

Parliamentary.

Legislative Council Debates.

THE AMENDMENTS TO THE LICENSE LAW.

During the sitting of the Legislature we were able to give but little space to the proceedings of the Legislative Council. There were some debates which might have been read with interest, but the House of Assembly matters demanded all our available space. We find in the official Reports a condensed account of the discussion on the above Bill which our readers will peruse with interest.

Hon. Mr. Archibald, as chairman of the committee, to whom was referred a bill to amend the License Law, reported that a majority of the committee did not recommend the bill to the favorable consideration of the house.

(The first clause of this bill enacts that the penalties for the sale of intoxicating liquors be as follows:—For the first offence \$10, or imprisonment for 20 days in the County Jail; for the second offence \$20 or 30 days imprisonment; and for every subsequent offence 80 dollars or 2 months imprisonment.)

The second clause provides that in any country in which a majority of the sessions may be disposed to grant licenses to sell intoxicating liquors for beverage purposes, they shall, nevertheless, withhold such license in any polling section where a majority of the ratepayers petition against the granting of such license, such decisions to remain in force until reversed by a majority of said rate payers.

The third clause obliges the clerk of license, when information is given him in writing, and the costs are guaranteed by two or more responsible parties, to prosecute the party informed against under a penalty of the same amount, as would be imposed on the party informed against, if convicted.

The fourth clause directs that no justice of the Peace shall hold a shop license.

The fifth clause enacts that no person keeping a shop, unless he holds a shop license, shall give, or allow to be drunk on his premises any intoxicating liquors, under a penalty of not less than \$10 nor more than \$20 for each offence, to be recovered before any two justices of the peace for the county.

The sixth clause declares that bottled liquors shall in no case be sold without license as contained in the original package, unless such package shall contain ten gallons.

The seventh clause enables the sessions of any county or township, in which license for the sale of intoxicating liquors shall not be granted, to appoint one or more persons, not exceeding five, to import and sell such intoxicating liquors as may be required for medicinal, mechanical, manufacturing, and other purposes and not inconsistent with the provisions of the bill. Such agents are required to keep a list of names of persons purchasing liquor, the quantity, and description purchased by each person, and the purposes to which such liquor is intended to be applied. These agents are to receive such compensation as the Court of Sessions shall prescribe, and are not to have any interest in such liquors, nor in the profits of the sale thereof.

The eighth clause repeals so much of the present license law as is inconsistent with the bill.

The ninth clause directs that the bill shall not affect the City of Halifax.

Hon. Mr. Archibald moved that the further consideration of the bill be deferred until this day three months.

Hon. Mr. Keith seconded the motion.

Hon. Mr. Brown observed that this bill had occupied the attention of the lower house for some time. There was one clause in particular which he thought it desirable to pass. It was true that this clause would effect a great alteration in the present license law. There were several counties in the Province, in which, for many years, no licenses had been granted by the sessions. Now, in these counties, an individual could not, as the law at present stood, purchase spirits as medicine, or even ask for it, without subjecting himself to the penalties imposed by that law. It was not desirable, therefore, that this state of things should continue. This bill was introduced with a view of remedying that evil. It required the sessions to appoint one person within each township to sell liquors for medicinal and medicinal purposes as their agent. It was true that he (hon. Mr. Brown) anticipated but little benefit from this measure, nevertheless, he considered it desirable that that large portion of the community who thought such a law practicable should have an opportunity of carrying it out. He would prefer that the bill should be allowed to go to committee, and it could be amended there, if necessary. Three-fourths of the house did not really know what the provisions of the bill were.

Hon. Mr. Archibald—The argument of the hon. gentleman who has just sat down is, that we should allow intoxicating liquors to be taken into counties where, at present, no licenses are granted for the sale of them; the object of the bill being to enable the sessions to appoint parties to sell such liquors for medicinal purposes as their agent. I believe if the bill was passed it would do a vast amount of injury. I think the license law of 1858 is quite stringent enough. I am opposed to the bill.

Hon. Mr. Creelman—The house should re-

collect that there is a large body in this country, who are anxious for the enactment of such laws, as will entirely suppress the traffic in intoxicating liquors. This bill passed the lower house after considerable discussion, and I think it would be rather a summary procedure on our part to reject it at this stage before it is even read a second time. I can hardly think that a majority of this house will consent to have the bill sent to committee, and have its different clauses discussed there. I consider that the persons, whose views and feelings it represents, form a very respectable portion of the inhabitants of Nova Scotia.

