#### SPECIAL NOTICE.

The TEMPERANCE JOURNAL is devoted to the Principle of Temperance, and is designed as a amily newspaper. It is issued on Thursday

morning of each week. The articles are specially selected and are such as to recommend the Paper to all Deputies of all temperance organizations are

our Authorized Agents. SUBSCRIPTION RATES: One Copy, one year, six months.

three months, more convenient to the party remitting. Clubs

of four and over will be sent the paper for 75 cents per year. ADVERTISING RATES: A limited number of advertisements will be

taken at the rate of ten cents per line, minion measure, five cents for each subsequent Special rates given for yearly

All communications to be addressed to HERMAN H. PITTS, EDITOR AND PROPRIETOR. Fredericton, N. B.

## OFFICIAL CORRESPONDENTS.

The following have been appointed Official Correspondents for the JOURNAL from their Divisions.

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King's Co., N. B.
G. R. Bailey, Harcourt Division, Weldford,
Kent Co., N. B.



-OUR MOTTO-

# Cemperance Journal.

THURSDAY, AUGUST, 5, 1886.

HOW TO BRING A CHARGE AGAINST A RUM SELLER UNDER THE SCOTT ACT.

EVERY MAN HIS OWN LAWYER.

Hardly a week passes but we have applications for information as to how a case should be conducted against a violator of the Scott Act. For the information of those who are in sections of Scott Act counties where there are no lawyers, we give PROVINCE OF NEW BRUNSWICK, copies of the necessary papers. The "Canada Temperance Act' or Scott Act, so called after the framer of the Act, is divided into day been laid before the undersigned there route. The first have for the Magistrate, in and for the three parts. The first has reference for that you did, to the bringing in force of the act in a county or city, and gives the (Unlawfully sell intoxicating Liquors contrary to procedure in making out petition, and mode of balloting etc. The second part is the act proper, and Her Majesty's name, to be and appear on refers to the mode of conducting the prosecution of violators, what amount of liquor may be sold, and what constitutes an offence under the act.

The third part, is to be taken in according to law. connection with the second part and has reference to Penalties and Prosecutions, for offences. When a person has sufficient evidence against an individual for violating the law he should make a charge in the following form, either before a available, before two Justices of give bearing on the case. You have union with the moral and Christian the Peace for the County.

FORM I. CANADA,

PROVINCE OF NEW BRUNSWICK, COUNTY OF PARISH OF The INFORMATION of (here put in the man's name who prefers the charge) of (name of Parish or Vistase), in the said (name of County), taken before me, the undersigned (Police or Sitting rate or Justice of the Peace), in and for the

e put in Parish), at aforesaid, e date) day of (here month) in the year ord one thousand eight hundred and ere year) who saith, (here write in your char, a the following form).

Ri hard Roe, of the Parish of St. Marys, did between the first and twenty-sixth day of July listant, in the Parish aforesaid, in the County of York, unlawfully sell intoxicating liquers, contrary to the second part of the Canada Temperance Act of 1878" which is in

WILLAM DOE. Taken and Sworn before me the day and year and

at the place above mentioned. The Magistrates must sign their name here.

In making a charge against an individual it is always better to cover from ten to twenty days, and not to specify a certain day or case in which the liquor was sold. select as witnesses, parties whom you think would be the least liable Subscriptions must invariably be paid in to make a false oath, as many are advance. Postage stamps will be taken when inclined to do to protect their friends. The person making the charge must sign the same in the presence of the Magistrates.

Although the informant can ask to be a witness, it is not best to depend on the evidence of one, so at the time of bringing the information if you know of any witness whom you think would not be likely to give evidence unless compelled, you can ask the court to summon the

FORM II.

CANADA, PROVINCE OF NEW BRUNSWICK, COUNTY OF PARISH OF TO WIT:

The DEPOSITION of William Doe, taken on oath, before me, the undersigned Justices of the Peace in and for the said day of

aforesaid, this A. D. 188 w. White are) likely to give material evidence on behalf of the prosecution in this behalf, touch ng the matter of the annexed information, and that this deponent verily believes that the said James Jones, William Smith, John Brown and Robert White) will not appear voluntarily for the purpose of being examined as a witness. Sworn before me at -

day of (The Magistrate will sign here.)

