful decrease as compared with a number of years previous. In no year since 1873 have the committals been so low as in the past year, which may be accounted for by the energetic working of our clergy, the noble efforts of christian organizations for the amelioration of the condition of our poor working classes. The further decrease of 878 committals for drunkenness as against that of last year, which showed a decrease of 959 as compared with the year 1890, is a striking proof of the good work that is being done throughout the province by the efforts of organizations for the alleviation of the condition of the masses.

“The question is often asked, ‘How can the existing evil of intemperance be remedied?’ It is a difficult question to answer, for in the face of every effort in this direction by progressive legislation, the unwearied efforts of the clergy, the noble work of our women, the reduction of licenses, and the imposing of high license fees there seems to be but slow progress in abating the evil. It is true that a great reduction in the number of committals for drunkenness is shown during the past few years, still the evil abounds to such an extent as to awaken a feeling of alarm in the minds of all professing Christians, for undoubtably drink is the cause of a large percentage of all the crime, destitution, misery and neglect that exists in our midst. I am convinced that the question of suppressing the liquor traffic depends upon the present mode of attack, as demonstrated by the decreased number of committals for drunkenness, namely, by teaching our children in the public schools and Sunday schools the evil effects of the use of intoxicating liquors; the efforts put forth by the various temperance organizations; the adoption of the more wise course of counsel and example to the young men of our land by those in social and financial positions, making the social drinking usages not only unpopular, but in reality a bar to good society; wise and progressive legislation to aid the peo-

ple as fast as they are prepared to accept and carry out the legislation offered. These are the lines upon which I think the most good can be accomplished, and believe they will be far more effectual than any arbitrary legislation at the present time."

The number of patients in the insane asylum of the province has very considerably increased (see Appendix No. 13). Extensions have been made from time to time in the accommodation afforded by these institutions, and the care with which they are conducted and supervised has doubtless led to their being more largely availed of in later years than they were previously.

The fact remains, however, that whilst there has been an increase in the number of inmates of these asylums, and also, as shown by the census returns of the Dominion, an increase in the ratio of insane persons to the population, there has been, according to the returns, a smaller consumption of liquor and fewer convictions for offences against the law (notwithstanding an increase in those against the municipal laws), and more especially for drunkenness in this province. There has also been a very marked decrease in the commitments to the jails of the province.

Daniel Clark, Esq., M.D., superintendent of the insane asylum, Toronto, who gave evidence before the commission in that city, said:—"I have paid a good deal of attention to the various causes of insanity * * * * The most prominent cause of insanity is hereditary inclination. Insanity is not bequeathed to anyone; it is only a tendency thereto, and when I say heredity, I mean simply that a tendency to insanity has been derived from the parents. This cause would cover about 60 per cent of those who come to the asylum. Then the other causes are varied, among which I may mention intemperance, domestic trouble, business worries, and disease being followed by insanity, such as injuries to the head. Anything that will produce unusual brain activity is conducive to insanity. There are so many causes of a minor sort that it is almost impossible to enumerate them * * * * About 3½ per cent are due to religious excitement—I mean 3½ per cent of the total number. * * * * Before stating my opinion on the point (as to a reliable number whose insanity may be attributed to, or, at any rate, excited by, the excessive use of intoxicants), I may say that statistics in regard to the causes of insanity are very unreliable often at the real. They are unreliable for this reason, that you cannot get very * * * * causes; you have largely to depend for your information upon non-professional people who bring patients to you as to the cause of insanity. In the next place, you may have two or three causes operating at once; you may have a hereditary tendency to insanity, and starvation, or injury to the head, or intemperance—two or three causes operating together to produce one effect, which any one operating singly might not produce. In regard to intemperance as a cause of insanity, a few years ago a clerical friend of mine in this city wished to write a monograph or a pamphlet on intemperance, and he asked me to give him information based upon people who came as insane to the Toronto asylum. This must have been five or six years ago. I went to work and examined the exciting causes of insanity in about 6,000 cases, from the books I had in the asylum and from the analysis that I made of intemperance as a cause of insanity, based largely upon the statement of the friends of the patient, I found about 9½ per cent. of the total cases which could be attributed to intemperance * * * I gave it to my friend, but he had the impression that I must be wrong, because he thought that there were 30 or 40 per cent attributable to drunkenness, therefore he left it out of his pamphlet; it was not published * * It is in my lectures to students * * That is all, there is just the simple proportion. * * I took the books and looked up every name * * That was the result. I suppose I may say, in round numbers, that one in every ten of those who were admitted to the asylum came there presumably through intemperance."