Hon. Mr. Archibald—There is really no new matter in the bill.

Hon. Mr. Dickey—I quite agree with the hon. member from Sydney (hon. Mr. Archibald). I also agree with the hon. gentlemen from Yarmouth (hon. Mr. Brown) that the object of the bill is, because the sessions will not grant licenses, to remedy the evil by opening drinking shops.

Hon. Mr. Brown—I beg the hon. gentleman's pardon.

Hon. Mr. Dickey—That is really the whole of the hon. gentleman's argument. If he belonged to the medical profession, I should have thought that he had some interest in advocating the bill. I should have thought that some consideration was due to the wayfarer whose life, perhaps might be saved by having a glass of spirits at the proper time. As the arguments used, apply to the general principle of the bill, this is the proper time to discuss it. This whole matter of the license law was considered only three years since. The act which was then passed prohibited the sale of liquors without license by the most stringent regulations, and it has so far succeeded in its object. If we are now going to destroy that act and introduce another in its place, we shall have no end of this work. If there was really any intent on the part of the hon. gentlemen to press the bill this session, more time should have been given for its discussion, for at this period of the session we have not the time to spare.

Hon. Mr. Brown—The hon. gentleman on my right (hon. Mr. Archibald) says there is nothing new in this bill. The hon. gentleman who has just sat down says that the discussion of it will occupy a great deal of the time of the house. I am inclined to think that the bill effects an important alteration in the present law. I rose to reply to the statements of both the hon. gentlemen to whom I have alluded. The hon. and learned gentleman from Cumberland (hon. Mr. Dickey) says the object of the clause which I advocate is to open rum shops. That is not true. The principal amendment which the bill proposes to make in the present law is to authorize the sessions to appoint one shop at which alone intoxicating liquors shall be sold for medicinal purposes.

Hon. Mr. Keith—The bill provides for five such shops in each county.

Hon. Mr. Brown—Only one for every ten miles. There are dozens of people who now sell intoxicating liquors contrary to law. The point which we should consider is, that respectable persons who require liquors for medicinal purposes, are compelled as the law at present stands, to go into these illicit grog shops to obtain it. Doctors do not keep it, and in many parts of the country the bill is very necessary, and I think will be a valuable improvement upon the present law. (Laughter). Hon. gentlemen may laugh, but they are not temperance men. (Hear, hear). I am not a temperance man, (laughter,) but I have always done what I could, as a legislator, to favor temperance principles. I believe that the principle of the bill will prove fallacious, yet I am in favor of carrying it out. The argument of hon. members that the bill will open grog shops is false; on the contrary it will benefit the community and enable them to break up the grog shops. I hope members will allow the bill to go into committee. Surely it is unfair to reject the bill before it is read a second time, and when three-fourths of the house are not aware of its provisions.

Hon. Mr. Whitman—This bill has just been prepared to accommodate the hon. and learned member from Cumberland (hon. Mr. Dickey.) He complains that a wayfaring man cannot obtain intoxicating liquors, and says that if he could his life might be saved. This is the argument he uses against the bill, and yet the bill contains a clause which enables him to obtain liquor for medicinal purposes, and for no other, for the clause provides that intoxicating liquors shall be kept for sale by persons appointed by the sessions for this and no other purpose.

Hon. Mr. Archibald—It appears to me that the object of that clause is to allow temperance men to go into these shops and drink, by making an excuse that they have a pain or cramp in their stomachs, &c.

Hon. Mr. Whitman—I think the hon. gentleman has answered his own question. If he signed his name to a paper stating that he required liquor for medicinal purposes and no other, and that he was subject to cramp I think that he would be liable to obtain it at the shops which it is proposed to establish. If it is necessary to have intoxicating liquors for medicinal purposes, it is necessary to have the places which the bill contemplates. Persons are now debarred from obtaining liquors for these purposes, because they will not go into the places where liquors are sold illegally. If the hon. gentleman (hon. Mr. Archibald) was attacked with cramp, and obtained a certificate from a doctor, stating that he required a drink, he would have no difficulty in obtaining it at these places. (Laughter). I think the bill is well guarded and will not lead to the abuses suggested by hon. gentlemen who oppose the bill, because the persons who are to sell liquors as provided by the bill are county officers, and receive no emolument except what the sessions choose to give them. The bill also meets the case of the poor

wayfaring man who has moved the sympathies of the hon. and learned gentleman from Cumberland (hon. Mr. Dickey). If that hon. gentleman should require some liquor himself on the order of a medical gentleman, the bill will enable him to obtain good liquors, and will relieve him from the difficulty of having to go to places where liquors are sold illegally. (Laughter). I think the bill should be allowed to go to committee, and I hope that the members from Halifax will vote with us in favour of the bill. I take it for granted that they will do so. Temperance men are asking for this bill, and we ought to give it to them.