After making this oath, the Justices will subpæna the witnesses named in the above by the following summon.

FORM III.

CANADA, PROVINCE OF NEW BRUNSWICK, COUNTY OF PARISH OF

of the Parish of County of WHEREAS information was laid before me, the Justices of the Peace in and for the Parish for that

at the aforesaid, in the County aforesaid, (Unlawfully sell intoxicating Liquors contrary to the second Part of the Canada Temperonce Act

And it hath been made to appear to me upon oath that you are likely to give material evidence on behalf of the (Prosecution) in this behalf. These are therefore to require you to be and appear on

day of at o'clock in Office, in the Parish of noon, at the aforesaid, before me, or such Justice or Justices of the Peace for the said County as may then be there, to testify what you shall know concerning the matter of the said information.

Given under my hand and seal in the year of our Lord one thousand eight hundred and eighty at the

the County aforesaid. (Magistrate's Name.) § L. S.

You will now have your part of the preliminary arrangements completed. The Justices of the Peace should then issue the following to the party against whom the charge has been preferred:

FORM IV.

CANADA, PARISH OF WHEREAS INFORMATION hath this

the Second Part of the Canada Temperance Act 1878 which is in force in the said THESE are therefore to command you, in

Given under my hand ard Seal, this day of in the year of our Lord one thousand eight hundred and at the

aforesaid, in the county aforesaid. (Magistrate's Name.) (Seal) Police, Stipendiary or Sitting appear and have an eye to the pro- The plain and simple constitution, Magistrate, or a commissioner of a ceedings, and ask to be called upon practical code of laws, sound financial Parish Court, or if these are not to give evidence if you have any to basis, co-operation, sympathy and the privilege of conducting the case elements of the country, are making and examining and cross-examining it one of the most powerful agencies the witnesses if you so desire, or the against intemperance and the liquof Justices may do this themselves traffic in the world. The growing It will be first necessary for you to temperance sentiment of the country prove the act to be in force in the necessitates permanent organizations, County, although it may be a well in order that the good accomplished known fact. You will therefore by the Murphy movement and procure a copy of the Royal Gazette pevious efforts may be perpetuated. containing the announcement of the The experience, moral, numerical and Payment of the tax demanded instead same and in every prosecution pecuniary strength of the Sons of of being a restraint upon the liquor present this as evidence of the Act Temperance, offers every advantage dealer is a license to him. If Mr. B. being in force, or the conviction may necessary to satisfy the requirements thinks the sale of liquors and the

or from the Journal Office, and be morally, socially and intellectually. read up on the various points likely to be taken at the trial.

room or other place in any municipal- and managed by the Divisions, and ity in which any prohibitory by-law create a wide-spread public sentiment passed under the provisions of "The in favor of total abstinence and to sup-Temperance Act of 1864." or of this port and aid in carrying forward ALL Act, is in force, a bar, counter, beer movements designed to suppress the pumps, kegs or any other appliances vice of intemperance. Not only does or preparations similar to those it aim to reform and save the drunkard usually found in taverns and shops but also seeks to throw safeguards where spirituous or fermented liquors around the innocent, which shall preare accustomed to be sold or trafficked vent them from becoming victims to in are found, and spirituous, ferment- the vice of intemperance. ed or other intoxicating liquor is also found in such house, shop, room or and possesses the charm of a social beyond the ratio of the increase place, such liquor shall be deemed to circle, where there exists the warm of population. In many other cities have been kept for sale contrary to fraternal feeling and a community of and towns in Illinois the number of same, who will use the following the provisions of such Act, unless the interest. Those who enter this group saloons has increased since the high contrary is proved by the defendant come into an assembly of sympathetic license law went into force. in any presecution; and the occupant friends, who receive them into cordial of such house, shop, room or other fellowship, and take a kindly interest place shall be taken conclusively to in their welfare. As the bar-room be the person who keeps therein such has its social fascinations, so this Order liquor for sale.

or other unlawful disposal of liquor for the purpose of any proceeding A. D. 188 who saith that (James of the purpose of any proceeding Jones, William Smith, John Brown and Robert relative to any offence under the said "The Temperance Act of 1864," or under this Act, it shall not be necessary to show that any money actually passed, or any liquor was actually consumed, if the Justices, Magistrate or other officer or court hearing the case, is or are satisfied that a transaction in the nature of a sale or barter or other unlawful disposal actually took place.