Again speaking of the 9½ per cent, he says that he refers to intemperance as the exciting cause, and continues:—"I have no doubt in my own mind that intemperance in parents produces almost absolute degeneracy in children to a greater or less extent,"—asked, "Mental degeneracy?"—"Yes, and physical degeneracy." I have watched closely those who are dipsomaniac, those who have intermittent bouts of

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drunkenness, but who for months together may hate the very sight of liquor; then when this maniacal condition comes on, nothing will stop them from their drunken bout, if they can get liquor. A large number of those dipsomaniacs who have intermittent sprees, so to speak, are so from hereditary causes * *. It (intemperance in parents) is a predisposing cause * *. The moment you get degeneracy in a child, you can scarcely tell in what direction it may make itself manifest. It might be hysteria, or a number of nervous diseases; it might be an inordinate taste for liquors, or it might be insanity pure and simple. The fathers have eaten sour grapes and the children's teeth are set on edge"

After speaking of total abstinence, he says: "I might say here also, from my experience, that at the present time there is much to be feared, and much to be dreaded, from the use of other intoxicants. I have no doubt in my own mind that for the last quarter of a century there has been a steady increase in the use of opium, of chloral, chloraline, Indian hemp, of hachis, and absinthe, which is menacing the mentality of the people. These things do not make their effects manifest in the same way as alcohol. The man who uses them does not make himself injurious in the neighbourhood, or in his family; but the effects are such, as I know, that it has become a serious question whether you will not have to take up all other toxicants as well as alcohol. It is the universal testimony of men who have paid attention to this matter, that there is a large number of those who are even temperate, who are even teetotallers, who take to these drugs, and give up alcohol * *. I have cases coming to the asylum from the use of opium, chloral, and so on, and who become insane from that cause. Their effects are so insidious that the victims are far more hopeless than those from alcohol." After pointing out that there is practically no restriction on the sale of these drugs, he states, in dealing with the character of the drugs, and in answer to the question, "Are persons beginning with small doses of any of these drugs, liable to become habituated to their use and to go on taking more?"—"Very likely, and they are more likely to become drunkards from the use of these drugs than they are from the use of alcohol. They are very insidious and seductive, much more so than spirits * *. Those who take these drugs scarcely ever take spirits. They trust to the drug alone as a rule * *. When you get an opium eater, or chloral eater, or one who takes any of these other drugs, he is very apt to adhere to that alone." (Vol. IV., Part II., p. 988-991).

The commissioners were anxious to obtain from this province, as from others, full information in regard to—

- (1.) The expenditure incurred in the maintenance of jails, lunatic asylums, and in maintaining the poor.
- (2.) The number of persons committed to jail.
- (3.) The number of lunatics committed to the asylums.
- (4.) The number of poor receiving relief.
- (5.) The number of homes and almshouses for the poor.
- (6.) The cost, per head, of prisoners committed to the jails.
- (7.) The number committed for drunkenness.
- (8.) The number committed for offences against the liquor laws.
- (9.) The cost, per head, of those committed for drunkenness and offences against the liquor laws.

The return, printed as Appendix No. 132, was supplied by the Government of Ontario.

No information was obtained, however, in regard to the items numbers 4, 5 and 9.

The statement does not, apparently, contain the cost of the central prison, which appears to have been, on an average of four years, about \$62,000 per annum, after deducting receipts.

Taking the cost of maintaining jails put down on the return, and which is paid by the municipalities, say for the year 1891, the average was \$15.90 per head of the prisoners. Those committed for drunkenness in that year numbered 3,614, and for offences against the liquor laws 70, a total of 3,684, the cost of whom, taken at the same rate per head, would amount to \$58,575.60. The prisoners committed for

drunkenness probably remain a shorter time, on the average, than the other classes of offenders.

The City Council of Toronto, availing itself of the power given by the law to reduce the number of licenses issued within the city limits, has effected a large reduction in the number of licensed places, as is shown by the following statement:—

Year.	Tavern licenses.	Shop licenses.	Whole-sale licenses.
1874.....	309	184	21
1875.....	269	128	28
1876.....	216	100	39
1876.....	182	100	76
1877.....	181	92	20
1878.....	195	98	19
1879.....	204	94	18
1880.....	210	95	15
1881.....	216	100	14
1882.....	187	98	14
1883.....	217	88	12
1884.....	227	71	14
1885.....	224	66	13
1885.....	150	50	13
1887.....	150	50	12
1888.....	150	50	14
1889.....	150	50	11
1890.....	150	50	11
1891.....	150	50	11
1892.....	149	50	10
1893.....			

Taking the population of the city to have been, in 1892, 190,500, the number of licenses was equal to one for every 900 of the inhabitants. The ratio for the remainder of the province appears to have been in that year one to every 600 of the population.

A statement of the arrests for all offences, and of the arrests for drunkenness is given in Appendix, No. 35.