Hon. Mr. Archibald—I am willing to go as far in favour of temperance as is really necessary, but I cannot be persuaded that this is a proper bill. I believe the present law is sufficiently stringent, for if a party violates it, he is subject to imprisonment. To perfect the bill, we need only go a step further and make the violation a hanging matter.

Hon. Mr. Holmes observed that he intended to express no opinion on the bill. He was a little astonished, however, at the inconsistency of hon. gentlemen who argued in favor of the bill. These same gentlemen argued the other day that in case of the registry of bills of sale, it was a great inconvenience that all the inhabitants of the county should be required to register them at one place, but now they could see no inconvenience in allowing only five places in a county, for the sale of liquors to relieve a poor man who might have to travel ten miles before he could obtain relief. (Laughter.)

Hon. Mr. Tupper—The hon. member for Sydney (hon. Mr. Archibald) observes that the bill only requires one clause more to it, that is, to make selling liquor contrary to law a hanging matter. Now, what we who advocate the bill, want, is to keep men from hanging themselves. The hon. gentlemen (hon. Mr. Dickey), says there is no room in the Statute book for this law. Well, I think we might easily add a new leaf to it for this purpose. I am here in favor of the bill. The question was then taken on hon. Mr. Archibald's motion to defer, when there appeared—

For. Hon. Mr. McHaffey, Archibald, Creighton, Comeau, Almon, Holmes, Dickey, Black, Keith, Cutler, President—11

Against. Hon. Mr. McNab, Receiver Gen. McKeen, Pineo, Brown, Whitman, Dickie, Tupper, Creelman—9.

The further consideration of the bill was accordingly deferred.

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April 25<sup>th</sup> 1861.

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"For more than two years I was afflicted with CONSUMPTION, and during this time, owing to a constant cough and the sharp pain and difficulty of breathing which accompanied it, I obtained but little rest. Having tried in vain many different remedies, I began to lose all hope, when a neighbor, whose husband has been cured of a similar complaint by JAYNE'S EXPECTORANT, persuaded me to give it a trial. After taking several bottles, large quantities of corruption were thrown from me, and I then began to mend gradually, until now my health is perfectly restored."

REV. EUGENE KINCAID, Missionary in Burmah, writes:—

"About three weeks since, a Burman female of rank called on us, who had been suffering with ASTHMA for eight years, and who was frequently unable to sleep, except in a sitting posture. Feeling satisfied that no medicine could restore her to health, we (i.e., Dr. Lawson and Mr. Kincaid) thought only of affording her temporary relief, and gave her a bottle of JAYNE'S EXPECTORANT. One week after, her husband informed us that for the first time in many years she had slept soundly, and in one month she was entirely restored."

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"My wife has been severely afflicted for three years with BRONCHITIS, and having heard of Dr. D. Jayne's Expectorant, I purchased one bottle of it and one box of Sensitive Pills, and I am now happy to inform you her cough was immediately suppressed, and in one month a complete cure effected."

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"My family having used Dr. JAYNE'S EXPECTORANT for a number of years, I can safely say it gives the quickest relief of any medicine I ever tried for COUGHS and COLD and SHORTNESS OF BREATH, and I can, therefore, conscientiously recommend it to the public."

REV. RUFUS BABCOCK, D. D., former President of Waterville College, Maine, writes:

"For more than a dozen years I have recommended DR. D. JAYNE'S FAMILY MEDICINES, and especially the EXPECTORANT. I know that these medicines are highly esteemed and frequently prescribed by some of the most respectable of the regular practitioners of medicine; and I do not hesitate to commend them as a valuable addition to our materia medica, and a safe as well as eminently beneficial remedy for the diseased."

MAURICE SCHWARZ, of Concord, Wis., says:

"When the WHOOPING COUGH prevailed to some extent at our place, the disease seemed to baffie our physicians. In various cases the EXPECTORANT was used, and it did not fail to cure."

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May 29.