

WHAT IS THE SCOTT ACT?

1. It is an act passed by the Dominion Parliament in 1878, and may be applied to any city or county in Canada, upon a majority vote of the electors therein qualified to vote at a Dominion election. The object, as stated in its preamble, is to promote temperance and secure in all the Provinces, uniform legislation respecting the traffic in intoxicating liquors. It was passed in answer to the petitions and prayers of hundreds of men and women in the Dominion, for some effective measure to demish drunkenness and promote the sobriety and happiness of our people.

2. In order to bring the act to a vote, a petition must be signed by at least one-fourth of the legal voters in a municipality, which petition, after being deposited for ten days in the office of the Sheriff or Registrar, is forwarded to the Dominion Government, and thereupon the Governor and Council examine the petition, and if they approve it, give official notice of a day upon which the electors may vote for or against the adoption of the Act.

3. When the Act has been adopted and proclaimed in force, the retail sale of all intoxicating liquors for use as beverages, is at once and entirely stopped; all bars are closed, and no licenses can be issued.

The sale of alcoholic compounds is allowed for three purposes:—medical—sacramental and mechanical, and vendors not to exceed one in each township, two in each town, or one for each 4000 inhabitants in cities, are appointed by the Lieutenant Governor for this purpose. The conditions of sale for each of these purposes are very strict and such as to effectually guard against any abuse.

4. The following parties are allowed to sell by wholesale, and then only to the vendors mentioned in above paragraph, or to such persons as shall forthwith carry the same beyond the limits of the county or city, or of any adjoining county or city which is under the Act, viz: manufacturers of cider, licensed distillers or brewers, companies incorporated to carry on the business of cultivating grapes and manufacturing wine therefrom, and persons exclusively engaged in a wholesale trade, and licensed by the county or municipality.

The smallest quantity which can be sold by wholesale is, for beer, 8 gallons, for all other liquors, 10 gallons. Whenever cider, distilled, or malt liquors are sold by those producing them, it must be only at the place of manufacture, and in all the above cases the burden of proof lies with the sellers to furnish satisfactory evidence that the liquors sold were to be carried forthwith outside the limits of the city or county under the Act. Manufacturers of pure native wines made from grapes grown by them in Canada, may also sell their wines at the place of making, but only in quantities of not less than 10 gallons, and only when duly licensed by the municipality.

5. The adoption of the Act therefore entirely precludes the retail of all intoxicating liquors for beverage purposes. All bars, shops, tipping places and she-bens are to be closed—temptations are removed; it allows the sale, under strict regulations for medical, sacramental and mechanical purposes; it limits the wholesale traffic to customers who shall forthwith carry the liquor outside the limits of the city or country, or of an adjoining city or county which may be under the Act.

The Scott Act cannot be repealed under three years; has heavy and increasing penalties; and with one exception allows of no appeal from the decision of the first court.

7. Can the Scott Act be enforced? Yes.

The convictions are summary, and the penalties adequate. For the first offence not less than \$50 fine and costs. For second offence, not less than \$100 and costs. For each subsequent offence, imprisonment.

When tried before a Stipendiary or Police Magistrate, a Parish Commissioner, Recorder or Mayor, the decision of the Court is summary and final. There is no long harassment of appeal.

The precise description of the liquor, the actual passing of money, or consumption of liquors, has not necessarily to be proved; if the Court is satisfied from the evidence that a transaction in the nature of barter or sale has taken place, conviction may follow.

The persons charged with unlawful sale, may be called upon to testify under oath.

Apparatus for the sale of liquor along with liquors are *prima facie* evidence of guilt, and unless satisfactorily explained will cause conviction.

Prosecutions may be brought by or in the name of any persons, or by or in the name of the Collector of Inland Revenue, and it shall be the duty of the latter officer to prosecute upon reasonable evidence. One third of the fines resulting to the municipality are to be put aside as a fund for prosecuting illegal sales under the Act.

The Act is being well carried out in Sussex Vale, Fredericton, Woodstock, and

St. Stephen, N. B., and in other places where it has gone into force.

What has been done?

SUMMARY.

Nova Scotia has eighteen counties and one city, of which thirteen counties have adopted the Act.

New Brunswick has fourteen counties and three cities, of which nine counties and one city have adopted the Act.

Manitoba has five counties and one city, of which two counties have adopted the Act.

Prince Edward Island has three counties and one city, all of which have adopted the Act.

Ontario has thirty-eight counties and unions of counties and ten cities, of which twenty-five counties and two cities have adopted the Act, and in five counties and three cities agitation has been started in its favor.