> this Act, for the sale or barter or directly to the precise description of bers. the liquor sold or bartered or the precise consideration therefor, or to the fact of the sale or other disposal having taken place with his participation or to his own personal and certain knowledge, but the Justices or Magistrate or other officer trying the case, so soon as it appears to them or him that the circumstances in evidence sufficiently establish the traffic, commonly called the license infraction of law complained of, shall put the defendant on his defence, and in default of his rebuttal of such evidence, shall convict him accordingly.

## THE SONS OF TEMPERANCE.

A SKETCH OF THE HISTORY, WORK AND OBJECTS OF OUR ORDER.

By Bro. Thos. Webster, Past Grand Scribe in the Son of Temperance for January.

This organization was instituted Washingtonian Reformation. For working diligently and increasing in numbers and power. It is now composed of four National Division, instructive ritual, filled with the spirit of love, and self-sacrifice for the welfare of others, appeals to the On the day of the trial you will highest faculty of human nature. be quashed on this apparently small of such an organization.—Its mem- business of drunkard making is

children in the principles of total ab-

aims to render temperance attractive. 120. In proving the sale or barter In addition to the social features, new and beautiful ceremonies are employmeetings are always of an interesting land, Rev. Dr. I. P. Warren, editor character, being an agreeable blending of the Christian Mirror, concludes

of business and social recreation. Its a lengthy, emphatic denial as follows. grand purpose is indisputably an off-

that any witness should depose perance, of which they are still mem-

## TAX VERSUS LICENSE.

The following was refused a place in the Indianapolis Times.—ED. Your correspondent R. B. Blake,

in this morning's issue, thinks 'the

system of restraint upon the liquor

system, might more properly be termed the tax system.' It is well enough to have a clear understanding about terms so commonly used at this time. If the document the saloon keeper receives after paying his \$100 to our county Auditor is merely a receipt, like that we all Such wording conveys to the average breakwaters that ward off much of in the City of New York, September mind the impression that we, the 29th, 1842, to supplement, solidify people, do by and through our crest ugon its poorer victims. But I and perpetuate the results of the properly constituted officers, permit the saloon keeper, in consideration forty-three years the Order has been of a certain sum of money, to carry on his nefarious business. impression is so clear and distinct in the minds of many conscientious about seventy Grand Divisions, and men that they cannot vote with a nearly three thousand subordinate party that favors this method of Divisions embracing every State and "restraining the liquor business." nearly every territory of the Union | Hence it is of the greatest importance -also, Canada, Great Britain, and to have the correction made in the in those elevated regions it the Islands of both the Atlantic and phraseology of the law on the gains new intensity in its virus, the Pacific Oceans, and it has en- subject, if our law makers have with which it will with redouble fury rolled more than three millions of made a mistake in the use of the lash the multitudes who occupy the persons. Its fundamental principle word intended. But we think they lower planes. The higher ranks is total abstinence from all intoxicat- make no mistake. They used the drink as well as the humbler, and ing drinks. It presents a faternal word that conveyed the idea intend- the example of the former provokes combination to meet and overcome ed. They intended to permit, which the weakness of the latter, and it is the social allurements of intemper- is the same as to license, the liquor the power of the high and proud ance and the combined influence of dealer to carry on his business of victims of alcohol which mostly neu. the liquor traffic. Its beautiful and drunkard making on the payment tralizes our efforts in behalf of the of the sum demanded, and he under- poor; they hug their decanter, and stands it so himself. If he did not do not wish us to demolish the poor he would not have paid the fee. If man's bottle, lest the destructive blow you should demand that he quit the in its recoil might shatter their own business on account of the temptation he is putting in the way of your son or brother, he would quietly point you to his license, and tell you that there was his permit to sell to whomsoever he pleased. But a word as to this tax, as R. B. Gloucester County on Saturday 24th