The following statement shows the ratio of these arrests to the population of the city:—

Year.	Population.	Arrests for all offences, per 1,000 of population.	Arrests for drunkenness, per 1,000 of population.
1880.....	86,700	68.50	33.13
1881.....	96,196	58.69	30.22
1882.....	105,618	55.40	28.15
1883.....	115,040	57.68	29.61
1884.....	124,462	59.35	29.27
1884.....	133,884	51.94	28.86
1885.....	143,306	59.81	29.88
1886.....	152,728	69.38	34.06
1887.....	162,150	67.25	30.11
1888.....	171,572	67.53	31.13
1889.....	180,994	61.84	28.74
1890.....	181,000	54.60	20.76
1891.....	190,500	47.19	19.19
1892.....	200,000	46.98	18.22
1893.....			

On the 13th May, 1892, the City Council, under the powers conferred by subsection 39 of section 489 of the Municipal Act, passed the following by-law:—

“ Provided however when any person is brought to a police station on a charge of being drunk without being disorderly, the chief constable of the city or the

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“ inspector in charge of such police station, may, in any case where it is, so far as known to the said officer, a first or second arrest for such offence, release such person without bringing him before a justice of the peace, or police magistrate. Any person arrested for the offence of being drunk without being disorderly, shall be a competent witness on his own behalf.”

It may be mentioned that the arrests for drunkenness in the year 1889 were 5,441, and the convictions for the same offence, 2,176. In 1890 the arrests were 5,023, the convictions, 1,969; in 1891 the arrests were 3,758, the convictions, 1,438; in 1892 the arrests were 3,657, the convictions 1,215, and in 1893 the arrests were 3,644, while the convictions were 996. The total arrests included those arrested and discharged by the police without being brought before the court.

The amount received by the city for liquor licenses was :

Year.	Number of licenses.	Amount.
		\$
1885.....	312	34,535 00
1886.....	303	32,984 00
1887.....	213	36,410 00
1888.....	212	32,773 00
1889.....	214	33,465 00
1890.....	211	31,570 00
1891.....	211	32,445 00
1892.....	211	33,889 81
1893.....	200	34,263 25

The Dunkin Act is in force in three municipalities in Ontario, viz., the township of Pelham, in the county of Welland, and in the townships of North and South Colchester, in the county of Essex. A summary of this Act, which was passed prior to the confederation of the provinces, viz., in 1864, and applies to Ontario and Quebec, will be found in Appendix No. 130.

It may be observed in regard to the voting on the Scott Act in Ontario, that in only two counties out of the 27 counties and cities which at different times adopted it, was its continuance voted for when re-submitted, viz., Lambton and Halton.

The evidence taken in Ontario in regard to the adoption, operation, and repeal of the Scott Act will be found, when read, to be conflicting and inconclusive. Here the advocates of prohibition, very generally, as in other places where the results of coercive legislation have not been satisfactory, or there has been reaction, attribute them to the non-enforcement of the law. Some others say the Scott Act was not the legislation which they originally desired and there was indifference in regard to it, overlooking the fact that the continuance in force of the Scott Act was no bar to the advocacy of an extension of the principle which was embodied in that Act.

The renewal of licenses under the present system rests wholly with the commissioners, and the only way apparently in which the voters can intervene to obtain the discontinuance of a licensed place, which circumstances have arisen to, in their opinion, render desirable, is by petition to the commissioners, which the latter are not under any obligation to regard, unless infractions of the law are alleged and proved. The law in this respect would seem to call for amendment in the direction of giving the ratepayers more control over the renewal of licenses.

A memorandum showing the efforts of temperance societies and the means taken generally to promote temperance and total abstinence from the use of intoxicating liquors in Ontario, will be found in Appendix No. 133.

An analytical index to the voluminous evidence taken in this province will be found in volume IV, part 2, of the evidence presented with this report.

The total number of witnesses examined was 284. Of those, 169 expressed themselves in favour of a law prohibiting the importation, manufacture and sale for beverage purposes, of intoxicants; 90 expressed themselves as believing that it would be found impracticable to enforce such a law; 25 expressed no opinion.

Of those who expressed themselves in favour of a general prohibitory law, 32 either expressed doubt as to the possibility of its enforcement, or their conviction that it could not be enforced.

The total number of witnesses who expressed themselves in favour of the enactment of a prohibitory law may be classified as follows:—

Clergymen.....	35
Judges, magistrates and members of the legal profession.....	11
Members of the medical profession.....	8
Officers of the peace.....	18
Jailers, wardens of asylums, etc.....	2
Insurance agents.....	3
Merchants and manufacturers.....	27
Y. M. C. A. officials.....	1
Farmers.....	3
Journalists.....	8
Members of the labouring classes.....	3
Ladies, including Salvation Army "lasses".....	3
Excise and Customs officials and officials not elsewhere enumerated.....	47

Of the total number of witnesses examined, 104 expressed themselves in favour of some measure of compensation to those who might have their business destroyed by the enactment of a prohibitory law.