Quebec has fifty-six counties and four cities, five counties of which have adopted the Act.

At the vote on the bill in the Local House lately on the appointment of Inspectors for the Scott Act, only four voted against the Act, and twenty for it.

TWO SIDES OF ONE CANVAS.

One beautiful afternoon in August, there came to me the heart-broken wife of a State prison convict. We tried to plan for his pardon and restoration to home and the world. It was a very sad case. He was the only surviving son of a very noble man—one who lived only to serve the poor, the tempted, and the criminal. All he had, all he was, he gave unreservedly to help thieves and drunkards. His house was their home. His name their bail to save them from prison. His reward their reformation. It was a happy hour to hear him tell of the hundreds he had shielded from the contamination and evil examples of prisons, and of the large proportion he had good reason to believe permanently saved. Out of hundreds, he once told me, only two left him to pay their bail, forfeited by neglect to show themselves in court according to agreement—only two!

Bred under such a roof, the son started in life with a generous heart, noble dreams, and high purpose. Ten years of prosperity, fairly earned by energy, industry, and character, ended in bankruptcy, as is so often the case in our risky and changing trade; then came a struggle for business, for bread—temptation—despair—intemperance. He could not safely pass the open doors that tempted him to indulgence, forgetfulness, and crime. How hard his wife wrought and struggled to save him from indulgence, and then to shield him from exposure! How long wife, sister, and friends laboured to avert conviction and the State prison! "I would spare him gladly," wrote the prosecuting attorney, "if he would stop drinking. He shall never go to prison if he will be a sober man. But all this wretchedness and crime comes from rum."

Manfully did the young man struggle to resist the appetite. Again and again did he promise, and keep his promise perhaps a month, then fall. He could not walk the streets and earn his bread soberly while so many open doors—opened by men who sought to coin gold out of their neighbors' vices—lured him to indulgence. So, rightfully, the State pressed on, and he went to prison. An honored name disgraced, a loving home broken up, a wide circle of kindred sorely pained, a worthy, well-meaning man wrecked. Sorrow and crime "all comes from rum," says the keen-sighted lawyer.

As I parted from the sad wife on my door-step, I looked beyond, and close by the laughing sea stood a handsome cottage. The grounds were laid out expensively and with greater taste. Over the broad piazza hung lazily an Eastern hammock, while all around were richly painted chairs and lounges of every easy and tempting form. Overhead were quaint vases of beautiful flowers, and the delicious lawn was bordered with them. On the lawn itself gaily dressed women laughed merrily over croquet, and noisy children played near. A span of superb horses pawed the earth impatiently at the gate, while gay salutations passed between the croquet players and the fashionable equipages that rolled by. It was a comfortable home as well as a luxurious one. Nature, taste, and wealth had done their best. It was a scene of beauty, comfort, taste, luxury, and wealth. *All comes from rum.* Silks and diamonds, flowers and equipage, stately roof and costly attendance, *all comes from rum.* The owner was one who in a great city coined his gold out of the vices of his fellow-men.

To me it was a *dissolving view*. I lost sight of the gay women, the frolicsome children, the impatient horses, and the ocean rolling up to the lawn. I saw instead the pale convict in his cell twelve feet by nine; the sad wife going from the judge to attorney, from court to Governor's Council, begging mercy for her *overtempted* husband. I heard above the children's noise the croquet, laugh and the surf waves, that lawyer's stern

reason for exacting the full penalty of the law—*All comes from rum.*

Woe unto him that giveth his neighbor drink. Woe unto him that buildeth his house by unrighteousness and his chambers by wrong for the stone shall cry out of the wall and the beam out of the timber shall answer it.

SCOTT ACT LEGISLATION.

The following is the text of the bill introduced by Mr. Stockton on Saturday last, for the better enforcement of the Scott Act:

It passed the House without a division, but with the addition of a section providing that in counties where the Scott Act is not in force, the County Council may appoint similar officers to those provided for in the bill, for the purpose of enforcing the License Act, and for the prevention of the illegal sale of Liquor.

1. Section one of the act 45 Victoria, Chapter 23, entitled an act to define the duties of constables and policemen is hereby repealed and the following is substituted in lieu thereof. It shall be the duty of all constables, special constables and policemen to search out and prosecute all offenders against the provisions of the second part of the Canada Temperance Act, 1878 by making complaint and prosecuting the same to conviction before some court of competent jurisdiction in any city, town or municipality where the said act has been or may hereafter be brought into operation.