upon the business. He needs to enighten us on this point. It would seem that when a man pays for and gets a license to do a certain thing, the restraint that was heretofore placed upon him was removed. bership is composed of the best class lessened by the wiping out of the It would be well for the party of persons of both sexes, old and few saloons that are unable to pay

force in the said Parish of St. Marys, County of making the complaint if he proposes young, who are actuated by a com- the tax, (procure a license) he is to conduct his own case to have a mon purpose of reclaiming the fallen laboring under a serious mistake. copy of the Act, which can be and throwing around them an in- Take any block in our city, for procured from almost any book-store, fluence calculated to benefit them example, where two or more saloons are now in existence. Suppose that The Order aims to educate the a tax (license fee) was made high enough to close one of them, will stinence, through organizations of the Mr. B. say that the thirsty victim 119. When in any house, shop, Cadets of Temperance, superintended of alcoholic poison, when the fever of drink is upon him, will stop, turn around and go home sober when he finds the door of his favorite saloon closed, while another half a square farther on stands with doors open and liquors temptingly displayed?

No, the closing of half our saloons would not reduce the amount of drinking a gallon in the year. In Chicago, with a \$500 tax, (license fee) there are almost or quite as many saloons as before, and the amount of The Division Room is an educator, liquors drank has largely increased

J. G. KINGSBURY.

Indianapolis.

### MAINE.

In reply to a statement accredited to Dr. Howard Crosby concerning the The exercises at the regular alleged failure of prohibition in Port-

"As to the benefits which this law, spring of the gospel. Its principles, imperfectly as it some-times and in laws, and practices are in accordance some places has been executed, has with its motto, "Love, Purity, and conferred upon this city and State, I can only say that in our opinion they Since the Order was first instituted are inestimable. The law has now t has been steadily at work saving been in force thirty-four years. Inthe fallen and advancing the temper- numerable attempts has been made to ance sentiment among the people. substitute a license law for it, or in 121. In any prosecution under Many of the leading and most influen- some way modify the stringency of the said Temperance Act or under tial statesmen and orators, of the past its provisions, but they have totally and present, commenced their work in failed. A year ago prohibition was other unlawful disposal of intoxicat- the Division Room, and owe a portion placed in the constitution of the State ing liquor, it shall not be recessary of their success to the Sons of Tem- by a popular majority of over forty; seven thousand. Do you want any other evidence of what the people of Maine think of their law? Is it not to be supposed that by this time they understand it? Do you think they want arguments or allegations from abroad as to whether it is enforced or not, whether 'prohibition is a failure,' whether our cities have 'more saloons to the population than New York City,' or whether it is best to descend from our high ground, approved by experience and equity, to any scheme of license, high or low, under which grog-shops are multiplying and growing in power in most of the States of this Union?'

> "I speak particularly of the working receive when we pay our taxes, then classes, for they are the nearest it should be called a tax receipt and objects of my own sympathies, and should not read "The said A. B. is they suffer most deeply from intemhereby licensed to sell liquors in less perance when they are addicted to quantities than a quart," in such a it. The rich, when they drink, place for such a time, as it now does. have in their surroundings the sea of misery that flows at full must not be understood to say that intemperance is confined to the poorer people; its venomous fangs reach upward through all ranks of society; it crosses marble thresholds, nestles in the boudoir of high-born ladies, lurks amid the books of the professional man, in the parlors of the princes of the people, pet idol."-Bishop Ireland.

## JANEVILLE DIVISION.

Janeville Division No 314 S of T was organized at Janeville, B. perfers to call it, being a restraint July. The following office bearers were elected.

Hugh A. Care, W. P.; Edwd. Scott, W. A .: Edwd. L. Caie, R. S.; W. McKenzie, F. S. Ernest Parrott, T.; Ellen Caie, Chap.; Alex Sullivan, C.; Annie Eady, A. C.; Edwin Ellis, I. S.; James Curren, P. W. P. Edwd. L. Caie, D. G. W. P. Night of meeting, Saturday.