The following are the names of the more prominent persons who gave evidence in favour of the enactment of a prohibitory law:—Messrs. D. W. Karn, Woodstock, Stapleton Caldecott, W. H. Howland, Warring Kennedy, H. A. Massey, Elgin Schoff, F. S. Spence, J. K. Stewart, J. J. McLaren, Q.C., LL.D., and Mayor R. J. Fleming, of Toronto. The Hon. G. W. Ross, Dr. Aikins, Dr. J. T. Fisher, Bishop T. W. Campbell, and the Revs. E. H. Dowart, D.D., W. Frizzell, John Potts, D.D., of Toronto, and His Honour Judge Jamieson, of Guelph.

Of the witnesses who were either opposed to prohibition on principle, or because of the impracticability of enforcing it, the most prominent were:—Very Rev. G. M. Innes, Dean of Huron; Ven. Archdeacon Dixon, Guelph; Ven. A. H. Mulholland, Owen Sound; Revs. Prof. Clark, Canon Dumoulin, G. M. Milligan, D. J. MacDonnell, John Pearson, D.D., of Toronto; Hon. T. W. Anglin, Chief Justice Armour, Col. G. T. Denison, Judge McDougall, Prof. Chas. G. Richardson, Prof. Goldwin Smith, Ph. D.; Dr. W. H. Ellis, M.B., Dr. Daniel Clark, Dr. Jas. Thorburn, and Messrs. Edward Gourney, Robert Jaffrey and J. Gordon Mowat, of Toronto.

The Rt. Rev. Maurice S. Baldwin, D.D., Bishop of Huron, speaking of the state of the liquor traffic in London, Ont., said he thought that the number of licenses was gradually being reduced, and that that was beneficial to the community. If he had to make a choice he would prefer the saloons being done away with, rather than restaurants. He had had no personal experience of prohibitory laws, but from conversation with the clergy of his diocese he was led to think that the Scott Act was not beneficial in the majority of cases. One clergyman had said that it was most beneficial. "But I understand it was not the Act which was bad, but the mode in which it was enforced." He thought the country would be better without liquor, and would favour the enactment of a prohibitory law as an act of humanity. He considered the decline and fall of most of those who had become moral shipwrecks began through drink when they were young, and that, therefore, if a prohibitory law were actually established it would save thousands of young men. By "actually established," he meant that if prohibition were on the statute-book and liquor was sold freely it would not amount to anything. "I mean if the prohibition were real; the mere passing of a law would not answer the purpose unless it was carried out." He would exempt liquor for mechanical, medical and sacramental purposes from the operation of the law, although he did not personally believe in its usefulness as a medicine. However "in anything I say, I do not wish to contravene medical statements." He thought that it would be only a matter of justice to give compensation

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to brewers and distillers for plant and machinery rendered useless. He was of opinion that drunkards require different treatment from that of simply sending them to jail for a short time, a course which he did not believe produce much reformation. He considered remedial measures would be better than punitive measures. He believed that the influence of religious communions and temperance societies had been beneficial in the matter of promoting temperance sentiment and temperance habits. (Vol. IV., Pt. I, pp. 401-403.)

The Hon. George W. Ross, Minister of Education for Ontario, gave evidence which is well worthy of the most careful consideration. Speaking of the repeal of the Scott Act, Mr. Ross said (Q. 13319): "It indicates this, that unless a prohibitory law is effective, the common sense of the public prefers a license law. The Scott Act when passed, it was thought, would be made effective. Had it been, or could it have been made effective, it would not have been repealed. The fact that it was not effective led to the repeal, I believe, mainly."

Mr. Ross was asked: "Is there not always a danger in taking a special vote on such a question as prohibition that the actual supporters of the measure will come forward and vote, while those opposed to it are indifferent, and the result is that it is not really an expression of public opinion?" He replied: "Yes, I think that was the case sometimes when the Scott Act was passed." (Q. 13350a.)

Mr. Thomas Dexter, the inspector of licenses in the city of Toronto, stated that the curtailing of the number of licenses and increasing the license fees had not had the effect in that city of increasing the number of places where sales were carried on illicitly.

Professor Goldwin Smith, who gave evidence before the Commission, said: "In fact, you cannot enforce temperance by law, for temperance implies self-restraint, and self-restraint ends where coercion begins. I have long had the conviction that it is impossible to enforce total abstinence by law; that the attempt only makes matters worse."