2. Section two, of the said act is hereby repealed.

3. The city, town or municipal council of any city, town or municipality within which the Canada Temperance Act of 1878 now is or hereafter may be brought in force, is hereby authorized to appoint one or more special officers as hereinafter provided, to be called inspectors, whose duty it shall be to search out and prosecute all offenders against the second part of the Canada Temperance Act of 1878, and when any information is given to any such inspector that there is cause to suspect that some person is violating or has violated any of the provisions of the second part of the Canada Temperance Act 1878, within the limits of the city or town or municipality for which he is appointed it shall be his duty to make diligent enquiry into the truth of such information and if there be reasonable or probable cause for making the same, shall lay an information for such violation before a court of competent jurisdiction, and diligently prosecute the same. And no inspector appointed under this act shall be dismissed except for cause.

4. The said inspectors shall possess, have and enjoy all rights, privileges, powers, protection and immunities conferred or imposed upon constables, special constables or police officers by any act of assembly of this province or by any local by-law of the district for which such inspectors are appointed.

5. For every default in the discharge of his duty under this act, an inspector shall be liable to a penalty of \$50, to be recovered in an action of debt in any court of competent jurisdiction by any person suing the same, one-half of said penalty to be paid to the treasurer of the district for which such inspector is appointed to form part of the contingent fund thereof.

6. Each of the said inspectors shall be paid out of the funds of the city, town, or municipality for which he is appointed, a salary not exceeding five hundred dollars per annum to be paid in equal monthly instalments.

7. All inspectors appointed under this act shall be indemnified by the city town or municipality for which they are appointed for all costs incurred in prosecuting any information where the same is dismissed by the court after hearing the same or when a conviction is had and is quashed on appeal to the supreme court or otherwise or in case the fine and costs be not recovered, on production of a certificate from the judge or court hearing the information that there was reasonable grounds for making the same.

8. Every inspector appointed under this act shall make a return of all cases prosecuted by him in each and every year ending December 31st, how the same were disposed of, the amount of fines and costs paid or punishment awarded and any other matter required of him by the council by which he is appointed. Such returns shall be made to the first meeting of such council after

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the 1st of January in each and every year, and every police magistrate, parish court commissioner, justice of the peace or other court of competent jurisdiction before whom an information under the second part of the Canada Temperance Act, 1878, shall have been heard and determined, shall make a return.

On the question that Mr. Stockton's bill be read section by section, the committee divided as follows:

Yeas—Blair, Turner, McLeod, Hannington, Hetherington, Labillois, Wilson, Leighton, Ellis, Park, Stockton, Dr. Lewis, Hibbard, Perley, Baird, Humphrey, Morton, Burchill, Pugsley, Palmer—20.

Nays—Wetmore, Adams, McAdam, McManus—4.

GURNEY DIVISION NO. 5.

This grand old historic Division, located in St. John, has just installed the officers for the ensuing term. The ceremony was performed by the Deputy, John P. Bell, assisted by John Rankin as Grand Con. and the following members perform for the next three months, the duties of the various positions to which they have been elected:—

Thos. Hicks,	W. P.
J. D. Wilbur,	W. A.
David Bradley,	R. S.
Sena Wetmore,	A. R. S.
May Fleming,	F. S.
James Mason,	Treas.
S. B. Paterson,	Chap.
Albert Smith,	Con.
Ada Fleming,	A. Con.
Ada Wetmore,	I. S.
W. T. Baird,	O. S.
C. H. Smith,	P. W. P.
Annie Rankin,	Organist.

The Division has just closed a very active and prosperous winter in the work of temperance. The young members of the Division have held a monthly social and a monthly public entertainment during the winter, all of which has contributed much to cement the membership and at the same time add to the numerical strength of the Division. These socials have been enjoyed by old and young alike, and the membership feel under great obligations to the Committee which so appropriately and successfully conducted these enjoyable affairs. On Monday evening last a Complementary Social was tendered to the ladies and gentlemen, not connected with the Division, who contributed so much to the success of the public entertainment. A very enjoyable evening was spent in their usual pleasantries of conversation, games, and music, and about ten o'clock, the company, numbering about one hundred, sat down to a supper furnished by the ladies of the Division. During the evening the Chaplain, S. B. Paterson, in a neat and happy speech tendered the heart-felt thanks of the Division, and an earnest invitation to all present not members already to come in and help this good old society in its work of saving men and women from strong drink.

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5. It will tend to prevent sudden death from congestion of the Lungs, Brain, Apoplexy, and Heart Disease.

6. It will benefit or cure Asthmatics.

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