The late Mr. W. H. Howland gave much valuable information in reference to the working of the license law in the city of Toronto. Mr. Howland for many years took an active part in promoting temperance. He was, at the time he gave evidence before the Commission, the president of the Ontario branch of the Dominion Alliance. He was a strong advocate of prohibition. One statement which Mr. Howland made before the commission deserves most careful attention. He said: "My judgment is that the people have shown at different times by their votes on the Scott Act, and local option, and other questions that they really do favour a prohibitory law. They have again shown by their votes that they are dissatisfied with the want of enforcement of the law, that they prefer not to have a law on the statute book unless it is properly enforced. But lying between those two facts is this other fact, that they have been careless with regard to the return of representatives to enforce the law. There is too much of that sort of thing, and it is a fault in our democratic system. People say, we will pass a law, or we will do a certain thing, and they then expect it to work itself. The efforts of the temperance people, I know on several occasions, markedly fell off. In the county of Halton they dropped nearly all their temperance organizations, they ceased to work among the young; and by-and-by the Scott Act was repealed, because there were no longer any active temperance organizations, and the young people were not being educated. There was a feeling that the law of itself would do the work. I hold the people responsible for the enforcement of the law; I do not think they have a right to say that the breaking of a law which they themselves have passed is to be blamed on anybody else but themselves. If they choose to elect proper men, they can have the law enforced at any time." (Q. 14167a.)

Mr. Spence, Secretary of the Dominion Alliance, gave much important evidence from the standpoint of the prohibitionists. He did not claim that the prohibitive system extinguished the evils of intemperance, only that it reduced them. (Q. 15392a.)

Chief Justice Armour, in his evidence, said: "I do not think that drinking intoxicating liquors makes a man a criminal any more than eating oatmeal makes a man a Presbyterian. I do not think it is what a man eats or drinks that forms his character. I believe the use of intoxicating liquors to excess is dangerous to a man physically and mentally. It induces him to be idle and good for nothing, and thus brings him among associates who are, perhaps, criminals; but the true source of criminality to a large extent is idleness, aversion to work. That is my view."

Chief Justice Sir John H. Hagarty was unable to appear before the Commission when it sat in Toronto. He addressed a letter to the secretary of the Commission, which is printed as appendix No. 171.

PROVINCE OF MANITOBA.

Prior to the transfer of the North-west Territories to the Dominion in the year 1870, the sale and distribution of liquors in the territory was controlled by ordinances or laws enacted by the Governor and Council of Assiniboia. The Governor was the Governor of the Hudson Bay Company, and the members of the Council were selected by that company. The functions of the latter appear to have been advisory and legislative, rather than executive. The territory thus legislated over was a radius of about fifty miles from Upper Fort Garry. In 1862 the following laws were enacted relating to the furnishing of intoxicants to Indians:

"If any person, without distinction of race, supply or sell to any person popularly known as an Indian, or any member of an Indian nation, the means of intoxication, he shall, on being convicted before a petty court, on the oath of one or more witnesses, be fined for each offence, as follows:—

"Two pounds for furnishing any brewing utensils, the fine to go to the informer.

"Three pounds for furnishing malt, the fine to go to the informer.

"Five pounds for furnishing beer or any fermented liquor, the fine to go to the informer.

"Ten pounds for furnishing distilled spirits, or any other immediate cause of intoxication than fermented liquors, half the fine to go to the informer.

"In every case the offender, after conviction, to be imprisoned until the fine is paid.

"In addition to these fines, the offender shall make restitution to the Indian of all the equivalent he may have received, if any, for such furnishing, every part of such equivalent, not being money itself, being valued for the purpose at prime cost.

"If an intoxicated Indian commit or threaten to commit an unprovoked violence, he may be imprisoned, in addition to any specific punishment, till he prosecute the person who may have been guilty in the matter.

"If any person possess, or have possessed, malt or beer or spirits, or any other of the above means of intoxication in the society or tent of any Indian, he shall be held guilty of furnishing such means of intoxication to Indians.

"It shall be lawful for the bench of magistrates of the peace and petty courts in their several districts assembled, on the first Monday in June in each year, or at other times when they deem it expedient, to issue licenses, which will be in force till the first Monday in June, then next following, to approved applicants (who shall be land owners in the settlement), allowing the sale by retail on their own premises of all spirits, wines and beer lawfully imported, or of native manufacture (all quantities of wine imported under one gallon, and all quantities of beer under eight gallons, shall be counted retail); the sum of ten pounds to be paid for a license so issued and for the sale by retail of beer alone; and any person selling spirits, wine or beer by retail, without such license, shall, on conviction before a petty court, on the oath of one or more witnesses, for each offence pay a fine of ten pounds sterling, and be imprisoned until the fine is paid—one-half the fine shall go to the informer,—and the form of the licenses shall be according to schedule A or B; any offence against the provisions of said license shall be paid by forfeiture of the

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same; and in addition, in case of infraction of the provisions of said licenses as regards Indians, the offender shall pay the special penalty for furnishing the means of intoxication to Indians."

The license law brought into force by the last clause was amended in 1866 and 1868. The retail quantity was fixed at anything under five gallons. It could not be sold between the hours of nine at night and six in the morning, nor at any hour during the Sabbath, nor to any intoxicated person, and under no conditions to an Indian, under penalty of the forfeiture of license. Each petty court, out of the fund arising from licenses and penalties, was authorized to defray any necessary expense incurred in enforcing laws against the illegal sale of spirits, wines or beer, or of furnishing the means of intoxication to Indians, accounting to the Governor in Council for all such receipts and expenditure. No action could lie for the recovery of penalties for any breach of the laws regulating the sale of intoxicating liquors unless information should be given within six months after the commission of the offence. In addition to the retail licenses, wholesale licenses could be issued to such persons as supplied intoxicating liquors in larger quantities than five gallons, the fee for such license being ten pounds.

These regulations, it was stated by His Honour ex-Lieut.-Gov. Schultz, continued in force down to about November, 1869, when trouble occurred in the territory, and until that was settled by the arrival of the Canadian and British expeditionary force in 1870, the Governor stated that what he described as a very high-handed license indeed took the place of constituted authority.

The commission of the first Lieut.-Governor of the Province of Manitoba empowered him, with the assistance of a council, to make and enforce laws for all of the Canadian North-west, and this council passed a general prohibitory law, which was enforced by the employment of the mounted police, which force promptly repressed the armed liquor forts known as "Stand Off" and "Whoop-up," and prevented the employment of liquor for trading purposes in the North-west. (Gov. Schultz, page 159, vol. 3.)

The powers of the North-west Council ceased, as regards the territory which now constitutes the Province of Manitoba, when a separate Government was given to the North-west Territories in the year 1887; but in the District of Keewatin, which is under the rule of the Lieutenant-Governor of Manitoba, limited prohibition is still in force.

The Dominion Act passed in 1886, chap. 73 of Consolidated Statutes, separated Keewatin from the Governor and Council of the North-west Territories. Section 35 of the said Act, which is a copy of section 74, chap. 49, 38 Victoria, was as follows:—

"No intoxicating liquor or other intoxicant shall be manufactured or made in the said district, except by special permission of the Governor in Council, nor shall any intoxicating liquor or intoxicant be imported or brought into the district from any province of Canada or elsewhere, or be sold, exchanged, traded or bartered, except by special permission in writing of the Lieutenant-Governor." Such importations from any place outside of Canada were made subject to the customs and excise laws of Canada. Practically, therefore, until the constitution was changed by ordinance of the North-west Council, the limited Dominion prohibition just described, extended from the boundaries of Manitoba, Ontario, British Columbia, the state of Minnesota, North Dakota and Montana, to the northern limit of Canada and the north-eastern limit of Alaska. When Canada obtained possession of the country in August, 1870, the Assiniboia liquor law was temporarily continued in the province, with about the same results as had been obtained previously." (Gov. Schultz, page 160, vol. 3.)

The ordinances passed by the first North-west Council will be referred to under the head of the North-west Territories. It will be found, on reference to the paper handed to the Commission by ex-Lieut.-Gov. Schultz, and which is printed with the minutes of evidence, that that gentleman spoke very highly of the results achieved in the district of Keewatin under the system which has just been described. He stated that only two gallons were permitted to be imported by one person for medicinal purposes during one year, the application for which had to be endorsed by a

justice of the peace, a missionary, or the head of the Indian Department of the Hudson Bay Company, and that exceptions to this rule were only made in the case of sacramental wine.

The Provincial Legislature enacted a license law in the year 1871. In 1889 the law at present in force (52 Vic., chap. 15) was passed. It amends and consolidates all the previous enactments. Its chief provisions are :

Sec. 4. The Lieutenant-Governor in Council shall establish license districts throughout the province.

Sec. 5. The boards of license commissioners shall consist of three members (two of whom shall form a quorum), appointed by the Governor in Council. They shall hold office for twelve months, dating from the 31st of December each year. They shall be allowed all true travelling expenses and \$5.00 each for every day of sitting.

Sec. 6. There shall be one chief license inspector for the province, and under him one or more inspectors for each district. They shall be appointed by the Governor in Council, who shall also fix the salary and amount of security required.

(1). The security shall be in the form of bond.

(2). All sums of money payable as license fees under this Act shall be paid to the Provincial Treasurer.

Sec. 41. Any municipality may appoint an inspector or Inspectors of license within the limits of such municipality, who shall have all the powers conferred by this Act upon inspectors for the purposes of prosecution, and in case any person is convicted of an offence against the provisions of this Act, through the action of such inspector, or otherwise through the action of the municipality, then the Provincial Treasurer shall pay to such municipality one-half the fines recovered through such conviction.

Sec. 8. Provides for the following licenses :—

(1). Restaurant licenses, issuable in cities only. The premises require suitable kitchen, dining room, etc. The application must be accompanied by a certificate signed by 16 householders, resident in the ward, each occupying premises assessed at not less than \$2,500 at the last assessment, certifying to the necessity of the license. The inspector shall see that meals are served.

(2). Wholesale licenses, covering sales of not less than one and one-half gallon in draught, or one reputed quart, or two reputed pint bottles. Allowing liquor to be consumed on the premises forfeits the license, and disqualifies the licensee. Cigars and tobacco only may be sold on the same premises.

Sec. 10. The licensing board shall sit in May each year. All applications for license, with the recommendation when required, and \$10.00, must be in the hands of the Provincial Treasurer by 15th April. The Treasurer notifies the chief inspector, who notifies the local inspectors.

The inspector shall advertise all applications by one insertion in a newspaper, and by posting on the building, where the license commissioners' office is situate, and on the nearest post-office, for twelve days.

Each applicant must send to the Provincial Treasurer six days before the meeting of the commissioners,—

(1). The petition.

(2). Affidavit of self.

(3). Affidavit of neighbours.

(4). The bond.

(5). The certificate of the municipal clerk or treasurer, stating the amount of license fee provided by law, and that the same has been paid.

(6). The amount of the provincial license fee, and ten per cent in addition, as prosecution fund.

Sec. 14. Provides for the Treasurer notifying the chief inspector, who notifies the local inspectors.

Sec. 18. Applications for license may be heard at other times than at the May session of the board; but all expenses must be borne by the applicant, or *pro rata* by the applicants, if there are more than one.

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Sec. 19. Provides that all revenue from application fees, extra fees, and license fees, be paid to the Consolidated Revenue Fund.

Sec. 20. Twenty of the nearest householders can protest against the issuing of any license on the following grounds:—

- (a.) Character of applicant.
- (b.) That the premises are out of repair or unsuitable.
- (c.) Insufficient signers to certificate.
- (d.) The protest must be accompanied by \$10.00 as fee, which is returnable if the protest is sustained, and must reach the Treasurer at least six days before the sitting of the Court.

Sec. 29. The fees payable to the province are as follows:—

Each restaurant in cities.....	\$ 250
Each hotel in cities.....	150
In towns of less than 2,000 inhabitants—each hotel.....	100
Wholesale licenses in cities and towns of over 2,000 inhabitants...	200
In towns of less than 2,000 inhabitants, villages and rural municipalities.....	100
Bottling ale and beer (one or both) one half the fees payable for wholesale license: (Sec. 29, 52 Vic., chap. 15).	

(1.) Municipalities may, by by-law, require each licensee to pay toward their municipal revenue such sums as they may determine, not exceeding the amount of provincial duty, and the commissioners shall in no case issue a license until they receive a certificate from the treasurer or clerk of said municipality showing the amount of such fees, and that such sum has been paid, and all fines levied under this Act shall go to the Consolidated Revenue Fund of the province.

(a.) The by-law must be sent to the chief inspector.

(b.) The by-law shall continue in force until amended or repealed; re-enactment is not necessary.

Sec. 30-31. Hotels must possess, in cities, 15, and in town 10 bedrooms. There must be a separate entrance, and stabling must be provided. No other business may be carried on in the same premises. Music, etc., is forbidden, under a penalty not exceeding \$20, or two months' imprisonment.

Sec. 41. The municipality may appoint the inspector.

Sec. 43. In rural districts one-half the fine may go to the prosecutor, provided that he is not the inspector.

The number of licenses in cities, towns and villages is limited to one for each 250 of the first 1,000 of the population, and one for each full 400 over 1,000; but two hotels may be licensed in any town or village where the population is less than 500.

In rural municipalities and places where there is no municipal organization, the commissioners determine the number of licenses to be issued; but they are not to exceed one for the first 300, and one for each 400 additional population.

The population is to be taken from the last official census.

The commissioners may grant two extra licenses, for six months each, from the 1st of June, in places of great resort; but in no place is it imperative upon the commissioners to grant the full number of licenses allowable under this Act.

Secs. 51-52. Provide that any city, town, or other municipality may pass a by-law forbidding the taking of any money for licenses, and such a by-law having been passed by such municipality, the commissioners cannot issue license for the sale of liquor therein.

This by-law is only submitted for the vote of the electors in the municipality, on the petition of 25 per cent of the resident electors, and three-fifths of the said electors have to vote in favour of it, in order to give it effect.

(k.) The by-law must be ratified by the council of the city, town, or village within six weeks of the vote being taken.

(m.) At any time after a by-law passed under this section has been in force for at least two years, the council of any such city, town, or village, on receiving a petition signed by 25 per cent of the resident electors, shall submit a by-law to repeal the same.

(n.) In case of repeal no new by-law can be submitted for two years.

Sec. 62. The commissioners shall report annually,—

- (a.) The names of all applications granted.
- (b.) The names of all not granted.
- (d.) Prosecutions under the Act and their results.

The inspector shall report annually to the chief inspector particulars of all prosecutions under the Act, giving names, dates, amounts of fines inflicted, and the names of the magistrates trying each case.

Sec. 67. Sales of liquor are prohibited on election days, from 10 p.m. on Saturday night till 7 a.m. on Monday morning, and from 11.30 p.m. to 6 a.m. on all other days.

Sale without a license incurs the following penalties:—

For first offence, from \$50 to \$250; for second offence, from \$200 to \$500; for third offence, from \$500 to \$1,000, or proportionate imprisonment in default.

Excessive drinkers may be interdicted; penalty for in any way supplying such interdicted person, \$100.

On the revision of the statutes in 1891 this Act remained intact, becoming "chap. 90."

In 1893 the Act was amended, the time for forwarding applications being made the fifteenth of October.

In case of the refusal of any license, the former holder might be granted a license for two months.

A conviction under this Act may, at the option of the owner of the premises, operate as an absolute forfeiture of any lease, whilst a second conviction will cancel the license and disqualify the premises for two years.

The inspector shall report annually on all the facts set out in the registry of license for the year, and such other information as the Attorney-General may require.

Civil damages up to \$1,000 are recoverable by the legal representatives of any person who comes to his death by drink.

The following statement was supplied by the provincial Government of the number of licenses issued, and the amount received by the Government for licenses and fines. The population has been added to the return since it was sent in.

STATEMENT of population and amount received in the Province of Manitoba from the granting of licenses for the sale of liquors and from fines imposed.

Year.	Population.	Number of licenses of all kinds.	Provincial Government's receipts for licenses.	Amount of fines collected.
			\$ cts.	
1874	33,074		900 00	
1875	36,199		7,764 00	
1876	39,618		7,614 00	
1877	43,360		3,880 00	
1878	47,455		3,950 00	
1879	51,937		5,428 38	
1880	56,843		5,407 21	
1881	62,260		2,131 72	
1882	69,592		None	
1883	77,788		100 00	
1884	86,951		12,568 39	65 00
1885	97,194		13,006 67	77 50
1886	108,640		18,321 66	125 00
1887	116,267		23,909 97	2,564 15
1888			32,230 25	1,150 00
1889	124,429	169	5,805 86	750 00
1890	133,164	170	26,360 31	2,049 45
1891	142,511	157	26,103 00	2,098 10
1891	152,506	156	25,850 15	1,689 40
1892	163,213	155	25,978 49	3,744 00

* To June 30th. † June 30th to December 31st.

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From the same source the following information in regard to the amounts received by the municipalities for licenses issued has been received:—

1889.....	\$16,937 85
1890.....	18,416 25
1891.....	18,506 70
1892.....	19,254 35
1893.....	19,199 60

The statement was accompanied by the intimation that for the years prior to 1889 the statistics were not on record in the Department of Agriculture of the province.

A statement of the quantities of liquor entered for consumption within the province from 1871 to 1893 will be found at page 40.

The following is an abstract of it:—

Period.	Population.	GALLONS PER CAPITA.		
		Spirits.	Beer.	Wine.
5 years ended 1875.....	30,466	0·822	0·535	0·154
do 1880.....	47,843	0·640	1·490	0·064
do 1885.....	78,757	1·363	4·143	0·119
do 1890.....	125,002	0·879	3·426	0·077
3 do 1893.....	163,463	0·905	3·436	0·063

It is probable that in the first period mentioned the province was to a large extent supplied with liquor on which the duties had been paid elsewhere, and which did not therefore enter into the entries for consumption in the province. The period showing the largest consumption (5 years ended 1885) was that in which the Canadian Pacific Railway was under construction, when there would be a large floating population.

A considerable portion of the liquor so entered for consumption may have been sent into the Territories, and some shipped across the line into the United States, but at the same time there have undoubtedly been shipments of liquors into the province upon which the duties have been paid elsewhere, and there has also been some smuggled, on which no duties have been paid.

A statement, taken from the criminal statistics of the Dominion, showing the convictions for all offences in the province, the ratio per thousand of such convictions, the total convictions for drunkenness, and the ratio per thousand of such convictions, from 1881 to 1893, will be found at page 66.

The following is an abstract of it:—

Year.	Population.	CONVICTIONS.			
		For all offences.	Ratio per M.	For drunkenness.	Ratio per M.
5 years ended 1885.....	78,757	2,191	27·82	1,217	15·45
do 1890.....	125,002	1,031	8·24	543	4·34
3 do 1893.....	163,463	1,175	7·18	581	3·55

In Appendix No. 6 is a statement of the population in the jails of the province, showing the number admitted, and the number remaining therein, at the close of each year. The ratio per thousand of the population, it will be noticed, is, comparatively, a low one.